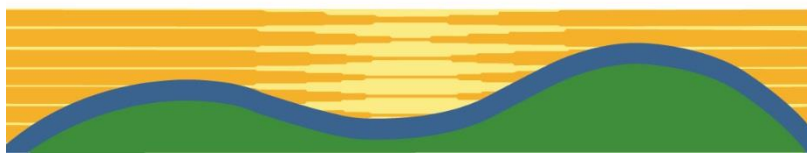


# MITCHELL SHIRE COUNCIL



## ORDINARY COUNCIL MEETING

### AGENDA

**MONDAY 16 DECEMBER 2019**  
**7.00pm**

**NOTICE IS HEREBY GIVEN** that **Ordinary Council Meeting** of the Mitchell Shire Council will be held at **Mitchell Civic Centre, 113 High Street Broadford**, on **Monday 16 December 2019** commencing at **7.00pm**.

**MARY AGOSTINO**  
**ACTING CHIEF EXECUTIVE OFFICER**

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**1 WELCOME AND GOVERNANCE DECLARATION**

The Mayor formally opens the meeting with an acknowledgement of country and welcomes all present.

**2 APOLOGIES AND LEAVE OF ABSENCE****3 DISCLOSURE OF CONFLICTS OF INTEREST**

*In accordance with Section 79 of the Local Government Act 1989.*

**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****RECOMMENDATION**

**THAT** the Minutes of the Ordinary Council Meeting held 18 November 2019, as circulated, be confirmed.

**RECOMMENDATION**

**THAT** the Minutes of the Special Council Meeting held 25 November 2019, as circulated, be confirmed.

**5 PETITIONS AND JOINT LETTERS**

*In accordance with Clause 66 of the Meeting Procedure Local Law.*

**6 PRESENTATIONS**

*In accordance with Clause 65 of the Meeting Procedure Local Law.*

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## 7 ADVOCACY AND COMMUNITY SERVICES

### 7.1 SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION

**Author:** Karen Watson - Manager Liveable Communities

**File No:** CR/01/054

**Attachments:**

1. Condition and Location of Seymour District Car Club House
2. Current Location of Seymour FM
3. 53 and 55 Pollard Street, Seymour
4. Assessment of Potential Premises for the Relocation of Seymour FM

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#### SUMMARY

Council is the owner of a building located at 49 Howe Street, Seymour, known as the APEX Building. It has been exclusively occupied by the Seymour and District Car Club since 2016. The building is past its 50-year asset life standard and poses a potential Occupational Health and Safety Risk. Due to the risk, Car Club were approached to see if they would be willing to relocate.

Council has also been in consultation since late 2018 with Seymour FM to relocate the community radio station from Kings Park to another site within Seymour.

Council's Kindergarten and Maternal and Child Health Centre at 53 and 55 Pollard Street, Seymour, near Chittick Park, are both soon to be vacated. When considering the future of these sites, a number of factors can be taken into account including the possible alternative community use; whether to demolish and extend for open space; whether to sell, or to land bank.

Council has advertised seeking community feedback on the proposed move with 13 responses received supporting the proposal.

#### RECOMMENDATION

**THAT** Council:

1. Agree to demolish all buildings and storage sheds on the Council property RES LP 34147, noting requirements to manage the removal of asbestos prior to demolition.
2. Negotiate a lease with the Seymour and District Car Club for 53 Pollard Street, Seymour with exclusive use of office and storage and shared use of meeting space with Council.
3. Negotiate a lease with Seymour FM for 55 Pollard Street, Seymour.

#### BACKGROUND

##### Apex Building

Council is the owner of a building located at 49 Howe Street Seymour known as the APEX Building. It was originally established as a storage shed by the APEX club who in 1988 secured a 25-year license over the property where the building is located. The

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SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

licence expired in 2013.

Since 2016 the building has been exclusively occupied by the Seymour and District Car Club. No tenancy agreement exists.

Since 2015 Council has undertaken several investigations into the building. These include a condition assessment, a building valuation, and an asbestos audit. The reports from these investigations indicate that the building does not meet the standards for a community facility and the building also contains a large quantity of asbestos.

The building is past its asset standard 50-year asset life. (Refer to photo Attachment 1.) The current building leaves Council exposed to potential Occupational Health and Safety risk to the current occupants. The Seymour and District Car Club were approached to see if they were amenable to relocating and if options existed for this relocation.

### Seymour FM

Council has also been in consultation since late last year with Seymour FM to relocate the community radio station from Kings Park to another site within Seymour. Their current site is shown in Attachment 2. Seymour FM has outlined their current site is:

- Constrained by space and prevented from having the basic facilities attributable to a radio station.
- Impacting on the operational and aesthetic environment in which the volunteers work

Additionally, they require growth to enable the radio station to become a focal point of Seymour and become more inclusive of the surrounding regional area.

### 53 and 55 Pollard Street Seymour

Council also owns the building located at 53 and 55 Pollard Street, Seymour. Council currently operates kindergarten and maternal child health services from the site, located next to Chittick Park. (Attachment 3). These services are relocating to a new site in 2020. Both sites (53 and 55 Pollard Street) are on the same title along with two units that are currently leased by Council to private tenants.

## **ISSUES AND DISCUSSION**

### Future use of 53 and 55 Pollard Street Seymour

The future use of the Kindergarten and the Maternal and Child Health Centre site at 53 and 55 Pollard Street Seymour require consideration by Council.

When deciding the future of this site, the following factors need consideration:

- Possible alternative community use;
- Whether to demolish and extend for open space as part of Chittick Park;
- Sale;
- Land banking and timing of land banking.

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SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

### **Alternative Community Use**

Both the Seymour District Car Club and Seymour FM are legitimate community groups within the Seymour area. The site is no longer required for use as a Family and Children's facility. If used by the Seymour District Car Club and Seymour FM, both community organisations/clubs will be responsible for their own maintenance costs and no building upgrades are required.

#### 53 Pollard Street

The Seymour District Car Club operate as a fundraising community group each year committing their membership monies and fundraising activities to the local and broader community. Fund raising activities including monetary support by way of cash donations have been provided to:

- Vietnam Vets Fundraising
- Seymour and District Memorial Hospital
- Avenel Primary School
- Kilmore Hospital
- Cancer Council of Australia
- South Coast/Warrnambool Community
- Unite to Fight Cancer Campaign

In addition, non- monetary support was provided to:

- Australia Day in Seymour, supporting the Rotary Club.
- Lions Club Goulburn Park Labour Day Monday Market.
- Tastes of the Goulburn.
- Broadford Truck Show.
- Avenel 175th Anniversary.
- Seymour 175th Anniversary.
- Seymour's Annual Expo.
- Seymour Hospital Memorial.
- Karingal Hostel.

It is recommended that Seymour and District Car Club are given a five year plus five-year lease of 53 Pollard Street, Seymour (the previous Kindergarten site), with exclusive use of storage and office areas, and shared use only of the meeting area. The meeting area is proposed to be shared with Council to use for staff and Councillor led meetings.

Seymour and District Car Club have indicated that they are willing to maintain all the building and grounds, and this includes the rear children's playground, which they are proposing to use for future fundraising events. Council's Leasing and Licensing Policy will be used to negotiate the new lease, and it is proposed to be a peppercorn lease given the genuine community nature of the group, and their commitment to the Seymour region. It will include their commitments, to costs they will incur under the

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SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

lease, including all outgoings, maintenance and signage. Under the lease the expectation to meet all Planning and Permit expectations will also be outlined.

### 55 Pollard Street Seymour

Part of the Seymour region for over 17 years, Seymour FM, is the Seymour Puckapunyal Community Radio Inc. Association. The community radio has 49 volunteers. It would like to increase their community engagement and participation and provide the opportunity to become much more inclusive of the region. The Maternal and Child Health site has direct line of sight to the relay facility on One Tree Hill. An outline of their proposal is shown in Attachment 4.

It is recommended that Seymour FM are given a five year plus five-year lease of 55 Pollard Street, Seymour (the previous Maternal and Children's Health site).

Seymour FM have indicated that they are willing to maintain the building and the small rear yard. Councils Leasing and Licensing Policy will be used to negotiate the new lease, and it is proposed to be a peppercorn lease given the genuine community nature of the organisation, and their commitment to the Seymour region. It will include their commitments, and costs that they will incur under the lease, including all outgoings, maintenance and signage. The club has also indicated that they will be paying and arranging for their own relocation expenses. They have also indicated that they are willing to fit out the two offices with sound proofing as their two sound studios at their own cost. Security could also be an issue, if the association requires CCTV or other security measures, these will need to be added at the expense of the association. Under the Lease the expectation to meet all planning and permit expectations will also be outlined.

### **Demolish and extend for open space**

The car park adjoining 53 Pollard Street adjoins Chittick Park. Accordingly, there would be some merit in demolishing both 53 and 55 Pollard Street for open space, if the amount of open space in this area was limited. However, this area is well catered for currently with open space.

Council is currently undertaking a Chittick Park Master Plan. This site will be considered as part of this project.

### **Sale Consideration or Land Banking**

There are also two adjoining units on the site abutting the Maternal and Child Health Centre. The current market value of the two units is being ascertained. The CIV is \$106,000 for the Maternal and Child Health Centre and \$227,000 for the Kindergarten.

This area is one of Seymour's most disadvantaged areas and where there is predicted to be reasonable levels of growth.

The site could be sold now at the current market rate or it could be land banked for the future. Leasing for five years plus five as recommended is consistent with land banking for 10 years. More than likely if any sale were to occur it would take into account the

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SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

whole site, including the units. The rents of the other two units are \$118 and \$114 per week.

### **CONSULTATION**

Consultation has been undertaken with the Seymour and District Car Club regarding the potential move to 53 Pollard Street Seymour, and also regarding the restrictions placed on them in their current club. Currently they are holding their monthly meetings at the Chittick Park Community Place as part of the Risk Management Plan, until a permanent move is arranged. Seymour and District Car Club are willing to do all of the maintenance and gardening on the potential new site.

Seymour FM has been consulted regarding a potential move to 55 Pollard Street Seymour. Seymour FM are willing to make changes within the building to set up the recording studios at their own cost. They initially requested 10 year plus 10-year lease but will accept five year plus five-year lease.

Both Seymour FM and the Seymour and District Car Club have had joint consultations regarding the move and how they will work together as neighbours.

Council has advertised seeking community feedback on the proposal with 13 responses received. Feedback was positive and in favour of both relocation options. In summary top themes in support of Seymour FM across the 13 submissions:

- Provides valuable services to the community
- Currently housed in small premises, cramped conditions that are difficult to navigate
- Positive contribution to tourism and economic development of Mitchell Shire
- Importance of community radio: promoting local groups, activities, initiatives, etc.
- Accessibility: relocation would be near the hub of Chittick Park community organisations
- Offers entry level training for those interested in media

The submission in regards, to Seymour and Districts Car Club included, that it provides valuable service to the community and it is considered important that it is recognised that it makes a valuable contribution to the fabric of our community and is a worthy objective

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

As recommended by this report the building at 49 Howe Street will need to be demolished. The cost of demolition will be considerable. An initial valuation of \$70,000 has been received, however competitive quotes will be sought.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

Council has a new Property Holding, Acquisition and Disposal Policy to guide property management decisions when considering the disposal of assets. The following table

## SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

is a summary of the considerations that buildings and land should not be disposed of unless:

Not linked to a Council strategy	Development potential is not matched to Council functions
No current or future Council Service	No legal or statutory impediment stopping disposal
Not Lease or Licensed to CoM/ Council Supported service	Will attract an acceptable financial return
Non-core services are provided from the building	Development potential is not matched to Council functions
Cannot meet future service demand without significant investment	No legal or statutory impediment stopping disposal
No significant social impact on the community	Fits into categories of unused lands
Does not generate sufficient rental income	Resolution of Council
Surplus to current and future needs	

49 Howe Street, Seymour

When considering the property at 49 Howe Street, Seymour, while it is not proposed the land on which the building resides be disposed of, the building itself should be.

The building does not meet a number of criteria which would warrant its ongoing retention as a Council operated building or public facility being;

- The service provided from the property can be performed elsewhere.
- The building cannot adequately meet future service demand without significant additional investment.
- The building does not generate sufficient rental income taking account of life cycle costs.

It is also to be noted that Council is currently undertaking a Chittick Park Masterplan and the land that this building sits on will be taken into account in this Masterplan.

**RISK IMPLICATIONS**

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Risk that the Seymour and District Car Club refuse to move	Low	Current temporary relocations put in place – U3A and RSL buildings Community engagement	Within resources

## SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
There is a risk that is we do not find a suitable building for the Seymour and District Car Club	Medium	Current temporary relocations put in place – U3A and RSL buildings Community engagement to mitigate any bad press	Within resources
Neighbours unhappy with the proposed use of 53 and 55 Pollard Street Seymour	Medium	Planning Permit Advertisement Engagement/ Communication and follow/up of issues	Within resources
Concern in the community with the use of 53 and 55 Pollard Street Seymour Waste of Public Monies	Low	Engagement and Communication	Within resources

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

Council has a commitment to building and sustaining partnerships with local community groups to deliver good outcomes for the community. The building at 49 Howe Street is no-longer fit for community use.

There are environmental considerations regarding ongoing management of this building. If the building deteriorates there is an increasing likelihood of asbestos exposure to the public. The building is already in poor condition but a financial investment into the building is not advisable as there will not be an economic or social return from the investment for Council, and the building is not suitable as a Council or community facility. Contracted removal of the asbestos would ensure public safety with the building to be demolished thereafter to ensure the building does not become a risk to the community or a haven for anti-social activities.

In summary from the section *Sale Consideration or Land Banking*, the property values in that part of Seymour continue to be depressed. Therefore, it is considered that the properties should be land banked for the next ten years as the current market value is not strong enough to warrant sale when there are other viable community uses.

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report. Where a community group has had a right of assembly and this right of assembly is taken away, this can be considered a contravention of their rights. In this instance, however, their rights of assembly are

SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

offset by the responsibly of the Council to ensure that no harm comes to the community.

### **CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

There is ongoing risk that children of Seymour and District Car Club members are occupying a building that has been deemed to not meet the standards for a community facility. Children could access areas where they risk exposure to asbestos.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

Council currently owns the building located at 49 Howe Street, Seymour. The building has been identified as having asbestos and is no longer safe for use as a community facility. The Seymour and District Car Club currently leases the site and now need to relocate to a more suitable facility. Both the car club and Seymour FM are seeking alternative accommodation to meet their needs. It is recommended that the existing building at 49 Howe Street, Seymour be demolished to ensure community safety.

The site located at 53 and 55 Pollard Street, Seymour are currently used to provide kindergarten and maternal child health services. These are due to be relocate to an alternative site in early 2020.

Other possibilities are also discussed in this report including whether to demolish and extend for open space; to sell, or to land bank. On balance, it is recommended to lease 53 Pollard Street, Seymour five years plus five years to the Seymour Car Club, and to lease 55 Pollard Street, Seymour five years plus five years to Seymour FM.

SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION (CONT.)

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

**16 DECEMBER 2019**

**7.1**

#### **SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION**

**Attachment No: 1**

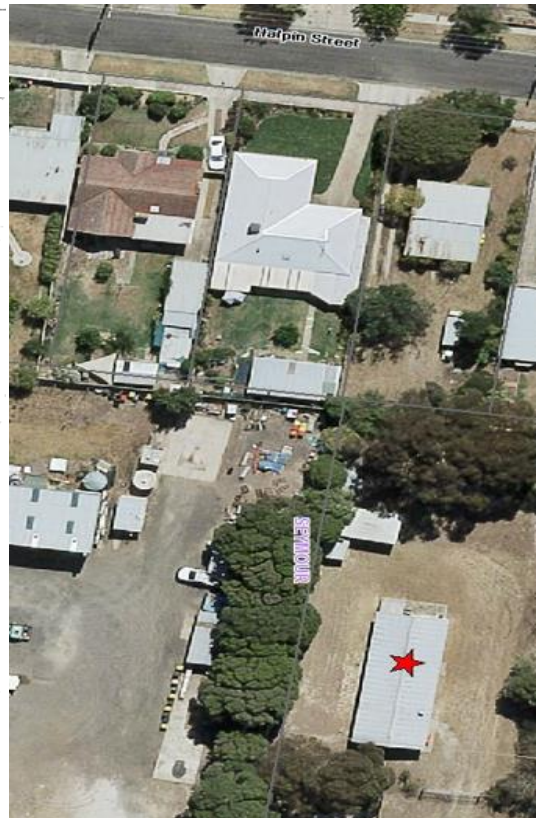
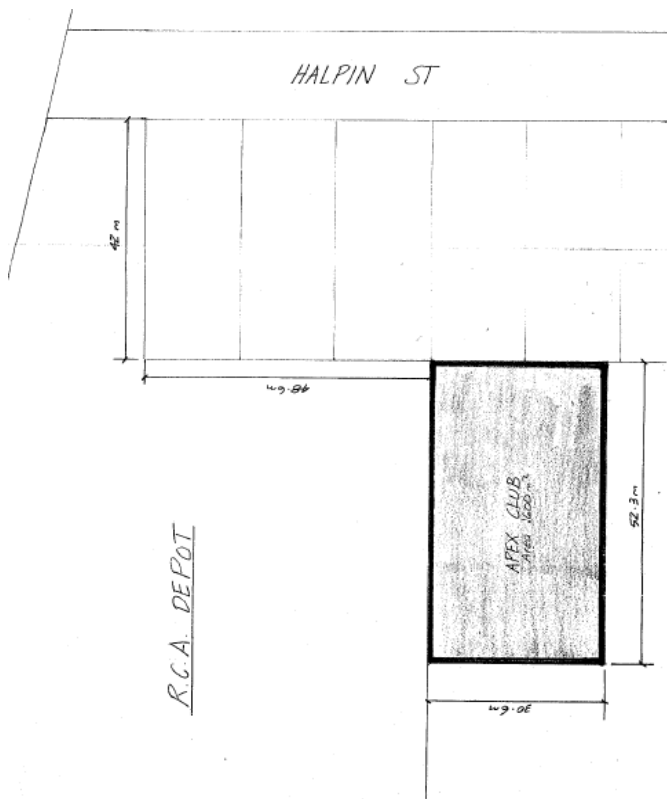
**Condition and Location of Seymour District  
Car Club House**

Attachment 1:

**Condition and Location of Seymour Districts Car Club House**

49 Howe Street Seymour

Seymour Districts Car Club House



# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

**16 DECEMBER 2019**

**7.1**

#### **SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION**

**Attachment No: 2**

**Current Location of Seymour FM**

## Attachment 2

Current location Seymour FM

Kings Park Precinct



# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

**16 DECEMBER 2019**

**7.1**

#### **SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION**

**Attachment No: 3**

**53 and 55 Pollard Street, Seymour**

### Attachment 3

53 and 55 Pollard Street Seymour

Currently the Kindergarten and Maternal and Child Health Centre



# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

**16 DECEMBER 2019**

**7.1**

#### **SEYMOUR DISTRICT CAR CLUB AND SEYMOUR FM RELOCATION**

**Attachment No: 4**

**Assessment of Potential Premises for the  
Relocation of Seymour FM**



# Assessment of Potential Premises for the Relocation of Seymour FM

Ian McOwan, President  
Greg Sharp, Vice President  
SEYMOUR PUCKAPUNYAL COMMUNITY RADIO INC.



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### Executive Summary

Seymour FM has been a part of the Seymour region for over 17 years. It has proven to be resilient, adaptable, and above all, an important part of the community.

Seymour FM's programs have encompassed interviews with many community representatives, organisations, artists, and covered important community events ranging from the Seymour Alternative Farming Expo to the sports of local football and basketball.

Despite Seymour FM's achievements, we are aware that we could do so much more. However we are constrained by the space available at our location in the Exhibition Pavilion at Kings Park, and are prevented from having the basic facilities attributable to a radio station.

Also, we know that the conditions at our current location impose a significant impact on the operational and aesthetic environment in which our volunteers work. It is not conducive to recruiting sufficient volunteers that are needed to sustain the level of local programming required of our new "long term" licence provided by the Australian Communications and Media Authority.

To become the radio focal point of Seymour and become much more inclusive of the surrounding regional area, and to provide an acceptable level of local community programming and access, it is imperative that Seymour FM relocates to premises large enough and suitable for the growth that it must undertake, and for the expansion of its facilities.

### Recommendation

Seymour FM has assessed the suitability of the premises located at 55 Pollard Street Seymour and finds them very suitable for the next stage in our development, growth and long term future.

Seymour FM recommends that Mitchell Shire Council accept our proposal to relocate to the new premises.

### Information and Contact

For further information please contact me with the following details.

Ian McOwan  
President and Technical Services Manager  
Kings Park Complex  
22 Lesley Street  
Seymour, 3660

e: [president@seymourfm.com.au](mailto:president@seymourfm.com.au)

m: 0425 747 449

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## Preface

### Radio – A 24 by 7 Operation

Unlike most other community organisations whose activities are periodic, radio is a demanding 24 hours, 7 days a week operation.

From an operational perspective, a broadcasting licence<sup>1</sup> requires that program content is broadcast all day, every day. Ideally, the non-sleeping hours should be filled with live program content.

For the most part, volunteers of a radio station make themselves available during non-sleeping hours. The challenge is to provide sufficient volunteer coverage during all of the non-sleeping hours, every day of the week. This places exceptional demands on Seymour FM to have sufficient volunteers, and an operational structure that is encouraging, facilitating, and functional.

Historically, Seymour FM has struggled to meet the licence requirements. Many people think that the population size of Seymour and peripheral towns is insufficient to meet the broadcasting demands. This is not correct.

Two examples that meet broadcast licence requirements are –

- Alpine Radio 96.5FM in Mount Beauty, Victoria (*Kiewa Valley Community Radio Association Inc.*).  
The Bright/Mount Beauty region has a population<sup>2</sup> of 8,154 (2016). The median age of Mount Beauty residents is 48.
- MAIN FM 94.9FM in Castlemaine, Victoria (*Castlemaine District Radio Inc.*).  
The Castlemaine region has a population<sup>3</sup> of 8,474 (2016). The median age of Castlemaine residents is 51.

Both of these stations have a program grid where volunteers are 'live' from the early morning (*pre gam*) through to the late hours of the evening, every day of the week.

By comparison, Seymour has a population<sup>4</sup> of 6327 (2016), and a median age of 45. It is approximately 76% the size of the two examples, and statistically has a younger population. Yet our program grid is much less occupied by 'live' content.

Therefore we must look for other reasons and be somewhat objective and realistic to find them. It will include the way Seymour FM presents itself to the public, fulfilment of its objectives, and the level of community support and engagement. There is no doubt that our location, governance issues in our past, and earlier lack of focus have contributed to a smaller organisation. Our location is an important factor as explained later in [Social Considerations](#).

<sup>1</sup> Seymour FM has an Analogue Community Radio Broadcasting Licence, SL1171304, issued by the Australian Communications and Media Authority.

<sup>2</sup> Australian Bureau of Statistics, Bright-Mount Beauty, Code 204031069 (*Statistical Area Level 2*)

<sup>3</sup> Australian Bureau of Statistics, Castlemaine Region, Code 202021028 (*Statistical Area Level 2*)

<sup>4</sup> Australian Bureau of Statistics, Seymour, Code 204011059 (*Statistical Area Level 2*)

It's not hard to guess that new premises, more volunteers, and our continued growth would see an increase in our community engagement and participation, and provide the opportunity to become much more inclusive of other towns in our region. It could include the planning and broadcast of community forums, live coverage of 'Carols by Candlelight', Australia Day at Broadford, Anzac Day, and specialised programs for the aged and invalid, and other niche groups. There is a myriad of opportunity.

As part of being inclusive with other towns there is some informal discussion about rebranding to remove the Seymour centric perspective.

Similarly, Seymour FM have plans to expand into the peripheral areas of broadcasting. These include podcasts, better streaming, interactive programming (*including talkback*), and more.

The relocation of Seymour FM to new premises would add to improvements which have been progressing in recent years, and which successfully gained a "long term" broadcasting licence<sup>5</sup>.

## Potential Premises

### Location

55 Pollard Street, Seymour.

### Description

An almost square brick building comprising a large space with two adjoining rooms, a kitchenette, small room, toilets, and sundry cupboard sized rooms. The site has a courtyard at the front, and smaller courtyard at the rear.

### Current Occupant

Seymour Maternal and Health Centre.

## Broadcasting – Common Needs

Like any operational entity, there is a minimum requirement for plant and equipment, human resources, and other aspects that ultimately determine the effectiveness of the entity. Once the minimum has become available, any increase above the minimum produces a diminishing increase in the return on investment. Put another way, with the minimum you can achieve 90% effectiveness, and increases push the goal towards a 100%.

Radio broadcasting in all its forms, commercial, community, internet, have the same basic environment needed to achieve a level of competent, effective, program content. This section describes the components needed and the reasoning.

<sup>5</sup> The ACMA uses the phrase "Long Term" to recognise that a Community Radio station must reapply for its licence every five years, and subject to a successful reapplication, will continue to provide services. Therefore the term "permanent" is no longer used.

### Two Studios

Considered a minimum, particularly where presenter preparation and set up is needed, two studios alleviate much of what could be termed congestion. But there are other key issues as well –

- 'Live Studio' Swapping

This is when a program in one studio completes, and a second studio 'takes over' the role of live broadcasting.

There are several benefits that occur –

- Presenters have access to the studio to bring in their equipment, media, scripts and other items before starting their program. For example, this may involve the connection of their notebook to the system.  
Rushing into a studio within the space of minutes and trying to set up can be error prone, and detrimental to the beginning of their program.
- Guests are able to be brought in, seated, and given instructions on how the program will proceed, and operational items they need to be aware of – microphone lights, headphone volume control, etc.
- The problem of stale air and odours is eliminated. At times, particularly for shows of more than two hours duration and where there is only one studio, the air can become somewhat pungent, unpleasant and at times offensive, despite having an air-conditioner.

- Capacity and Ergonomics

The size of a studio must be commensurate with its functions.

At Seymour FM we frequently have a presenter and multiple guests to accommodate in our single studio. The presenters' desk which contains the console, microphone stands, and peripheral audio equipment is undersized. There is no space in front of the presenter for their notes, a computer keyboard, CD jacket or anything else. A small area is available to the side but this is problematic when speaking into a microphone. Similarly the guests share the same limited desk space opposite or adjacent to the presenter.

Although we have microphones and chairs for four people, the surrounding space is limited and any movement requires chairs (*and the person*) to be pushed in against the desk. The term "squishy" comes to mind.

There have been times when we have had six people in the studio. It becomes very confined, and potentially dangerous.

The size and shape of the two large rooms in the potential new premises is typical of that found in other radio stations where there is a demand for desk space and numerous studio guests. Issues concerning our current capacity and ergonomics would be resolved.

- Pre-Recording of Programs and Content

Having a second studio provides an opportunity to pre-record programs, a good local news service, sponsorship announcements, interviews, and more.

Often, the availability of guests dictate when pre-recording can be done. Without a second studio, opportunities are regularly missed and at best, may result in the broadcast of a live phone interview. This is nowhere near as effective as "being there".

Another aspect of having a second studio are the facilities that go with it. At present Seymour FM uses its multipurpose room for the production of sponsorships. Usually, only the voice component is recorded using a PC and a microphone, and the recording then taken offsite for adding music, effects, etc. at the home of a volunteer. At times, this can produce a less than optimal result and might not be as timely as a sponsor requires.

- Maintenance of Studio Equipment

All technical facilities require maintenance.

Seymour FM has been fairly lucky and managed to keep its only studio on air for 24 hours, 7 days a week, for most of the time. The studio is in constant use as it provides local programs when attended by presenters, and at other times, particularly overnight, uses an automation system to provide program content which is usually syndicated programs and music.

But there have been, and will continue to be, breakdowns in the equipment. The breakdowns have made the studio unavailable for between 1 and 6 hours. This impacts the live programs that would have been broadcast and therefore disrupts the listener experience. Listeners often have an expectation to hear a particular program at a specific time.

Getting access to our single studio at a time that matches a technical volunteer's availability can be challenging. Likewise, the time and duration in which to perform maintenance might also be constrained by the studios' availability. Finally, when maintenance is done our only option is to broadcast music from another source. There would be no local content. A second studio almost eliminates this problem.

The proposed new premises have two equally sized large rooms for use as studios and which resolves the space, pre-recording, production, maintenance, and other issues.

#### Presenter Preparation Area

Remember the 5 P's?

**P**roper **P**lanning **P**revents **P**oor **P**erformance.

When it comes to producing and broadcasting a good radio program, the importance of planning cannot be underestimated. As a rule of thumb, one hour of good radio requires one hour of planning.

In community radio, a volunteer usually has two locations where they can do their planning.

- **At home:** If the volunteer is fortunate enough to have their own 'space' then planning occurs with minimal disruption. However, for the majority, an isolated space is not available and attempts at planning are often disrupted by the kids, the dog, and at times, their partner.  
This results in planning that may be less than that desired.
- **At the radio station:** A quiet space is made available for presenter planning. An advantage of being onsite is access to the resources of the station which might include computers, music, reference books, etc.  
The value of the planning is optimised and directly contributes to the quality of the resultant program.

Seymour FM's current premises have no space for a preparation area, nor are the resources easily or readily accessible.

The proposed new premises has spaces and small rooms that could be adapted to a preparation area for presenters.

#### Equipment Storage

Seymour FM continues to acquire equipment for different purposes. We have a significant amount of equipment for Outside Broadcasts and which needs to be readily accessible due to its frequent use. It is stored in our multipurpose room and contributes to the lack of space.

Other equipment which includes marquees, tables, etc. are stored in a shed at our transmitter site in Granite Park.

The proposed new premises have a moderately sized room in which our technical control facilities can be placed, and the remaining space used for storage and a maintenance facility.

### Amenities

At present, Seymour FM shares the following amenities with other users of the Exhibition Pavilion at Kings Park.

- Kitchen
- Toilet

Although the amenities have improved as a result of recent renovations, they are not close to Seymour FM's area. At night, access to the amenities is a short walk through the pavilion in dimly lit conditions. During winter it is cold and at times 'breezy'.

The proposed new premises have a kitchen and toilet amenities. Being in the building, a presenter can access the facilities in a timely manner during the course of their program.

### Social Considerations

An environment that stimulates conversation and exchange of ideas

Fundamental to any community organisation is the ability for volunteers to come together, engage in conversation, share experiences, and exchange ideas.

There are three situations that encourage social interaction –

- formally arranged events that might include training, general meetings, etc., but are likely to limit the opportunities for social interaction,
- formally arranged "get togethers" that must be held at venues other than Seymour FM due to the absence of space, and
- ad hoc visits to the station to see who's there, have a cup of coffee, and a chinwag.

Clearly, the difference between each situation is the frequency of occurrence.

#### Advantages of a Socially Pleasant Workplace

Ad hoc visits are not only more likely and frequent, but are also on the volunteer's terms. A volunteer may have time available in their day to visit the station and engage with the other volunteers who may be there. This generates feelings of acceptance, participation, camaraderie, and a sense of belonging. This is analogous to a sports team attending a practice session.

The net effect of interaction over time is productivity. In radio terms this could mean new program concepts, identities for interviews, and more.

However, ad hoc visits presume that there is space and facilities available to accommodate volunteers.

Seymour FM's premises prevent ad hoc visits. There is no space, and there are no chairs, lounge or any other furniture on which to sit.

It is important to recognise that Seymour FM is a workplace. The WorkSafe Victoria compliance code for Workplace Amenities and Work Environment<sup>6</sup> specifies criteria for the health and wellbeing of employees, however its practical implementation includes any workplace that includes volunteers.

The National Standards for Volunteer Involvement<sup>7</sup> in Standard 6: Workplace Safety and Wellbeing makes the statement "...The health, safety and wellbeing of volunteers is protected in the workplace.

*Workplace safety and wellbeing ensures that the organisation includes volunteers in its health and safety procedures, and recognises its duty of care to volunteers. ...".*

Seymour FM is non-compliant for some important basic amenities. The proposed new premises have all of the basic amenities required.

## Public Image

### Internal Appearance of Seymour FM

Business entrepreneur Bob Ansett made the statement "*perception is reality*" several decades ago. He was alluding to a person's indifference to knowing who or what was the cause of their rental car breakdown, more so that it happened, and that in their perception Bob's car rental company is responsible. Bob's acceptance of responsibility, irrespective of the facts, contributed greatly to customer satisfaction and rental throughput, thus proving the adage.

A guest to Seymour FM is initially confronted by a narrow passage of 5 metres in length, a wall and door to the exhibition pavilion one side, a studio and confined multipurpose room on the other, and at the end, a small narrow area only fit for storage.

A guest who is waiting for their studio opportunity is forced to stand in the passage. There is no seating available nor space to accommodate it. In situations where multiple guests are present the passage becomes congested and is a frequent event.

For some people, the passage and lack of seating or other amenity is not conducive to a return visit. People with an agenda will return, however a perspective volunteer might find the environment unfriendly and isolating, tempered only by their keenness and interaction with another volunteer.

The proposed new premises have adequate space in a multi-purpose area and is the solution to this problem.

<sup>6</sup> <https://www.worksafe.vic.gov.au/resources/compliance-code-workplace-amenities-and-work-environment>

<sup>7</sup> Volunteering Australia

### Reception Facilities

An entrance should be warm and inviting. It should display the awards of Seymour FM and other promotional aspects, and ideally be staffed by a volunteer. The purpose of the volunteer is to receive and greet guests and other people, take them to a waiting area, and invite them to have a beverage, read a publication, and in some cases, calm the nerves!

The current premises of Seymour FM cannot accommodate a reception facility.

The proposed new premises have an entrance, and with the reinstatement of a previously removed wall, will provide an ideal reception area, and delineate the entrance from the large internal space.

### Technical Considerations

#### Communications Links

At present, Seymour FM has a communications link that goes from our studio to a relay facility on One Tree Hill, and then to the transmitter at Granite Park, a link distance of approximately 9km.

- Studio to Transmitter  
The proposed new premises have 'line of sight' to our relay facility on One Tree Hill. Line of sight and some other considerations are essential for a new location.
- Studio to Kings Park Sports Commentary Box  
An antenna used with our old decommissioned communications link and which is located on a light pole adjacent to the main oval at Kings Park, might be usable with the new location. As the sports studio is infrequently used, an alternative solution would be to use the 4G LTE mobile network for connectivity. This is the same technology used for our Outside Broadcasts and is a practical and viable alternative.

#### Potential Communications Links

- Sports and Aquatic Centre  
Our close proximity to the Sports and Aquatic Centre gives us an opportunity to establish a permanent communications link with the new studio location. Traditionally, Seymour FM has only covered the basketball from the centre, however a permanent link gives us the opportunity to cover other significant events held at the centre. This might include swimming finals and other "ball" competitions.

## Maintenance and Repairs

Not all maintenance and repairs occur in a studio. At times it is necessary to remove items of equipment for maintenance or repair due to the prolonged work that needs to be done, or delays that may occur while parts are obtained.

Previously, repairs were carried out in the shared 'admin' room of the Exhibition pavilion. As this room is no longer available, equipment is now taken home with a volunteer where a small workbench is available to do the work. Testing is limited because the broadcasting facilities are not available. Consequently, this makes the maintenance or repair of equipment a sometimes frustrating task.

The proposed new premises have a moderately sized room in which our technical control facilities can be placed, and the remaining space used for storage and a maintenance facility.

## Relocation Funding

Relocating a broadcasting station is a process that goes beyond the transfer of furniture and the electronics.

Seymour FM will need to design and build desks that are suitable for the new studios. It will need to install the many items of broadcasting equipment, a process that involves hundreds of metres of cabling. Minor building modifications will be required.

And just to complicate matters, Seymour FM will need to remain on-air while the relocation is taking place.

Crucial to the relocation will be the provision of funding to aid the setup process.

Seymour FM does not have any expectation that Mitchell Shire Council would assist with relocation funding. The councils' generosity of providing potential new premises is in itself a valuable contribution. But if you offered, we wouldn't say no either.

Funding is likely to be sourced from the following entities.

- Seymour FM funds – 25% of the relocation cost.
- The Community Broadcasting Fund through a special purpose grant.
- A Radiothon – a fund raising initiative targeted at the community.
- Governmental allocations. Discussions have already taken place with local government representatives.
- Commercial financiers. The Rules of the Association and the Associations Incorporation Reform Act (2012) allow us to enter into financial agreements.
- Private members of Seymour FM who have offered to underwrite any shortfall.

To summarise, we are confident that we can raise the funds necessary to achieve a successful relocation.

### Building Structure

Seymour FM recognises that we must preserve and maintain the proposed new premises in good condition and be prepared to restore them to their original condition on departure.

We also recognise that minor changes will be required to complete the adaptation of the new premises to facilitate a radio station. There are only two important changes required.

#### Addition of Studio Windows

Sound proof studio windows are required so that presenters are able to see and prompt (*cue*<sup>8</sup>) the presenters in an adjacent studio. This is necessary when swapping studios, and for other purposes.

The windows would be double glazed and installed to suit a studio environment (*sloped glass*).

The work would be carried out by licenced tradesmen who are also members of Seymour FM.

#### Reinstatement of removed wall

The new premises have previously had a wall removed which allows the entrance to become part of the large internal space.

As discussed earlier, there is a lot of benefit to be gained by having a reception area ([refer to the earlier discussion](#)). We would like to reinstate the wall and have a reception area.

The work would be carried out by licenced tradesmen who are also members of Seymour FM.

### Local Area Considerations

#### Car Parking

On the northern side of the proposed new premises is an adjoining building and a carpark. The carpark forms part of the Chittick Park area.

Our understanding is that the carpark is a shared use facility between the current tenant and tenant of the adjoining building, and that this would continue if we relocate there. It is more than adequate in size for our projected usage.

We would also monitor the use of the street for parking and prevent any disruption to surrounding residents.

#### Noise Abatement

With a residential area being in the immediate proximity of the proposed new premises, Seymour FM is very much aware of the need to maintain noise abatement standards and conform to Council and other legislated regulations.

Sound proofing of the walls will be necessary for the studios and containment of sound within the building.

Seymour FM recognises that this is an important issue for the tenants either side of us, and the large void either side of the studios will greatly assist in sound containment.

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<sup>8</sup> To 'cue' someone means to signal them by using a pointed finger, a light, or some other visual mechanism so that they initiate some action.

### Future Directions

#### Appointment of Part Time Station Manager

As Seymour FM grows in size (*number of volunteers*), and with improvements in programming and other community activities, it is likely that the station will require the services of a part time Station Manager. A Station Manager is charged with the administration and operational decision making processes to maintain daily station operation.

It is envisaged that a part time Station Manager would be appointed in mid to late 2020.

The proposed new premises can be readily adapted to provide a working area for the Station Manager.

## 7.2 KILMORE COMMUNITY HUB

**Author:** Karen Watson - Manager Liveable Communities

**File No:** CT/06/401

**Attachments:** 1. Kilmore Community Hub Concept Design  
2. Kilmore Community Hub Consultations

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### SUMMARY

The purpose of this report is to update Council on the latest version of the Kilmore Community Hub concept plan and to seek Council's endorsement of the plan to proceed to the next stage. The Kilmore Community Hub concept plan is to provide a clear vision for the future use of the space at 12–16 Sydney Street, Kilmore. The project was initiated through the local community identifying the need for additional and improved facilities and services in Kilmore. A feasibility study was undertaken in July 2015 from which identified a shortage of meeting rooms and ageing infrastructure no longer fit for purpose.

The project aims to meet the needs identified by the community through:

- Improving access to facilities
- Greater physical connection to the old Kilmore Town Hall to facilities and surrounds
- Activation of Sydney Street
- Greater connectedness with the Kilmore Creek
- Incorporate local community groups and fosters deeper community connectedness
- Opportunities to implement environmentally sustainable design

As part of the funding agreement with Regional Development Victoria (RDV), Council is requested to endorse the Kilmore Community Hub concept design (Attachment 1), endorse the consultant's report (to be separately circulated) and authorise Council Officers to develop a funding strategy to progress the project source appropriate funds to implement the project.

### RECOMMENDATION

**THAT** Council:

1. Approve the concept design (Attachment 1).
2. Endorse the consultant's report (to be separately circulated)
3. Authorise Council Officers to progress a funding source for the project implementation.

## KILMORE COMMUNITY HUB (CONT.)

**BACKGROUND**

A community feasibility study conducted in 2015 recommended development of a multi-purpose community facility. The proposed Kilmore Community Hub, at 12–16 Sydney Street, Kilmore would include the provision of a large space for community gatherings, functions, events and performance.

The location is currently occupied by:

- Mitchell Shire Council Customer and Library Service Centre
- John Taylor Meeting Room
- Kilmore Memorial Hall
- Old Kilmore Town Hall (HO86 included in precinct HO99)

Further to the feasibility study, the 2016 Kilmore Structure Plan recommends:

- Upgrade the Kilmore Library to meet the growing needs of Kilmore (action 32)
- Investigate opportunities to maximise use of existing and new community facilities that are flexible and cater to a range of needs (action 33)

Council sought funding for the preparation of a community hub masterplan and in 2018, a common funding agreement with the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) was signed for the providing of a \$50,000 Regional Development Victoria grant.

Clarke Hopkins Clarke Architects was engaged 27 March 2019 for the purpose of undertaking community and Council consultations to develop a masterplan and concept design. In May 2019, \$45,000 was received from DEDJTR with an additional \$5,000 to be received once the final consultant's report has been provided in December 2019 (refer Attachment 3) and endorsed by Council.

Council has contributed a further \$5,000 to the project, specifically for facilities for consultations and undertaking a comprehensive site survey. In April 2019, a site

analysis and extensive building condition report were also undertaken for the following buildings and these identified:

Kilmore Soldiers Memorial Hall:

- Well used facility with programming at capacity
- Lack of presence to Sydney Street
- Poor acoustic separation restricting use by multiple simultaneous groups
- Inadequate heating/cooling

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KILMORE COMMUNITY HUB (CONT.)

Kilmore Library:

- Access issues- Sydney Street entry via steps restricting access
- Lack of presence to Sydney Street
- Lack of engagement with surrounds particularly Bourke Street, Patrick Street and Sydney Street
- Unclear wayfinding due to multiple entry points
- Floor of building sloping in east/west direction
- Presence of asbestos
- Lack of natural light and uninviting interiors
- Insufficient amenities including toilets

Key community user groups were consulted in May/June 2019 with feedback used to develop a return brief outlining key findings with the first draft concept presented to Council in September 2019.

### **ISSUES AND DISCUSSION**

Consultation has included more than 20 user groups along with more than 30 individual users and numerous Council staff and Councillors. Consistent themes have emerged throughout the consultations:

- The development of a central hub in Kilmore will facilitate community strengthening
- Need for well equipped, multi-purpose event and meeting spaces
- Lack of youth spaces
- Ability to increase and improve service and program offerings
- Opportunities for business development and co-working spaces
- Improve building accessibility and visibility with enhanced connection to surrounds

Consultations also identified the need for new buildings to be respectful of the heritage of Mitchell Shire and to acknowledge the connection with Taungurung and the Aboriginal Cultural Heritage of Mitchell Shire. User groups identified the need to be provided with more space in the new Kilmore Community Hub including the RSL, which is currently located in the Memorial Hall.

The existing buildings occupying 12–16 Sydney Street, Kilmore do not support the expansion of programs and services. The Kilmore Community Hub would provide the community with the space for the much-needed community connectedness and improved facilities, especially for the growing youth and senior populations. There will be a contemporary Library and customer service space, community groups will have a

## KILMORE COMMUNITY HUB (CONT.)

permanent home within the space including U3A, the RSL, the Neighbourhood House and the Kilmore Historical Society. The new Hub envisages the coming together of communities both old and new.

The old Kilmore Town Hall has significant historical significance for the community. At present, the old Kilmore Town Hall is disconnected from its surrounds including neighbouring facilities. The development of the Kilmore Community Hub will provide enhanced connection to the old Kilmore Town Hall along with revitalisation of Sydney Street and an interface to Kilmore Creek.

Age and condition of facilities has meant significant on-going maintenance costs for Council including the presence of asbestos in some buildings. Size, layout and accessibility restricts community participation with current programs and services. Also, the perceived lack of street presence of the current buildings on Sydney Street further restricts visibility.

As the population grows and ages in Kilmore, the existing buildings will preclude access for some of our more vulnerable residents. This project seeks to remove accessibility issues and provide greater activation of spaces, the surrounding environment and improve programming participation.

Between 2011 and 2016, Kilmore's residential population grew by nearly 20% and is projected to increase from its' current population of 8,725 to almost 13,000 by 2036, eventually reaching an estimated 25,000 at full residential build-out. Existing facilities are unable to cope with current let alone future demand.

The Kilmore Community Hub seeks to address existing issues in terms of space, access and amenity and enhance future engagement with community as populations change and grow.

## CONSULTATION

Extensive consultation has occurred with Council, Council Officers, community user groups, local businesses and community members as outlined in Attachment 2. Additional consultation will occur throughout subsequent phases of the project to ensure all stakeholders have an opportunity to provide feedback.

## FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The following are estimated costs for the next phases of the project:

**2022** Full detailed designs and construction of Kilmore Community Hub:

Approximately \$16 million total (funding to be sought through Victorian Government Growing Suburbs Fund and loan funding)

If approved, the Officers will come to Council in the new year with a full project plan and timelines. This will include how the project will proceed, steps and how funding will be sought.

## KILMORE COMMUNITY HUB (CONT.)

**POLICY AND LEGISLATIVE IMPLICATIONS**

This project aligns with the Council Plan 2017–2021:

**Community Participation:**

2.2 Provide opportunities for inclusive participation across the Shire

**Strong Communities:**

4.1 Promote a safe and secure environment throughout the Shire 4.6 Provide adaptable community infrastructure and participation opportunities for all ages, cultures and abilities.

**Supporting Local Jobs, Business and Quality Investment:**

5.3 Provide support for existing businesses to connect and access opportunities to improve and grow their businesses

5.6 Promote our region and towns as a destination for tourists and visitors

The project aligns with the 2016 Kilmore Structure Plan specifically:

- Upgrade the Kilmore Library to meet the growing needs of Kilmore (action 32)
- Investigate opportunities to maximise use of existing and new community facilities that are flexible and cater to a range of needs (action 33)

**RISK IMPLICATIONS**

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
If the project does not go ahead the risk is the current community will be disadvantaged.	Medium	Seek funding to provide options for the project to go ahead in the future.  Retrofitting current buildings.	Consultations to explain the decision.
Community opposed to removal and replacement of buildings	Medium	Community involvement in design of new buildings through extensive consultation	Additional to current resources through detailed design plan process
Council Officers not authorised to progress project to develop a funding strategy	Medium	Development of a funding strategy is essential to ensure the project can progress. Council to be updated regularly on funding sought and	Additional to current resources

## KILMORE COMMUNITY HUB (CONT.)

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
		strategies implemented for securing of funding	
Funding not provided	Medium	Multiple funding opportunities sought with benefits of project clearly identified	Additional to current resources

**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

This project is aimed towards improving social connections for local communities through the development of purpose-built facilities. Access to existing and future programs and activities will be enhanced. Environmental considerations will be taken into account in future phases of this project to ensure sustainability and protection of existing heritage.

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

**CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

Extensive consultation has occurred throughout the development of the masterplan and concept plan to ensure that groups of all ages, cultures and backgrounds are represented including Children and Young People.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

**CONCLUSION**

This project is crucial to the revitalisation of Kilmore. The Kilmore Community Hub concept plan is being recommended for approval after considerable community consultation (Attachment 2). If approved, the Kilmore Community Hub will deliver the community the space for much needed community cohesion and improved facilities, especially for the growing youth and senior populations. There will be a state-of-the-art Library and customer service space where community groups will have a permanent home. There will be an interface with the old Kilmore Town Hall. The Hub will bring together both the old and the new.

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

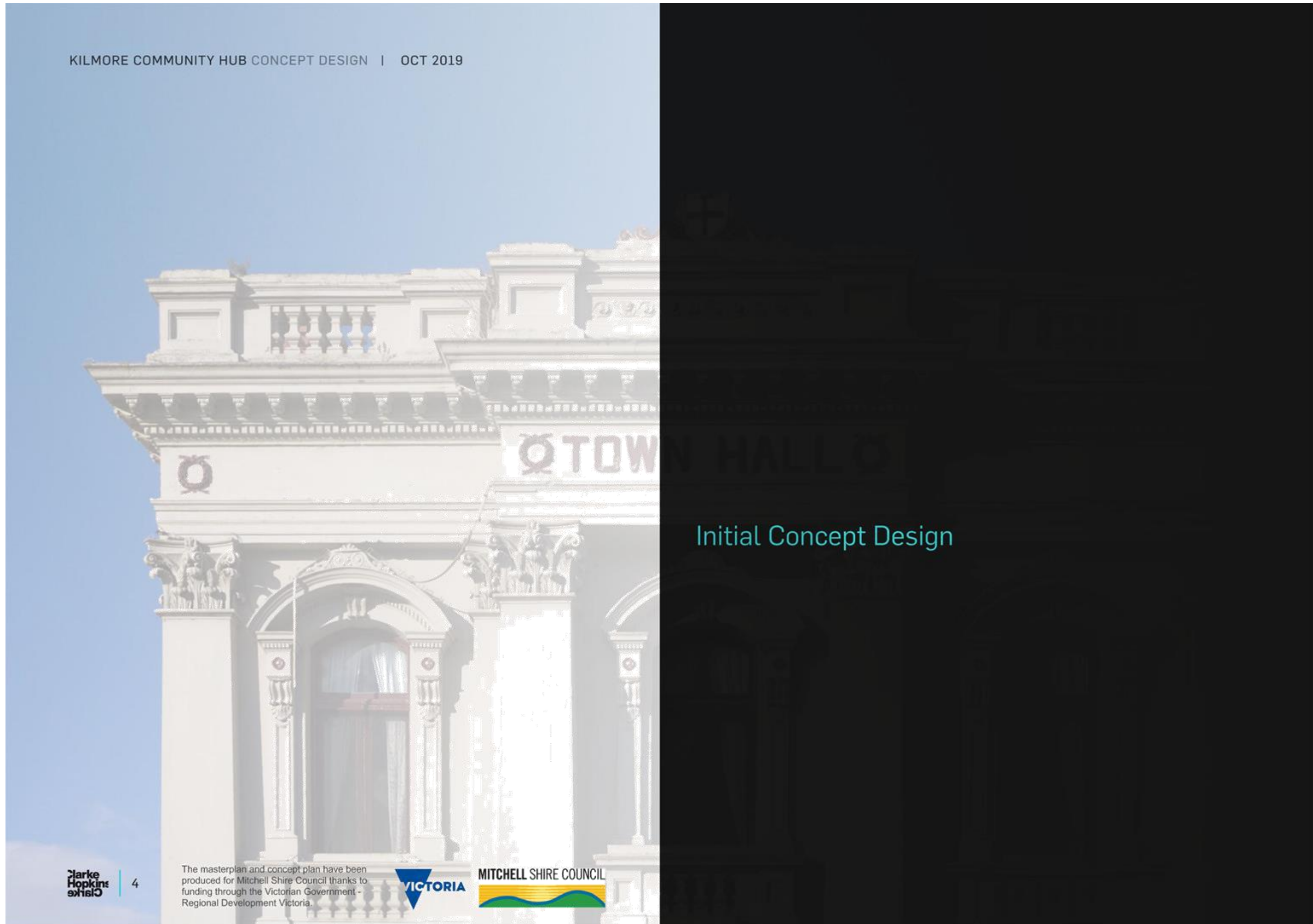
**16 DECEMBER 2019**

**7.2**

#### **KILMORE COMMUNITY HUB**

**Attachment No: 1**

**Kilmore Community Hub Concept Design**



KILMORE COMMUNITY HUB CONCEPT DESIGN | OCT 2019

## 2.2 Concept Design - Lower Ground Floor

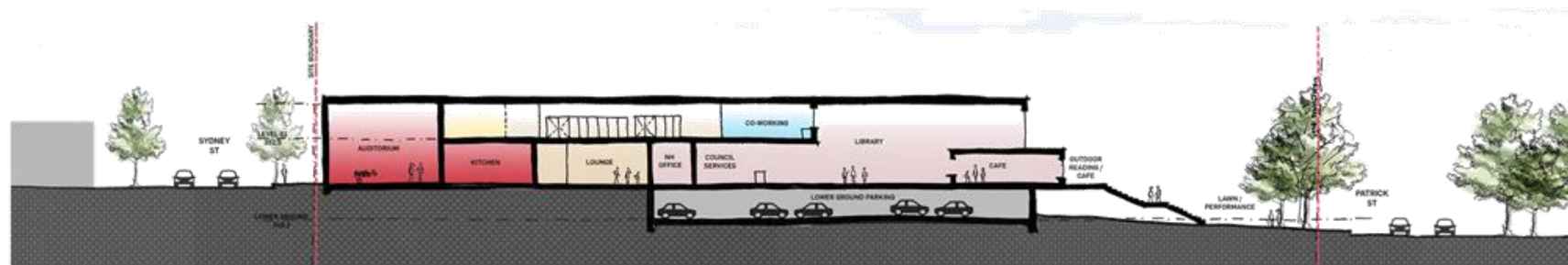
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KILMORE COMMUNITY HUB CONCEPT DESIGN | OCT 2019

### 2.3 Concept Design - Ground Floor

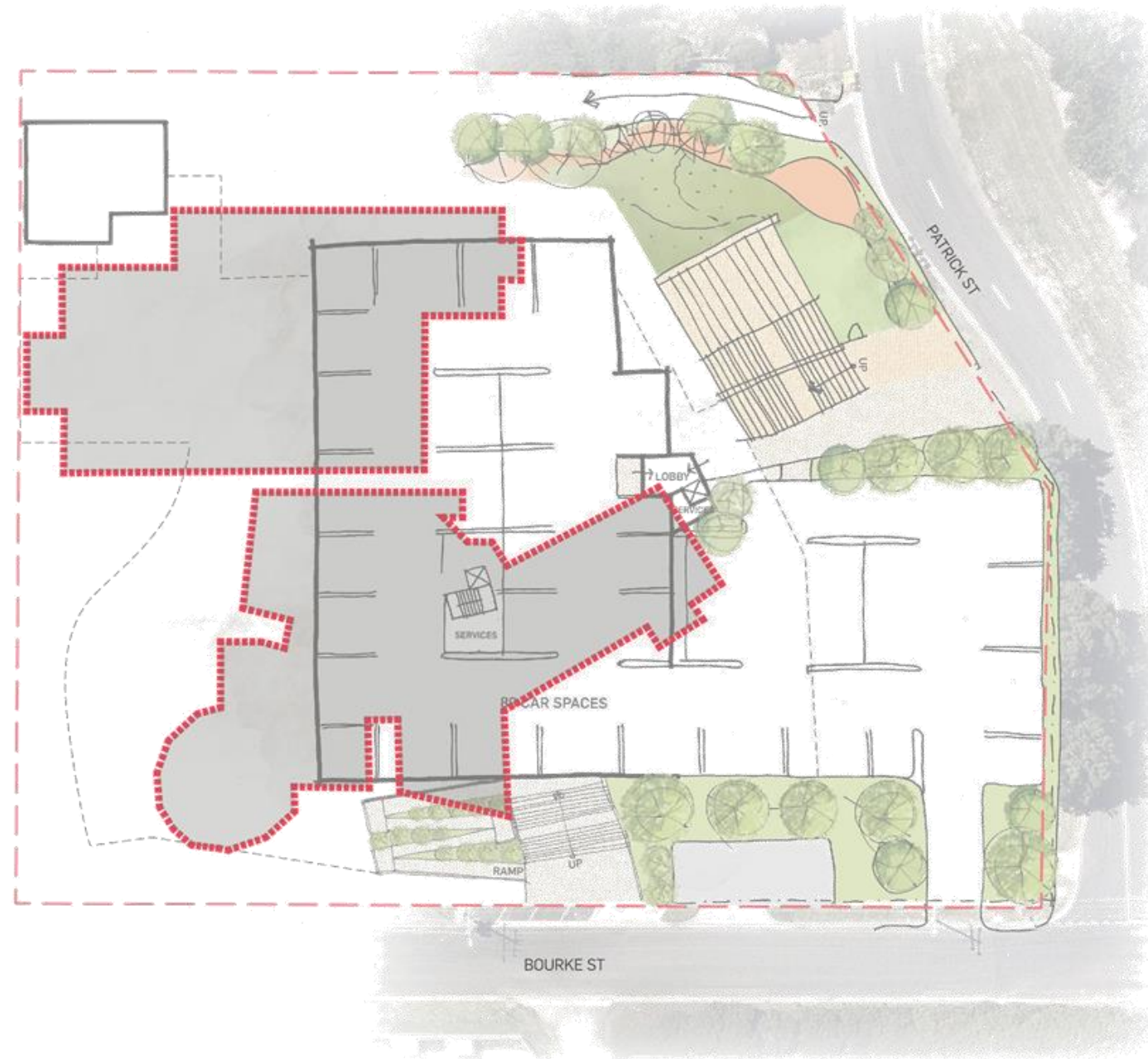
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SECTION A

KILMORE COMMUNITY HUB CONCEPT DESIGN | OCT 2019

## 2.5 Concept Design - Basement Comparison: Existing & Proposed



KILMORE COMMUNITY HUB CONCEPT DESIGN | OCT 2019

## 2.4 Concept Design - First Floor

1:500 @ A3



KILMORE COMMUNITY HUB CONCEPT DESIGN | OCT 2019

## 2.6 Concept Design - Ground Floor Comparison: Existing & Proposed



# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

**16 DECEMBER 2019**

**7.2**

**KILMORE COMMUNITY HUB**

**Attachment No: 2**

**Kilmore Community Hub Consultations**

## Kilmore Community Hub – user group consultations:

Date	Time	Group	Attendees	Location
21/05/19	9-11am	Council officers	Nicole Maxwell Chris Cheal Bec Glynn Rachel Zaharakis Karen Watson	Council Chambers, Broadford
21/05/19	11-11.45	Soldiers Memorial Hall User Groups	Jenny Gibson (Kilmore Quilters)	Memorial Hall
21/05/19	11.45am – 12.30pm	Soldiers Memorial Hall Committee of Management	Rod Dally Bev Dally Valerie Ryan (Soldiers Memorial Hall Committee of Management)	Memorial Hall
21/05/19	1-3pm	Library Staff	Tanya Begley Michelle Barnes Rachel Zaharakis	Kilmore Library Meeting Room
21/05/19	4-5.30pm	Library tenants	Kilmore Toy Library: Zoe Gray Louise Jarvey Lincoln Family Funeral Directors Howard Squires Funeral Directors	Kilmore Library Meeting Room
22/05/19	1-2pm	Wider community user groups	KADDRA (Kilmore & District Residents & Ratepayers Association) Kilmore Town Team (Pauline Cornish, Jenny Peggie) Rotary: Ian Dempsey	Kilmore Library Meeting Room
22/05/19	2-3pm	Wider community user groups	Kirk Holt (Business Incubator) U3A	Kilmore Library Meeting Room
22/05/19	3-4.30pm	Library user groups	U3A / yoga: Eva Bauer	Kilmore Library Meeting Room
18/06/19	1pm	MSC Community Development & Youth Services	Buffy Leadbeater	
4/07/19	10am – 5pm	Community consult	Kilmore International School: Steven Scroggie Kilmore Historical Society: Graeme Thorn Les Dillon-Hensby Senior Citizens: Vivienne Lawrence (& 3 others) Taungurang Land & Water Council: Matthew Burns Sharon Briggs Nexus Health: Wendy Kelly	Kilmore Library Meeting Room
		Mitchell Shire Maternal Health	Leanne Crough (MSC staff)	External
		Mitchell Shire Community Development	Samantha Bender (MSC staff)	External
4/07/19		Kilmore Arts Society	Helen Miles Jeanette Jain	Oddfellows Gallery
10/07/19		Neighbourhood House	Madeline Finnigan Paddy Devine	Neighbourhood House
21/08/19	2 -4 pm	MSC project group	Karen Watson Rachel Zaharakis Lyn Morling Ian Rossiter Rebecca Sirianni Jo Wilson Nicolas Adams	GBCC

			Justin Harding Gary Nugent Buffy Leadbeater	
26/08/19		Youth Council	Names not provided	Phone Conference
20/09/19	9-10am	Neighbourhood House	Madeline Finnigan Paddy Devine	Neighbourhood House
	10 – 11am	RSL / Memorial Hall Committee of Management	Milena Barry Rod Dally Val Dally	Kilmore Library Meeting Room
23/09/19	10.30 – 11.30am	Toy Library	Zoe Gray	Kilmore Library Meeting Room
23/09/19	10.30 – 11.30am	U3A	Paul Brisden	Kilmore Library Meeting Room
23/09/19	1 – 2pm	Kilmore Historial Society	Liz Dillon-Hensby Ali Combe Rose Payne Francis Payne	Kilmore Library Meeting Room
23/09/19	2.30 – 3.30pm	KADDRA (Kilmore & District Residents & Ratepayers Association)	John Le Quiniat Dianne Le Quiniat Anne Lower Anne Rose	Kilmore Library Meeting Room
23/10/19	AM	Taungurung Land & Waters Council (Broadford)	Matthew Burns Sharon Briggs	On-site meeting for each group (non-Council)
		Youth Council	Names not provided	On-site meeting for each group (non-Council)
		Nexus Health	Wendy Kelly	On-site meeting for each group (non-Council)
		Kilmore Arts Society	Helen Miles Jeanette Jain	On-site meeting for each group (non-Council)
		RSL	Rod Dally Val Dally	On-site meeting for each group (non-Council)
	12-1	Library Staff	Rachel Zaharakis Michelle Barnes Teisha Lewis Debbie Clancy	Kilmore Library Meeting Room
		RUOK Radio		Phone call
7/11/19	10am – 12pm	MSC project group	Karen Watson Rachel Zaharakis Lyn Morling Ian Rossiter Jo Wilson Justin Harding Gary Nugent Claire Hahnel Elyse Kelly Buffy Leadbeater	GBCC
14/11/19	2 – 8pm	Community Consultation drop-in	32 attendees	John Taylor meeting room

### 7.3 SMALL BUSINESS CHARTER

**Author:** Claire Hahnel - Business Development and Engagement Officer

**File No:** EC/01/001-03

**Attachments:** 1. Small Business Charter

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#### SUMMARY

The Victorian Small Business Commission (VSBC) has established the Small Business Friendly Initiative which is a partnership between Local Councils and the VSBC. As part of this, the VSBC have developed a Small Business Charter which sets out the commitments that underpin the initiative. The charter is attached.

This report provides an overview of what is entailed in the charter and what the obligations are if Mitchell Shire Council should choose to sign the charter.

#### RECOMMENDATION

**THAT** Council endorse the Victorian Small Business Commission's Small Business Friendly Charter.

#### BACKGROUND

##### Small Business Friendly Initiative and the Victorian Small Business Commission

The 'Small Business Friendly Council' initiative has been developed by the Victorian Small Business Commission (VSBC); an independent government agency formed to help advocate for small business and to assist businesses to resolve disputes.

The Small Business Friendly Council Initiative has been developed as a partnership between the VSBC and local councils in order to benefit small businesses in Victoria.

The VSBC has developed a Small Business Friendly Charter (the Charter) to commit both the VSBC and the Council to meet the commitments in the Charter.

The Charter is made up of 17 commitments arranged under six overarching themes:

- Working with small businesses disrupted by infrastructure projects
- Supporting the creation of small business networks across Victoria
- Improving permit approvals processes for small businesses
- Prompt payments to small businesses
- Easy to read, easy to understand Council information for small businesses
- Open channels of communication between the VSBC and local councils

There are also two additional commitments:

- Promotion of initiative
- Quality assurance and review

This charter provides Council with an opportunity to cement its commitment to supporting Small Business through a whole-of-Council approach.

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SMALL BUSINESS CHARTER (CONT.)**ISSUES AND DISCUSSION**Small Business in Mitchell Shire

Nationally, figures contained within the Small Business Counts Report (July 2019; Australian Small Business and Family Enterprise Ombudsman) confirm that small businesses account for 98% of all businesses; employ 44% of Australia's workforce; and account for 35% of Australia's gross domestic profit.

The Australian Tax Office (ATO) classifies a small business entity as having an aggregated turnover of less than \$10 million.

While larger businesses can usually afford to employ specialists (either in-house or externally) to assist them in specialist matters such as marketing; IT; taxation; planning and other government permits; and other local government-administered regulations; small business operators are not typically able to afford this 'luxury'.

For that reason, and given their predominance within the Shire's business community, it is particularly important that Council departments interact with small businesses in a manner which is empathetic and helpful.

Partnership between the VSBC and Mitchell Shire Council

As part of their efforts to roll out the charter initiative, the business council approached Council in early 2019. The Small Business Friendly Charter is a unified approach between the VSBC and Victorian Councils and it provides a good basis and foundation on which Council can further grow its abilities to support small business.

The Victorian Small Business Commission – as part of its commitment to the Charter - has signalled its intention to run regular workshops and share learnings from other Victorian Councils. Mitchell Shire will be able to take advantage of these resources where necessary and this will provide practical support and information to assist Council to further improve its procedures; to the benefit of small businesses.

Liaison with the business community within Mitchell Shire

In the spirit of cooperation and engaging our local business community, Council has liaised with the Mitchell Business Network following a request from the network to include locally relevant commitments that reflect the priorities of the Shire's business community.

The additional commitments that relate to the Mitchell Business Network are:

- a. strive towards reduced red tape to allow for consistent business-friendly conduct across council
- b. advocate for businesses when they face regulatory obstacles, for example from Federal or State government departments.
- c. learn how businesses operate, gain an understanding of aspirations and help them to seek solutions for their issues or concerns.
- d. maintain easy, open lines of communication with the business community

## SMALL BUSINESS CHARTER (CONT.)

Benefits Signing the Small Business Charter is a positive initiative that will enable Council to clearly state and confirm its commitment that Mitchell Shire Council is genuinely engaged in supporting small business.

Supporting local jobs and quality investment is one of Council's seven key Strategic Objectives, as set out in Council's four-year Mitchell Shire Council Plan 2017 – 2021.

A strong and well supported small business sector is vital to ensuring Mitchell Shire can continue to attract and support quality investment and for the continuing growth of employment opportunities.

**CONSULTATION**External Engagement

Officers have liaised with the Mitchell Business Network (MBN) concerning the Small Business Charter and to ensure that they have a level of comfort with the scope and ambition of the Charter.

The external consultation process has allowed MBN to highlight its priorities and has led to the inclusion of additional commitments within the Charter that it is proposed that Mitchell Shire Council now sign.

This process has also allowed Council the opportunity to further build a partnership with the Mitchell Business Network. The MBN has also gained further collaboration by sourcing agreement from Seymour Business & Tourism and Wallan Chamber of Commerce with regard to the Charter and its contents.

Internal Engagement

Council's Economic Development Team, which is leading discussions with the VSBC and the Shire's business community in respect of the Charter, has spoken in-depth with other internal Council departments that will bear a shared responsibility for implementing the actions set out within the Charter. Feedback gained during these discussions have provided multiple perspectives and views culminating in a clear understanding of expectations and a view to how individual units of Council can support Council's aspiration to become known as a Small Business Friendly Council.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no direct financial or asset management implications associated with the recommendations of this report.

The main resourcing impact on the organisation as a result of signing the Charter will be a requirement for certain sub-units of Council to reflect on their operational procedures and to consider how they could be improved upon in a way that would be more supportive of small business. While this may lead to modest resourcing implications for certain teams within Council, it is expected that these actions will fit within existing operational work plans. It is also noted that Council units already focus on delivering customer service excellence as part of Council's commitment to its Core Values and also Council's Customer Service Charter.

## SMALL BUSINESS CHARTER (CONT.)

**POLICY AND LEGISLATIVE IMPLICATIONS**

The Mitchell Shire Council Plan 2017-2021 includes the following strategies:

- 5.2 Foster economic growth through supporting new and existing businesses, industry, public sector investment and events
- 5.3 Provide support for existing businesses to connect and access opportunities to improve and grow their businesses

The Small Business Charter supports these strategies.

There are no other policy or legislative implications associated with the recommendations of this report.

**RISK IMPLICATIONS**

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Community may consider the signing of the charter as superficial rather than a genuine action.	Medium	On going media opportunities to promote the Small Business Charter. Council will reference the Small Business Charter when making changes to internal processes. Provide review of the charter in the Eco Dev Update emails.	Yes
Council may not be able to fully implement all commitments within the specified 12-month period.	Low	An early audit of Council's processes indicates, including liaison with key Council departments, that the objectives of the Charter are readily achievable. Two key actions: 1. Develop a detailed plan of the actions required by relevant Council departments 2. Present a briefing to Council and public statement to the business community of Mitchell Shire after 12 months to report upon how commitments have been satisfied.	Yes

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SMALL BUSINESS CHARTER (CONT.)**SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The Small Business Charter will send a strong message to the Shire's existing and potential future business communities that Mitchell Shire is a Small Business Friendly Council.

It is likely that this will assist in attracting and propelling quality investment and supporting the creation of additional jobs, helping to further develop the local economy. This in turn will build strong and vibrant communities across Mitchell Shire.

There are no known direct environmental implications.

**CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

**CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

There are no implications to children and young people.

**OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

**CONCLUSION**

Signing the Small Business Charter and becoming a Small Business Friendly Council is a positive step and a significant demonstration of Council's commitment to our local business community that Mitchell Shire is "open for business" and that Council genuinely wants to work with and support small business.

The Charter, a partnership with the Victorian Small Business Commission, will assist Council to create a foundational building block from which we can further grow.

Council's Signing of the charter will:

- Be a significant step towards promoting our Council as being 'Open for Business'
- Assist Council in securing quality developments and investors
- Provide the commitment that the business community needs.

SMALL BUSINESS CHARTER (CONT.)

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **ADVOCACY AND COMMUNITY SERVICES**

**16 DECEMBER 2019**

**7.3**

#### **SMALL BUSINESS CHARTER**

**Attachment No: 1**

**Small Business Charter**




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## Charter Agreement

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### Introduction

This Charter is a commitment between your council and the Victorian Small Business Commission (VSBC) to work together to create a fair and competitive trading environment for Victorian small businesses.<sup>1</sup> It also tells you what you can expect as a business owner from your local council and the VSBC. By signing the charter, the VSBC and local councils agree to meet these commitments within 12 months.

### Commitments and what you can expect from us

#### Part 1 | Work with small businesses disrupted by infrastructure projects

The VSBC will:

- a. provide councils with VSBC resources for managing the impacts of disruption
- b. provide dispute resolution services in relevant matters
- c. advocate on behalf of small businesses with authorities who undertake major works
- d. work collaboratively with council to develop practical initiatives that benefit small businesses

Your council will:

- a. refer to the VSBC's [Small Business Engagement Guidelines](#) when planning new works and request that external project managers do the same
- b. provide small businesses with the VSBC's guide for small businesses on [Managing Disruption](#)

#### Part 2 | Support the creation of small business networks across Victoria

The VSBC and your council will:

- a. distribute the VSBC's guide to building [Stronger Networks](#)
- b. actively engage with small business networks and identify new opportunities for development
- c. include representatives of associations in conversations concerning small businesses

#### Part 3 | Faster permit approvals processes for small businesses

Your council will:

- a. work towards faster permit approvals for new small businesses. This may mean:
  - i. implementing strategies to streamline permit approvals processes for small businesses; or

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<sup>1</sup> The VSBC doesn't provide a specific definition of a Small Business, however the Australian Tax Office (ATO) classifies a small business entity as having an aggregated turnover of less than \$10 million.

- ii. registering with the Better Approvals Project and completing this as scheduled

**Part 4 | Prompt payment to small businesses**

The VSBC will:

- a. raise awareness of the Australian Supplier Payment Code across Victoria to ensure your business is paid within 30 days<sup>2</sup>

Your council will:

- a. initiate processes to ensure invoices from small businesses are paid promptly; or
- b. commit to pay small businesses within 30 days of receipt of a correct invoice<sup>3</sup>

**Part 5 | Easy to read, easy to understand information for Victorian small businesses**

The VSBC will:

- a. liaise with Small Business Victoria on the development of new resources for your business and communicate requests from your council about what is needed
- b. refer your council to new resources as they are made available

Your council will:

- a. link your business with the resources available at [business.vic.gov.au](http://business.vic.gov.au)
- b. provide the VSBC [Retail Lease Checklist](#) to prospective tenants

Both parties will:

- a. identify opportunities for the development of new resources for your business

**Part 6 | Open channels of communication between the VSBC and local councils**

The VSBC will:

- a. advocate on behalf of small business when your council notifies VSBC of key issues of concern
- b. work with relevant agencies to progress matters of concern to local councils and small businesses

Your council will:

- a. notify the VSBC of issues affecting local small business communities in a quarterly report
- b. refer commercial disputes to the VSBC dispute resolution team as appropriate
- c. provide details of the VSBC's dispute resolution services on its website

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<sup>2</sup> Amendment to text made by Mitchell Shire Council on 2 December 2019

<sup>3</sup> Amendment to text made by Mitchell Shire Council on 2 December 2019

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## **Additional commitments**

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### **Promotion of Initiative**

The VSBC will:

- a. provide all participating councils with the Small Business Friendly Council Initiative logo to use in their own materials
- b. provide all participating councils with an animated video promoting the benefits of having a small business friendly council to Victorian small businesses
- c. share success stories and case studies from participating councils in the VSBC eNewsletter and on social media
- d. list all participating councils on the VSBC website

Your council will:

- a. utilise the Small Business Friendly Council Initiative and videos in relevant communications
- b. provide VSBC with case studies and success stories associated with the initiative

### **Quality assurance and review**

The VSBC will:

- a. contact your council 12 months after signing the charter to assess their status on each commitment
- b. review feedback from your council about the value of the charter and modify it as appropriate after 12 months

Your council will:

- a. work towards fulfilling each commitment within the first 12 months of signing the charter
- b. work with the VSBC to amend the charter if required

### **Commitment to Mitchell Business Network**

Your council will:

- a. strive towards reduced red tape to allow for consistent business-friendly conduct across council
- b. advocate for businesses when they face unnecessary regulatory obstacles, for example from Federal or State government departments.
- c. learn how businesses operate, gain an understanding of aspirations and help them to seek solutions for their issues or concerns.
- d. maintain easy, open lines of communication with the business community

**Acceptance**

On behalf of ..... we agree to the terms outlined in this Charter and agree to implement the Small Business Friendly Council Initiative.

**Name**  
**Position**  
**Signature**

.....

**Date**

/ /

**Name**  
**Position**  
**Signature**

Judy O'Connell  
Victorian Small Business Commissioner

.....

**Date**

/ /

*Witnessed by:*

**Name**  
**Position**  
**Signature**

.....

**Date**

/ /



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## 8 GOVERNANCE AND CORPORATE PERFORMANCE

### 8.1 INSTRUMENT OF APPOINTMENT AND AUTHORISATION – PLANNING AND ENVIRONMENT ACT 1987

**Author:** Lidia Harding - Manager Governance & Corporate Accountability

**File No:** GV/06/016

**Attachments:** 1. *Instrument of Appointment and Authorisation - Planning Officers*

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#### SUMMARY

The *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council dated 16 October 2017, makes these appointments.

Under the *Planning and Environment Act 1987*, however, Authorised Officers can only be appointed by Council resolution as the Act prohibits delegation of the power to appoint Authorised Officers under the Act.

#### RECOMMENDATION

**THAT** in the exercise of the powers conferred by Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*, Mitchell Shire Council resolves that:

1. The members of Council staff referred to in the *Instrument of Appointment and Authorisation* at Attachment 1 be appointed and authorised as set out in the Instrument.
2. The *Instrument of Appointment and Authorisation* comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it, or until the Authorised Officer ceases to be a member of Council staff.
3. The *Instrument of Appointment and Authorisation* be signed and sealed.

#### BACKGROUND

The Chief Executive Officer, by authority conferred by Instrument of Delegation from Council dated 16 October 2017, makes these appointments. Maddocks Lawyers' model Instrument of Appointment and Authorisation developed for Victorian Councils is used for this purpose.

Under the *Planning and Environment Act 1987* Authorised Officers can only be appointed by Council resolution as the Act prohibits delegation of the power to appoint Authorised Officers under the Act.

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INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987  
(CONT.)

## **ISSUES AND DISCUSSION**

Section 188(2) of the *Planning and Environment Act 1987* provides that Councils cannot delegate the power to authorise Officers for the purposes of enforcing the *Planning and Environment Act 1987*.

As the Authorised Officers involved enforce several other Acts and regulations other than the *Planning and Environment Act 1987*, Maddocks Lawyers' other general Instrument of Appointment and Authorisation covering these Acts and regulations will continue to operate in tandem with the separate Instrument of Appointment and Authorisation (*Planning and Environment Act 1987* only) where Authorised Officers are appointed by Council resolution.

## **CONSULTATION**

The Manager Development Approvals has been consulted in preparing this report.

## **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no significant financial or asset management implications arising from the appointment of Authorised Officers.

## **POLICY AND LEGISLATIVE IMPLICATIONS**

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

## **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no significant environment and sustainability implications arising from the appointment of Authorised Officers.

## **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

## **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

## **CONCLUSION**

The *Instrument of Appointment and Authorisation* allows Officers to fulfil their duties and it is recommended that Council endorse appointments for Officers listed in Attachment 1. These Authorisations will be revoked should the Officer cease to be a member of Council staff.

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INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987  
(CONT.)

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 DECEMBER 2019**

**8.1**

#### **INSTRUMENT OF APPOINTMENT AND AUTHORISATION - PLANNING AND ENVIRONMENT ACT 1987**

**Attachment No: 1**

**Instrument of Appointment and Authorisation  
- Planning Officers**

**S11A. Instrument - Planning and Environment Act 1987**

In this instrument "**officer**" means -

- Sarah Tomlinson
- Robert Ford
- Richard Glawitsch
- Fawaaz Price
- Daniella Natautama

**By this instrument of appointment and authorisation Mitchell Shire Council -**

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under section 232 of the *Local Government Act 1989* authorises the officer generally to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of **Mitchell Shire Council** on 16 October 2017.

The Common Seal of **MITCHELL SHIRE COUNCIL** was affixed this 16th day of December 2019 in the presence of:

.....Councillor

.....Councillor

.....Chief Executive Officer

Date: 16 December 2019

## 8.2 ASSEMBLY OF COUNCIL RECORD

**Author:** Lidia Harding - Manager Governance & Corporate Accountability

**File No:** CL/04/013-02

**Attachments:** 1. Assembly of Council Record

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### SUMMARY

This report provides Records of Assemblies of Councillors that have occurred since the last Council meeting, which includes matters considered and any conflict of interest disclosures made by a Councillor.

### RECOMMENDATION

**THAT** Council receive and note the record of assembly of Councillors.

### BACKGROUND

The *Local Government Act 1989* requires a written record of an assembly of Councillors to form part of the Council Minutes.

The Chief Executive Officer must ensure that the written record includes the following:

- (a) Names of all Councillors and members of Council staff attending.
- (b) Matters considered.
- (c) Any conflict of interest disclosures made by a Councillor attending under subsection (3).
- (d) Whether a Councillor who has disclosed a conflict of interest as required by subsection (3) leaves the assembly.

### ISSUES AND DISCUSSION

An Assembly of Councillors means:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff (providing that the matter/s considered are intended or likely to be the subject of a future decision by the Council or an Officer decision under delegated authority); or
- An Advisory Committee of the Council where one or more Councillors are present.

Some examples include:

- Councillor Briefings – Strategy meeting, Councillor and Officer Discussion (Pre-Council meeting);

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ASSEMBLY OF COUNCIL RECORD (CONT.)

- Advisory Committees – Audit Committee, Mitchell Environment Advisory Committee, Mitchell Early Years Advisory Committee, Mitchell Fire Consultative Forum, Mitchell Youth Advisory Committee, Social Justice Advisory Committee, Australia Day Awards Committee and Mitchell Heritage Advisory Committee.

Lists of the Assembly of Councillors Records for the period October 2019 are attached.

### **CONSULTATION**

Members of the Executive Leadership Team, Mayor, Councillors and relevant Managers have been consulted in preparing this report.

### **FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

There are no financial resource and asset management implications associated with this report.

### **POLICY AND LEGISLATIVE IMPLICATIONS**

This report is consistent with Section 80A of the *Local Government Act 1989* which requires the Chief Executive Officer to ensure that the written record of an assembly of Councillors is reported at an ordinary meeting of Council as soon as practicable and is incorporated in the Minutes of that Council meeting.

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

This is an administration process and does not have any environment and sustainability implications associated with this report.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No Officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

This report is consistent with Section 80A of the *Local Government Act 1989* which requires the Chief Executive Officer to ensure that the written record of an assembly of Councillors is reported at an ordinary meeting of Council as soon as practicable and is incorporated in the Minutes of that Council meeting.

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **GOVERNANCE AND CORPORATE PERFORMANCE**

**16 DECEMBER 2019**

**8.2**

**ASSEMBLY OF COUNCIL RECORD**

**Attachment No: 1**

**Assembly of Council Record**

## ASSEMBLY OF COUNCILLORS RECORD

## OCTOBER AND NOVEMBER 2019

**Assembly of Councillors -**

- A planned or scheduled meeting that includes **at least half the Councillors** and a **member of Council staff**; and the matter/s considered are intended **or likely to be** subject of a future decision by the Council; **OR**
- An **Advisory Committee** of the Council where **one or more Councillors** are present.

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Municipal Fire Consultative Forum Meeting 30 October 2019	<u>In Attendance</u> Cr Bill Chisholm Cr Bob Humm  <u>Apologies</u> Nil	Local Laws Team Leader (Deputy MFPO) Roads Maintenance Coordinator (Deputy MERO) Emergency Management & Recovery Coordinator	<ul style="list-style-type: none"> <li>• Roadside Spraying and Slashing Program</li> <li>• Fire Prevention Notices</li> <li>• Fire Access Track Inspection Program</li> <li>• Roadside Fire Management Plan Project Update</li> <li>• Free Camping, Tooborac</li> <li>• Glenhope Water Supply Tank Installation</li> <li>• CFA Readiness Update for Fire Danger Period</li> <li>• Wind Farm Exercise</li> <li>• VFRR Update</li> <li>• Planned Bur Council Reserve Broadford</li> <li>• Induction of the Fire Danger Period 11 November 2019</li> <li>• DELWP Summer Season Preparedness Update</li> <li>• CFA Fire Trends &amp; Analysis</li> <li>• Chairperson of Committee</li> </ul>	Nil
Strategy Briefing 11 November 2019	<u>In Attendance</u> Cr Bill Chisholm Cr Rhonda Sanderson Cr Bob Cornish (left the meeting at 5.31pm and returned at 5.35pm)	Acting Chief Executive Officer Director Governance & Corporate Performance Director Development & Infrastructure Acting Director Advocacy & Community Services	<ul style="list-style-type: none"> <li>• ARTC Inland Rail</li> <li>• Climate Change Presentation</li> <li>• Draft Council Agenda</li> </ul>	Cr B. Cornish declared an indirect conflict of interest by close association in Item 15.4 of the Draft Council Agenda as his wife works at the Wallan Neighbourhood House

	<p>Cr David Lowe (attended at 2.17pm) Cr Annie Goble Cr Fiona Stevens Cr Rob Eldridge Cr David Atkinson Cr Bob Humm</p> <p><u>Apologies</u> Nil</p>	<p>Manager Strategic Planning Strategic Planner Environmental Programs Coordinator Manager Operations &amp; Parks Manager Governance &amp; Corporate Accountability Local Laws Coordinator Acting Manager Community Strengthening Manager Finance &amp; Assets Manager Engineering &amp; Major Projects Senior Strategic Planner Statutory Planning Coordinator Transport &amp; Development Coordinator Local Laws Team Leader Advocacy, Social Policy &amp; Partnerships Coordinator Research &amp; Advocacy Officer Environmental Programs Officer Municipal Fire Prevention Officer</p>		
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<p>Municipal Fire Management Planning Committee Meeting 13 November 2019</p>	<p><u>In Attendance</u> Cr Bill Chisholm Cr Bob Humm</p> <p><u>Apologies</u> Nil</p>	<p>Municipal Fire Prevention Officer Local Laws Team Leader (Deputy MFPO) Manager Operations &amp; Parks (MERO) Emergency Management &amp; Recovery Coordinator</p>	<ul style="list-style-type: none"> <li>• Fire Prevention Works – review and update</li> <li>• Vulnerable Persons Register Report</li> <li>• Vulnerable Facilities Update</li> <li>• Neighbourhood</li> <li>• Roadside Fire Management Plan</li> <li>• Municipal Fire Management Plan Update</li> <li>• Victorian Fire Risk Register (VFRR) Update</li> <li>• Safer Together Update</li> <li>• CFA Fire Data</li> <li>• Joint Fuel Management Planning</li> <li>• V/Line Update</li> <li>• Glenhope Water Trucks</li> <li>• Fire Hume Freeway 1 November 2019</li> <li>• Puckapunyal Military Area</li> </ul>	<p>Nil</p>
<p>Strategy Briefing 18 November 2019</p>	<p><u>In Attendance</u> Cr Bill Chisholm Cr Rhonda Sanderson Cr David Lowe Cr Annie Goble Cr David Atkinson (left the meeting at 5.36pm and returned at 5.39pm) Cr Bob Humm Cr Fiona Stevens</p> <p><u>Apologies</u> Cr Bob Cornish Cr Rob Eldridge</p>	<p>Acting Chief Executive Officer Director Governance &amp; Corporate Performance Director Development &amp; Infrastructure Acting Director Advocacy &amp; Community Services Manager Operations &amp; Parks Manager Waste &amp; Resource Recovery Manager Governance &amp; Corporate Accountability Waste Management Coordinator Manager Development Approvals Manager Strategic Planning</p>	<ul style="list-style-type: none"> <li>• Brainstorming – Water Bores</li> <li>• Waste &amp; Resource Recovery Update</li> <li>• Council Agenda</li> </ul>	<p>Cr D. Atkinson declared an indirect conflict of interest by close association in Item 9.8 of the Council Agenda re Planning Permit Application PLP047/19 For development of the land for a food and drink premises (food vans), demolition within the heritage overlay. Sale and consumption of liquor, alteration of access top a Road Zone – Category 1 and reduction in car parking requirements at 33-37 Sydney Street, Kilmore</p>

<p>Audit Committee 21 November 2019</p>	<p><u>In Attendance</u> Cr David Lowe Cr David Atkinson</p> <p><u>Apologies</u> Nil</p>	<p>Director Governance &amp; Corporate Performance Manager Finance &amp; Assets Risk &amp; OHS Coordinator Manager Business Transformation, Information Management &amp; Technology Executive Assistant to the Director Governance &amp; Corporate Performance</p>	<ul style="list-style-type: none"> <li>• Matters Arising Table</li> <li>• Audit Committee Works Program 2019-2020</li> <li>• Audit Issues Monitor</li> <li>• Quarterly Financial Report for the 12 Months Ending 30 June 2019</li> <li>• Risk Report</li> <li>• Procurement Compliance Report – July, August, September 2019</li> <li>• Internal Audit Status and Update</li> <li>• Internal Audit Review – Budgeting and Forecasting</li> <li>• Internal Audit Review – Project Management</li> <li>• Local Government Integrity Frameworks Review</li> <li>• Audit Committee Self-Assessment 2019</li> <li>• Procurement Response to IBAC Audit Report</li> </ul>	<p>Nil</p>
<p>Strategy Briefing 25 November 2019</p>	<p><u>In Attendance</u> Cr Rhonda Sanderson Cr Bob Cornish Cr Bob Humm (attended at 2.30pm) Cr David Lowe Cr David Atkinson Cr Fiona Stevens Cr Annie Goble Cr Rob Eldridge Cr Bill Chisholm</p> <p><u>Apologies</u> Nil</p>	<p>Acting Chief Executive Officer Director Governance &amp; Corporate Performance Acting Director Advocacy &amp; Community Services Director Development &amp; Infrastructure Manager Waste &amp; Resource Recovery Waste Management Coordinator Tourism &amp; Promotions Officer Manager Communications, Jobs &amp; Investments Manager Strategic Planning Economic Development Project Officer</p>	<ul style="list-style-type: none"> <li>• Waste &amp; Resource Recovery Updates</li> <li>• My Mitchell Photo Competition and Voting</li> </ul>	<p>Nil</p>

<p>Australia Day Awards Committee</p> <p>27 November 2019</p>	<p><u>In Attendance</u> Cr David Lowe Cr Rhonda Sanderson Cr Bob Humm</p> <p><u>Apologies</u> Cr Bob Cornish</p>	<p>Manager Governance &amp; Corporate Accountability</p>	<ul style="list-style-type: none"> <li>• Australia Day 2020 Assessment and Weighting of Nominations</li> <li>• Australia Day 2020 Pyalong Preparations</li> <li>• EOI for Host Town 2021</li> <li>• Australia Day 2020 Ambassadors</li> </ul>	<p>Nil</p>
<p>Mitchell Shire Municipal Emergency Management Planning Committee (MEMPC)</p> <p>27 November 2019</p>	<p><u>In Attendance</u> Cr Bill Chisholm</p> <p><u>Apologies</u> Nil</p>	<p>Municipal Fire Prevention Officer Maternal Child Health Coordinator (Deputy MRM) Roads Maintenance Coordinator (Deputy MERO) Emergency Management and Recovery Coordinator</p>	<ul style="list-style-type: none"> <li>• Victorian Fire Risk Register (VFRR) Update</li> <li>• Emergency Relief Centre Exercise</li> <li>• Mitchell Shire Council Fire Prevention Program Report</li> <li>• Vulnerable Persons Register Report</li> <li>• Vulnerable Facilities Report</li> <li>• Neighbourhood Safer Places – Bushfire Places of last Resort report</li> </ul>	<p>Nil</p>

			<ul style="list-style-type: none"><li>• Victorian Council of Churches Emergency Ministries – Hume Region Report</li><li>• Clonbinane Community Bushfire Based Management Update</li><li>• Emergency Management Amendment Legislation</li></ul>	
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**10 EXECUTIVE SERVICES**

Nil Reports

**11 NOTICES OF MOTION**

Nil Reports

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## 12 DELEGATES REPORTS

### 12.1 DELEGATE REPORT - MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE (JULY 2019 - OCTOBER 2019)

**Author:** Elyse Kelly - Environmental Programs Coordinator

**File No:** ET/03/003

**Attachments:** Nil

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#### SUMMARY

This report provides an overview of the Mitchell Environment Advisory Committee (MEAC) and a summary of the discussions held at the ordinary meetings of the Committee on 25 July 2019 and 19 September 2019 and a special meeting on 24 October 2019.

Cr Eldridge chaired the meetings on 25 July 2019 and 19 September 2019 and was an apology for the meeting on 24 October meeting.

Council representatives at the meetings included the Director of Development and Infrastructure, Manager Strategic Planning and the Environment Coordinator.

#### RECOMMENDATION

**THAT** Council receive and note the Delegates report, Mitchell Environment Advisory Committee overview and update (July 2019 – October 2019).

#### BACKGROUND

In July 2011, Council established the Mitchell Environment Advisory Committee (MEAC). At the 21 August 2017 Council meeting, a revised Terms of Reference (TOR) was adopted.

The purpose of the Mitchell Environment Advisory Committee is to “...*capitalise on the knowledge, experience and skill available in the community to provide Mitchell Shire Council with strategic advice in respect to environmental sustainability and management issues and initiatives within the municipality*”.

The Terms of Reference for MEAC allows for the establishment of special interest working groups as needed to progress specific initiatives.

#### DISCUSSION

##### 25 July 2019 Meeting

At the Ordinary meeting of MEAC held on the 25 July 2019, the Committee welcomed guest speaker Mr. Chris Norman, Chief Executive Officer of the Goulburn Broken Catchment Management Authority (GBCMA)

Mr. Norman represented to the Committee on the following broad topics;

- The GBCMA operating structure;

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DELEGATE REPORT - MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE  
(JULY 2019 - OCTOBER 2019) (CONT.)

- GBCMA's statistics relating to their geographical area of management,
- Land management incentive programs (past and present),
- The GBCMA's role in environmental flows
- Funding availability for environmental projects; and the
- The Kilmore offset program.

Updates were presented on several projects That MEAC has been involved in including the:

- Kilmore Creek Precinct Landscape Masterplan;
- Ryan's Creek Reserve Activation Project;
- Upper Merri Integrated Water Management Plan;
- The Greening Kilmore- Integrated Water Management Plan: and the
- Collaborative Weeds Workshop.

The Committee endorsed the 2018 / 2019 Mitchell Environment Advisory Committee annual report for presentation to Council and discussed the 2018 / 2019 MEAC member survey.

The Committee also received information on the use of goats for weed control and Council Officer advocacy for higher energy and water efficiency standards in the National Construction Code.

Illegal rubbish dumping, street trees, the cat curfew, National Tree Day and firewood collection were all discussed in general business.

#### 19 September 2019 Meeting

At the Ordinary meeting of MEAC held on 19 September 2019, the Committee were advised of the outcomes of the annual MEAC report presentation to Councillors, where Committee members Geoff Mabbett and Lesley Dalziel joined Environment Coordinator Elyse Kelly to present the report.

The Committee then discussed the draft Beveridge North West Precinct Structure plan and raised a number of points that formed the basis of written advice to Council's Strategic Planning team to consider as part of Council's Submission on the draft PSP.

The Committee also considered the Draft Kilmore Creek Precinct Landscape Masterplan and the Draft Hudson Park Masterplan, agreeing to a number of points that formed the basis of written advice to Council's Strategic Planning team and Livable Communities' teams respectfully, to consider in the drafting of the final masterplans.

Updates were provided on the following projects that MEAC has been involved in;

- Wallan Regional Park;
- Ryan's Creek Reserve Activation project;
- Rural Land and Activities Review;
- Seymour Sports and Aquatic Centre Solar Project; and

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DELEGATE REPORT - MITCHELL ENVIRONMENT ADVISORY COMMITTEE OVERVIEW AND UPDATE  
(JULY 2019 - OCTOBER 2019) (CONT.)

- Mitchell Shire Council 2018/2019 Energy and Water Usage

In general business, the Committee discussed roadside vegetation and illegal rubbish dumping.

#### 24 October 2019 Meeting

The Mitchell Environment Advisory Committee held a special meeting to discuss the development of Council's inaugural Environment Policy.

The Committee discussed the scope, targets and policy process including the following broad topics;

- ISO Accreditation
- Stakeholders
- Key Strategic Areas
- Evolving with changing technology
- Understanding Council's sphere of influence
- encourage primary production that is sustainable.
- "Restoring" rather than maintaining the natural environment.
- Habitat values of native vegetation needs more recognition.
- *The "NEROC report" – Sites of faunal and habitat significance in North East Melbourne* was referred to and an aspirational aim would be to have a similar report done for Mitchell Shire and have this report inform the planning scheme.
- The value of ecosystem services is important
- Promoting citizen science projects:
- Environmental water is an increasingly important issue,

The meeting concluded with an agreement to support an expression of interest to the Department of Environment, Land Water and Planning to host a community screening of Damon Gameau's "2040" film in partnership with the Mitchell Shire Youth Council, Mitchell Community Energy and South West Goulburn Landcare.

#### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

**12.2 DELEGATE REPORT - AUDIT COMMITTEE CHARTER REVIEW AND COMMITTEE NAME CHANGE**

**Author:** Laurie Ellis - Director Governance and Corporate Performance

**File No:** cm/08/003

**Attachments:**

1. Audit Committee Charter
2. Audit Committee Works Program 2019
3. Draft Audit and Risk Committee Annual Work Plan
4. Draft Audit and Risk Committee Charter

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**SUMMARY**

Council's Audit Committee Charter has been reviewed to ensure that the functions of the Committee reflect current requirements and that the Committee's processes are improved. The name of the Committee has been updated in the Draft Charter (Attachment 1) as the Audit and Risk Committee. The Draft Charter is a rewrite of the existing Charter (Attachment 2) however it does not substantially differ from it. The key changes are set out in the body of this report. It is recommended that the Draft Audit and Risk Committee Charter be adopted by Council.

**RECOMMENDATION**

**THAT** Council adopt the Audit and Risk Committee Charter as set out in Attachment 1.

**BACKGROUND**

Council initially established an Audit Committee in December 2005. The Committee Charter was reviewed and adopted by Council on 22 July 2013.

The purpose of the Committee is to advise Council on issues involving external financial reporting, internal and external audit, internal control and risk management, compliance and ethics, fraud prevention and good governance. Under the Committee Charter, Minutes of each meeting of the Committee are to be presented to Council providing information on the meeting and its outcomes. Audit Committee Minutes are to be designated as confidential information.

**DISCUSSION**

The *Local Government Bill 2019* (LGB), which was introduced to the Victorian Parliament on 13 November 2019, includes changes to the name and function of council audit committees. The name is proposed in the LGB to be changed to Audit and Risk Committee. When the LGB is enacted it will be necessary to revisit the Audit and Risk Committee Charter to ensure that it complies to the new Act.

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DELEGATE REPORT - AUDIT COMMITTEE CHARTER REVIEW AND COMMITTEE NAME CHANGE (CONT.)

In the meantime, the Audit Committee has initiated a review of the Charter in line with current best practice with the industry, compliance with the *Local Government Act 1989* and to streamline the Committee processes. The Draft Charter does adopt the proposed renaming of the Audit Committee to the Audit and Risk Committee. The key changes included in the Draft Charter are set out below:

1. Purpose - The six areas of responsibility of the Committee remain the same with some minor rewording.
2. Authority - The four areas of authority of the Committee substantially cover the same matters and empower the Committee to act in fulfilling its functions and to have access through the CEO to appropriate management support.
3. Membership and Tenure – There are several changes in this area of note:
  - The Mayor or Deputy Mayor may act as an alternative Councillor member should the appointed Councillor member be absent.
  - Independent members may be reappointed, subject to satisfactory performance for a maximum of three consecutive terms. The current Code of Conduct allows for two terms without advertising but does not set a limit on the consecutive number of terms).
  - Requirement to stagger appointment of independent members
  - Remuneration of independent members will be reviewed annually.
4. Meetings – This section is substantially unchanged. The August meeting has been moved to September to align with the completion of the Annual Accounts.
5. Meeting Procedure - This section is substantially unchanged. The annual work program has been updated to align with the Draft Charter to ensure that all of the responsibilities of the Committee, as set out in section 8 of the Draft Charter, are covered.
6. Reporting to Council - This section is substantially unchanged.
7. Responsibilities of Members - This section is unchanged.
8. Role of the Audit Committee
  - 8.1 Financial Reporting – Key points in this area is substantially unchanged although wording improved, and bi-annual review of the Local Government Reporting Framework included.
  - 8.2 Systems of Internal Control – A more comprehensive list of the responsibilities in this area.
  - 8.3 Risk Management – A more complete list of responsibilities in this area including reviewing Council's insurance programme, Business Continuity and Cyber security arrangements.
  - 8.4 Fraud Prevention and Awareness – a new area added to highlight the need to review Fraud Prevention policies and procedures and receive reports on actual or suspected instances of fraud and corruption.

## DELEGATE REPORT - AUDIT COMMITTEE CHARTER REVIEW AND COMMITTEE NAME CHANGE (CONT.)

- 8.5 Internal Audit – An updated list of responsibilities including review of completed internal audit reports, Committee awareness of changes to the Internal Audit provider and changes to the internal audit specification and recommending to Council the termination of the internal audit contractor where deemed appropriate.
- 8.6 External Audit – A new area setting out the responsibilities of the Committee in regard to the external audit.
- 8.7 Compliance Management – This area has been added and focusses on compliance of Council systems and processes with relevant legislation. It allows for review processes for communicating Codes of Conduct to relevant persons and monitoring compliance with the Codes. It also includes receiving reports from management on findings of various reports from integrity agencies.
- 8.8 Reporting to Council – This area covers the requirement to provide minutes to Council, for the Chair to report to Council on Committee activities as appropriate as well as providing a report on significant Committee activities for inclusion in Council's Annual Report.

**CONSULTATION**

The Chair of Council's Audit Committee was consulted in drafting this Charter update and the Draft Charter was tabled at the November 2019 Audit Committee meeting. Audit Committee members were invited to provide comments prior to presenting the Draft Charter to Council.

**FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS**

The expenditure related to the Audit Committee and the Audit functions are provided within Council's operational budget.

**POLICY AND LEGISLATIVE IMPLICATIONS**

The Audit Committee operates in accordance with the provisions of the *Local Government Act 1989* and Council's Audit Charter. The Committee's Charter aligns with the Council Plan strategic objective of Sound Financial and Organisational Management.

**RISK IMPLICATIONS**

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Not updating the Charter to align with better practice.	Low	Update the Charter to align with better practice.	Yes

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DELEGATE REPORT - AUDIT COMMITTEE CHARTER REVIEW AND COMMITTEE NAME CHANGE (CONT.)

### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

There are no sustainability implications related to the matters covered in this report.

### **CHARTER OF HUMAN RIGHTS IMPLICATIONS**

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

### **CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

There are no implications for Children and Young People from the recommendations of this reports.

### **OFFICER DECLARATION OF CONFLICT OF INTEREST**

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

### **CONCLUSION**

The Draft Audit Committee Charter seeks to update the scope of the functions of the Committee and improve the Committee's processes. The name of the Committee has been updated in the Draft Charter to the Audit and Risk Committee, which aligns with the name proposed in the LGB. The main changes relate to the role of the Committee with a new focus on Compliance and increased emphasis on Risk Management. When the LGB is enacted, the Audit and Risk Committee Charter will again be reviewed to ensure that it complies to the provisions of the new *Local Government Act*.

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **DELEGATES REPORTS**

**16 DECEMBER 2019**

**12.2**

#### **DELEGATE REPORT - AUDIT COMMITTEE CHARTER REVIEW AND COMMITTEE NAME CHANGE**

**Attachment No: 1  
Audit Committee Charter**

# MITCHELL SHIRE COUNCIL



## AUDIT COMMITTEE CHARTER

This Charter has been approved by Council and is based on the Department of Planning and Community Development's Audit Committees - Guide to Good Practice for Local Government. This model has been adapted to suit the Mitchell Shire context.

### 1. Purpose

The Audit Committee is an advisory committee to Council and has responsibility for advising Council on issues involving:

- External financial reporting
- Internal and external audit
- Internal control and risk management
- Compliance and ethics
- Fraud prevention
- Corporate governance

The Audit Committee will carry out its work bearing in mind Council's desire to operate in an ethical environment with good governance practices.

### 2. Authority

Council delegates its authority to the Committee, as defined in its responsibilities detailed in this Charter.

The Committee has the authority to:

- Obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
- Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- Request the attendance of any employee, including the CEO, at committee meetings; and
- Obtain external legal or other professional advice, as considered necessary.

### 3. Composition

Council will appoint as members of the Audit Committee:

- A minimum of three independent members, one of whom will be appointed as the Chair
- Two Councillors

The members, taken collectively, will have a broad range of skills and experience relevant to a complex business environment and the operations of a growth Council. At least two independent members of the Committee should have accounting or related financial management experience with an understanding of accounting and auditing standards in a public sector environment.

## AUDIT COMMITTEE CHARTER

## MITCHELL SHIRE COUNCIL

The Chair will be appointed annually by Council after the adoption of the Annual Accounts and presentation of the Audit Committee's annual report to Council.

External members receive payment as set by Council.

Council will appoint Independent Members for a maximum term of three years. Appointments will be scheduled to facilitate continuity of the Committee and the term of no more than one Independent Member should cease within any one year.

Independent Members will be appointed by Council following public advertisement of the position. At the end of their term of appointment, after a formal review of their performance, Independent Members may, at the discretion of Council, be reappointed for one further term without requirement to advertise.

If an Independent Member resigns or is removed from the Committee prior to the expiry of their term of appointment, Council shall appoint a replacement following advertisement of the position. The selected replacement member shall be initially appointed for the period of the member's term only.

#### 4. Meetings

To facilitate the operation of the Audit Committee, the Chief Executive Officer has responsibility to provide secretariat services and officer advice in respect of matters before the Audit Committee. The Chief Executive Officer will facilitate the meetings of the Audit Committee and invite members of management, auditors and others to attend meetings and to provide pertinent information, as necessary.

The Audit Committee will meet at least four times a year, in August, November, February and May, with authority to convene additional meetings, should circumstances require. Meetings of the Audit Committee are confidential meetings.

All Audit Committee members are expected to attend each meeting, in person or through teleconference or video conference.

The Audit Committee may seek a private meeting with Council, the Chief Executive Officer, or with Council's internal or external auditors at any time on matters that are within the scope of this Charter.

#### 5. Meeting Procedure

A quorum for any meeting will be three members, comprising at least two independent members and one Councillor. Quorum must be maintained else the meeting will conclude for lack of quorum.

Committee members shall observe Council's meeting procedures in respect to the conduct of meetings.

Section 139(4A) of the *Local Government Act*, 1989 states that members of Audit Committees must comply with conflict of interest rules as if they were a member of a special committee.

The Agenda for the Audit Committee is drawn from the Audit Committee's annual work plan which allows for effective coverage of the Roles and Responsibilities outlined below. Attachment 1 outlines the annual work program.

The Audit Committee may review and amend its annual work program as required to fulfil its responsibilities. The amended work program must be reported to Council.

Meeting Agendas will be prepared and provided at least one week in advance to members along with appropriate briefing materials.

Minutes will be prepared in accordance with Local Law No. 4.

## 6. Reporting to Council

Following each meeting of the Audit Committee, the meeting Minutes will be presented to Council providing information on the meeting and its outcomes. Audit Committee Minutes will be designated confidential. The Audit Committee will also provide an annual report on its operations to Council.

The Audit Committee Chair may seek a private meeting with Council at any time should they feel there is a particular issue within the roles and responsibilities of the Committee that warrants the particular attention of the Council.

## 7. Responsibilities of Members

Members of the Committee are expected to understand and observe the requirements of the *Local Government Act 1989*. Members are also expected to:

- Contribute the time needed to review and understand the papers provided;
- Apply good analytical skills, objectivity and good judgment;
- Express opinions frankly, ask questions that go to the fundamental core of the issue and pursue further follow up where appropriate, and
- At all times treat other members and attendees of the Audit Committee with the appropriate level of respect and professional courtesy.

## 8. Role of the Audit Committee

The Audit Committee is responsible for the following:

### *Financial Reporting*

- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
- Review with management and the external auditors the results of the audit, including any difficulties encountered.
- Review the annual financial report, and consider whether it is complete, consistent with information known to Audit Committee members, and reflects appropriate accounting principles.
- Review with management and the external auditors all matters required to be communicated to the Audit Committee under the Australian Auditing Standards.

### *Internal Control*

- Understand the scope of internal and external auditor's review of internal controls over financial reporting, and obtain reports on significant findings and recommendations, together with management's responses.

### *Risk Management*

- Monitor the systems and process via the Shire of Mitchell's risk profile to ensure that material operational risks to the Shire are dealt with appropriately.
- Monitor the process of review of the Shire's risk profile.
- Consider the adequacy of actions taken to ensure that the material business risks have been dealt with in a timely manner to mitigate exposures to the LGE.

AUDIT COMMITTEE CHARTER

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**Business Continuity**

- Seek assurance that the Shire has in place systems and processes for effective business continuity.

**Internal audit**

- Review with management and the internal auditor the Charter, activities, staffing, and organisational structure of the internal audit function.
- Review and recommend the annual audit plan for approval by the Shire and all major changes to the plan.
- Monitor processes and practices to ensure that the independence of audit function is maintained.
- As part of the Audit Committee's annual assessment of performance, determine level of satisfaction with internal audit function having consideration of the Institute of Internal Auditor's *International Standards for the Professional Practice of Internal Auditing*.
- Monitor that the internal auditor's annual plan is linked with and covers the material business risks.
- Provide an opportunity for the Audit Committee to meet with the internal auditor to discuss any matters that the Audit Committee or internal auditor believes should be discussed privately.

**Reporting responsibilities**

- Report regularly to the Council about audit committee activities, issues, and related recommendations through circulation of Minutes and annual report. Additional updates may be appropriate should issues of concern arise.
  - Monitor that open communication between the internal auditor, the external auditors, and the Council occurs.
  - Report annually to stakeholders, describing the Audit Committee's composition, responsibilities and how they were discharged, and any other information required by regulation, including approval of non-audit services.
  - Consider the findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General and to ensure the Shire implements relevant recommendations.
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# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **DELEGATES REPORTS**

**16 DECEMBER 2019**

**12.2**

#### **DELEGATE REPORT - AUDIT COMMITTEE CHARTER REVIEW AND COMMITTEE NAME CHANGE**

**Attachment No: 2**

**Audit Committee Works Program 2019**

**AUDIT COMMITTEE WORK PROGRAM**

Item required for meeting
Item may be required for meeting
Item not required for meeting

MEETING SCHEDULED FOR	November 2018		February 2019		May 2019		September 2019	
Responsibilities	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.
<b>Financial Report</b>								
Review significant accounting and reporting issues								
Review information known to impact the Financial Statements								
Review the annual financial report including Performance Statement								
New review attestations required								
Review the results of the audit								
Review communication required under Australian Auditing Standards								
<b>Assessment of Financial Information</b>								
Review Long Term Financial Plan								
Review significant accounting and reporting issues								
Review quarterly financial report								
Review developer contributions resourcing								
Periodically compare actual outcomes, achievement of milestones and other KPIs as compared with the Council Plan, Annual Report and Budget - strategic indicators for monitoring the achievement of the strategic objectives								

	Item required for meeting
	Item may be required for meeting
	Item not required for meeting

MEETING SCHEDULED FOR	November 2018		February 2019		May 2019		September 2019	
Responsibilities	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.

<b>Risk Management</b>								
Monitor the systems and processes for risk management								
Review the LGE's risk profile								
Material business risks – consider adequacy of mitigation actions								
Monitor effectiveness of business continuity planning								
Review any reports concerning evidence of material violation or breaches of fiduciary duty								
Review any instance of fraud or possible illegal acts								
Review Strategic Risks on the Register as listed in the Risk Report. Nominated Managers to address the Committee on risk issues								

<b>Internal Control</b>								
Consider the effectiveness of the LGE's internal control system								
Review the internal control over financial reporting								

	Item required for meeting
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	Item may be required for meeting
	Item not required for meeting

MEETING SCHEDULED FOR	November 2018		February 2019		May 2019		September 2019	
	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.
<b>Internal Audit</b>								
Review the internal audit function and KPIs								
Review and recommend the Annual Audit Plan								
Review Internal Audit Plan and ensure it is linked to the LGE's risk profile								
Review internal audit activity								
Monitor processes and practices to ensure the independence of internal audit function								
Provide an opportunity for the Audit Committee to meet with the Internal Auditor without management								
Review outstanding audit actions								
<b>External Audit</b>								
Note the External Auditor's proposed audit scope and approach								
Consider the External Auditor's view on the control environment and management letters								
Resolve any disagreement between management and the External Auditor in financial reporting								
Provide an opportunity for the Audit Committee to meet with the External Auditor without management								

Consider VAGO's Performance Audits and Management Response									
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	Item required for meeting
	Item may be required for meeting
	Item not required for meeting

MEETING SCHEDULED FOR	November 2018		February 2019		May 2019		September 2019	
Responsibilities	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.

<b>Compliance</b>								
Obtain regular updates on compliance matters								
Review the systems and processes for monitoring compliance with legislation and regulations								
Be informed on how management monitors the effectiveness of its compliance and ethics program								
Keep informed of the findings of any examinations by regulatory agencies								
Review whistleblower arrangements and reports								

<b>Reporting Responsibilities</b>								
Report regularly to the Council								
Monitor that open communication between the Internal Auditor, the External Auditor and the LGE occurs								
Report annually to Council								
Consider the findings and recommendations of relevant Performance Audits								

	Item required for meeting
	Item may be required for meeting

 Item not required for meeting

MEETING SCHEDULED FOR	November 2018		February 2019		May 2019		September 2019	
Responsibilities	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.	Item Req.	Agenda No.

<b>General</b>								
Establish timing of meetings for forthcoming year								
Review effectiveness of Secretariat support								
Perform an assessment of the Committee's performance								
Review and assess the adequacy of the Audit Committee Charter								
Confirm annually that all responsibilities outlined in this Charter have been carried out								

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **DELEGATES REPORTS**

**16 DECEMBER 2019**

**12.2**

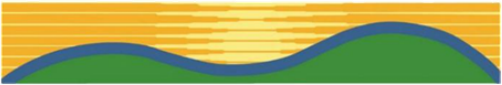
**DELEGATE REPORT - AUDIT COMMITTEE  
CHARTER REVIEW AND COMMITTEE NAME  
CHANGE**

**Attachment No: 3**

**Draft Audit and Risk Committee Annual Work Plan**

DRAFT

Mitchell Shire Council  
Audit and Risk Committee Annual Works Program

MITCHELL SHIRE COUNCIL		Legend					
		DGCP-Director Governance & Corporate Performance MFA-Manager Finance and Assets MGCA-Manager Governance and Corporate Accountability MIBT-Manager Information and Business Transformation MPC - Manager People and Culture					
Agenda No	Topic	Frequency	Responsibility	Nov	Feb	May	Sep
1	Welcome & Apologies	All Meetings	Chair	X	X	X	X
2	Disclosures of Interests	All Meetings	Chair	X	X	X	X
3	Confirmation of Minutes of Previous Meetings	All Meetings	Chair	X	X	X	X
4	Matters Arising	All Meetings	Chair	X	X	X	X
5	Annual Work Plan	All Meetings	Chair	X	X	X	X
6	Issues Monitor	All Meetings	Chair	X	X	X	X
7	CEO Briefing and Probity Questions	All Meetings	CEO	X	X	X	X
8	<b>8.1 Financial Reporting</b>						
a	Review significant accounting and reporting issues	Annually	MFA		X		
b	Review the Annual financial report including Performance Statement	Annually	MFA				X
c	Review results of the Audit of the Annual Financial report and performance statement	Annually	MFA				X
d	Recommend the adoption of the Annual Financial Report and the Performance statement	Annually	MFA				X
e	Review the appropriateness of the format and content of the periodic management financial reports	Quarterly	MFA	X	X	X	X
f	Local Government Performance Reporting Framework Update	Annually	MGCA				X

Teamsite:AuditCommittee/General/Resources/Audit and Risk Committee Annual Work Plan

DRAFT

Mitchell Shire Council  
Audit and Risk Committee Annual Works Program

Agenda No	Topic	Frequency	Responsibility	Nov	Feb	May	Sep
<b>8.2 Systems of Internal Control</b>							
a	Consider the adequacy and effectiveness of the Council's internal control system including delegations of authority	Annually	DGCP/MGCA/MFA		X		
b	Consider whether systems and controls are reviewed regularly	Annually	DGCP/MGCA/MFA				
c	Consider internal control compliance testing program	Annually	DGCP/MGCA/MFA			X	
d	Good Governance Report and Checklist	Annually	DGCP/MGCA/MFA		X		
<b>8.3 Risk Management</b>							
a	Review Council's Risk Management Framework	Bi-Annually	DGCP/MPC		X		
b	Review Council's risk profile focusing on strategic risks and management assessment thereof	Bi-Annually	DGCP/MPC	X		X	
c	Review any significant business risk management activity/issues (review progress against treatment plans)	Quarterly	DGCP/MPC	X	X	X	X
d	Review insurance program	Annually	DGCP/MPC				X
e	Review Business Continuity and disaster recovery plans	Annually	DGCP/MPC		X		
f	Review cyber security related activities	Annually	DGCP/MIBT		X		
<b>8.4 Fraud Prevention and Awareness</b>							
a	Review Council's fraud prevention policies and procedures	Bi-Annually	MGCA				
b	Review management reports on actual and/or suspected instances of fraud or corruption in Council	As Required	MGCA	X	X	X	X
<b>8.5 Internal Audit</b>							
a	Review and approve 3 year strategic & annual internal audit plans & progress against the plans	Annually	MFA			X	
b	Review internal audit reviews completed since last meeting	Quarterly	MFA	X	X	X	X

Teamsite:AuditCommittee/General/Resources/Audit and Risk Committee Annual Work Plan

DRAFT

Mitchell Shire Council  
Audit and Risk Committee Annual Works Program

Agenda No	Topic	Frequency	Responsibility	Nov	Feb	May	Sep
c	Review management open audit recommendations reports	Quarterly	MFA	X	X	X	X
d	Review scopes of proposed internal reviews	Quarterly	MFA	X	X	X	X
e	Meet with internal auditor in the absence of management	Annually	MFA			X	
f	Review the effectiveness of the Internal Audit function	Bi-Annually	MFA	X			
g	Review reports on proposed changes to the internal audit function and/or the service provider including if necessary, remuneration of the internal audit contractor	As required	MFA	X	X	X	X
h	Recommend, if necessary, the termination of the Internal Auditor	As Required	DGCP				
<b>8.6 External Audit</b>							
a	Review the proposed external audit scope and plan	Annually	MFA/VAGO		X		
b	Review outcomes of external audit, including closing report	Annually	MFA/VAGO				X
c	Review external audit management letters and Council's response	Bi-Annually	MFA/VAGO		X		X
d	Review performance of external auditor	Annually	MFA/VAGO				X
e	Review recommendation of any relevant VAGO performance audits and Council's response	Quarterly	MFA/VAGO	X	X	X	X
f	Meet with external auditor in absence of management at least annually	Annually	MFA/VAGO				X
<b>8.7 Compliance Management</b>							
a	Review systems and processes for monitoring compliance with legislation and regulations	Quarterly	DGCP	X	X	X	X
b	Review compliance with policies related to Codes of Conduct	Annually	DGCP			X	
c	Briefings on significant compliance matters	As Required	DGCP	X	X	X	X
d	Review reports by regulatory and integrity bodies issues since the last meeting	As Required	DGCP	X	X	X	X

Teamsite: Audit Committee/General/Resources/Audit and Risk Committee Annual Work Plan

DRAFT

Mitchell Shire Council  
Audit and Risk Committee Annual Works Program

Agenda No	Topic	Frequency	Responsibility	Nov	Feb	May	Sep
<b>8.8 Reporting to Council</b>							
a	Minutes of Meetings provided to Council	Quarterly	DGCP	X	X	X	X
b	Chair reports to Council	Annually	Chair A&RC	X			
c	Annual summary of Committee activities for inclusion in Council's Annual Report	Annually	Chair A&RC				X
d	Set Committee meeting schedule	Annually					X
<b>9 Performance Evaluation</b>							
a	Assessment of Committee performance	Annually	Committee	X			
<b>10 Conflicts of Interest and Register of Interests</b>							
a	Committee members to complete Primary and Ordinary Returns	Annually	Committee		X		
<b>11 Review of Charter</b>							
a	Review of Committee Charter	Bi-Annually	Committee				X

Teamsite:AuditCommittee/General/Resources/Audit and Risk Committee Annual Work Plan

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **DELEGATES REPORTS**

**16 DECEMBER 2019**

**12.2**

**DELEGATE REPORT - AUDIT COMMITTEE  
CHARTER REVIEW AND COMMITTEE NAME  
CHANGE**

**Attachment No: 4**

**Draft Audit and Risk Committee Charter**

# MITCHELL SHIRE COUNCIL



## Audit and Risk Committee Charter

Adopted by Audit & Risk Committee XXX

Revision Date

Responsible Directorate

Next Revision Date

Adopted by Council XXX

November 2019

Governance and Corporate Performance

November 2021

<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit & Risk Committee Charter.docx>

1



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<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx2>



## AUDIT & RISK COMMITTEE CHARTER

### 1. Purpose

The Audit & Risk Committee (the Committee) is an advisory committee to Council and has responsibility for advising Council on issues involving:

- a. Financial reporting and performance;
- b. Internal and external audit;
- c. Internal control and risk management;
- d. Legislative and regulatory compliance and ethics;
- e. Fraud prevention; and
- f. Corporate governance including Codes of Conduct.

It acts in this capacity by monitoring, reviewing and advising on issues within its scope of responsibility. The Committee will carry out its work bearing in mind Council's desire to operate in an ethical environment with good governance practices.

### 2. Authority

The Committee is directly responsible to Council for discharging its responsibilities as set out in this Charter. The Committee has no delegated authority from Council unless specifically provided by Council from time to time and any such authority shall be temporary and may only relate to specific matters as directed by Council.

The Committee is empowered to:

- Resolve any disagreements between management and the external auditor on financial reporting issues;
- Obtain external legal or other professional advice, as considered necessary;
- Seek any information it requires from Councillors, Council staff and external parties;
- Meet with Council staff, internal and external auditors, or outside counsel, as necessary.

The Committee will, through the Chief Executive Officer, have access to appropriate management support to enable it to discharge its responsibilities effectively.

<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx3>



### 3. Membership and Tenure

The Committee will consist of five members appointed by Council, three of whom must be independent members. Details of membership and tenure are set out below;

- a) The Chair of the Committee must be an independent member;
- b) Council will appoint the Chair of the Committee;
- c) Councillor members will be appointed by Council;
- d) The Mayor or Deputy Mayor may act as an alternate Councillor member should an appointed Councillor member not be able to attend a Committee meeting;
- e) Independent Members will be appointed by Council following public advertisement of the position;
- f) Expiry of independent member terms will be staggered so that not more than two members terms conclude concurrently, ensuring as far as possible that knowledge of Council's operations is not lost when there is a change of membership. Independent members may be appointed for up to a three-year term and subject to a review of performance and independence and Council approval no longer than a maximum of three consecutive terms;
- g) If an Independent member resigns or is removed from the Committee prior to the expiry of their term of appointment, Council will appoint a replacement following advertisement of the position. The selected replacement member will be initially appointed for the period of the member's term only;
- h) Each member will have appropriate skills with independent members having significant experience in either business management, financial management, legal and regulatory management or risk management and compliance, and be conversant with good governance principles and financial reporting requirements. A diversity of skills across these disciplines will be sought when making appointments to the Audit and Risk Committee;
- i) Remuneration will be paid to each independent member with the level of remuneration reviewed by Council annually (and payable from October).

### 4. Meetings

- a. To facilitate the operation of the Committee, the Chief Executive Officer has responsibility to provide secretariat services and Officer advice in respect of matters before the Committee. The Chief Executive Officer will facilitate the meetings of the Committee and invite members of management, auditors and others to attend meetings and to provide pertinent information, as necessary;
- b. The Committee will meet at least four times a year (generally in February, May, September and November), with authority to convene additional meetings, should circumstances require. Meetings of the Committee are confidential meetings;
- c. All Committee members are expected to attend each meeting, in person or through teleconference or video conference;
- d. The Committee may seek a private meeting with Council, the Chief Executive Officer, or with Council's internal or external auditors at any time on matters that are within the scope of this Charter. However, it is expected that the internal and external auditors will be separately offered a private meeting with the Committee on an annual basis.

<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx4>



**5. Meeting Procedure**

- a. A quorum for any meeting will be three members, comprising at least two independent members and one Councillor. A quorum must be maintained otherwise the meeting will lapse for lack of quorum;
- b. Committee members shall observe Council's meeting procedures in respect to the conduct of meetings;
- c. Committee members of Audit Committees must comply with conflict of interest rules as if they were a member of a Council special committee as defined in the relevant legislation;
- d. The Agenda for the Committee will follow the Committee's annual work plan which allows for effective coverage of the Roles and Responsibilities;
- e. The Committee may review and amend its annual work program as required to fulfil its responsibilities;
- f. Meeting Agendas will be prepared and provided at least one week in advance to members along with appropriate briefing materials;
- g. Minutes will be prepared in accordance with the applicable Local Law.

**6. Reporting to Council**

- a. Following each meeting of the Committee, the meeting Minutes will be presented to Council providing information on the meeting and its outcomes. Committee minutes will be designated confidential. The Committee will also provide reports on its operations to Council in conformance with the requirements of the governing legislation;
- b. The Committee Chair may seek a private meeting with Council at any time should they feel there is a particular issue within the roles and responsibilities of the Committee that warrants the particular attention of the Council.

**7. Responsibilities of Members**

Members of the Committee are expected to understand and observe the requirements of the governing legislation. Members are also expected to:

- a. Contribute the time needed to review and understand the papers provided;
- b. Apply good analytical skills, objectivity and good judgment;
- c. Express opinions, frankly, ask questions that go to the fundamental core of the issue and pursue further follow up where appropriate, and
- d. At all times treat other members and attendees of the Committee with the appropriate level of respect and professional courtesy.

<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx5>



## 8. Role of the Audit & Risk Committee

The Committee will carry out the following responsibilities:

### 8.1 Financial Reporting:

- a. At least annually, review significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the audit thereof;
- b. Review the annual financial report and performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's position;
- c. Review with management and the external auditors the results of the audit of the annual financial report and performance statement, including any difficulties encountered by the external auditors;
- d. Recommend the adoption of the annual financial report and performance statement to Council; and;
- e. Review the appropriateness of the format and content of periodic management financial reports to Council as required.
- f. Review Annual Local Government Performance Reporting Framework Update

### 8.2 Systems of Internal Control:

- a. Consider the adequacy and effectiveness of the Council's internal control system including delegations of authority;
- b. Consider whether systems and controls are reviewed regularly;
- c. Consider internal control compliance testing program;
- d. Good Governance Report and Checklist.

### 8.3 Risk Management:

- a. Review bi-annually Council's risk management framework;
- b. Review management's assessment of Council's risk profile;
- c. Review Council's programme of assessment of business risks and treatment plans;
- d. Review the insurance programme annually;
- e. Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested;
- f. Review cyber security related activities.

### 8.4 Fraud Prevention and Awareness:

- a. Review Council's Fraud Prevention policies and procedures (Fraud Control Policy & <https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx6>)



Procedure), including fraud awareness programs;

- b. Receive reports from Management about actual or suspected instances of fraud or corruption within Council.

**8.5 Internal audit:**

- a. Review and approve the three-year strategic internal audit plan, the annual internal audit plan progress against the plans, and any significant changes to them;
- b. Review and approve proposed scopes for each review in the annual audit plan;
- c. Review completed reports on internal audit reviews;
- d. Monitor action by management on internal audit findings and recommendations;
- e. Meet with the leader of the team delivering the internal audit plan at least annually in the absence of management;
- f. Review the effectiveness of the internal audit function and ensure that it has appropriate authority within Council and has no unjustified limitations on its work;
- g. Ensure that the Committee is aware of any proposed changes to the appointment of the internal audit service provider, and is appropriately briefed on the need for change, including any proposed changes in the specification of the internal audit function;
- h. Recommend to Council, if necessary, the termination of the internal audit contractor.

**8.6 External audit:**

- a. Annually review the external audit scope and plan proposed by the external auditor;
- b. Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope or access to information;
- c. Ensure that significant findings and recommendations made by the external auditor, and managements responses to them are appropriate and are acted upon in a timely manner;
- d. Review the effectiveness of the external audit function and ensure that the Victorian Auditor General's Office (VAGO) is aware of the Committee's views;
- e. Consider the findings and recommendations of any relevant performance audits undertaken by VAGO and monitor implementation of the recommendations by Council; and
- f. Meet with the external audit at least annually in the absence of management.

**8.7 Compliance Management:**

- a. Review the systems and processes implemented by Council for monitoring compliance with legislation and regulations and the results of management's follow up of any instances of non-compliance;
- b. Review the processes for communicating the Councillor Code of Conduct to Council and the Staff Code of Conduct for all Council employees and contractors and for monitoring compliance with the Codes;
- c. Obtain regular briefings on any significant compliance matters; and
- d. Receive reports from management on the findings of any examinations by regulatory or integrity agencies (whether related to investigations at Council or other agencies) such as the Local Government Inspectorate, VAGO, the Ombudsman, IBAC etc and monitor Council's responses

<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx7>



**8.8 Reporting to Council:**

- a. Minutes of Committee meetings will be provided to Council at the first available Council meeting following each Committee meeting;
- b. The Chair of the Committee will report to Council on Committee activities as appropriate;
- c. The Chair of the Committee will prepare reports on significant Committee activities for Council. In addition, a summary of the Committee's activities will be prepared for inclusion in Council's Annual Report setting out how the Committee has discharged its responsibilities as outlined in its Charter.
- d. Set Committee Meeting Schedule

**9. Performance Evaluation**

The Committee shall undertake a process to evaluate its performance annually and report the outcomes of the evaluation process to Council.

**10. Conflicts of Interest and Register of Interests**

In accordance with the governing legislation, all members of the Committee are required to complete Primary and Ordinary Returns.

**11. Review of Charter**

The Committee will review and assess the adequacy of the Charter every two years or earlier if necessary and submit requests for revisions and improvements to Council for approval

<https://mitchellshire.sharepoint.com/sites/AuditCommittee/Shared Documents/General/Resources/Audit Committee Charter revised 2019.docx8>

### **12.3 DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS**

**Author:** Lidia Harding - Manager Governance & Corporate Accountability

**File No:** CL/04/001-03

**Attachments:** 1. Councillor Delegates Report - November 2019

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#### **SUMMARY**

This delegate's report provides an update on activities and deliberations of groups and associations for which Councillors are an appointed delegate for the period November 2019 and also other activities attended as a Council representative.

#### **RECOMMENDATION**

**THAT** the Delegate's Report on Overview and Update on Activities and Delegate Deliberation by Councillors for November 2019 be received and noted.

#### **BACKGROUND**

The 2016 Council Elections were held on 22 October 2016. New committee and organisation delegates were appointed on 25 November 2019. This report is presented in response to NOM 881 of the 21 November 2016 meeting which requested that each Councillor submits a Delegate Report for inclusion in the monthly Council Meeting agenda, commencing from the December 2016 meeting.

The Delegates Reports will include:

- a) Activities attended as a nominated Council Delegate; and
- b) Other activities attended as a Council representative.

The Report will not include:

- a) Assemblies of Councillors (as they are already reported in Council Agendas);
- b) Private meetings.

The Report should be verifiable by the Councillor from the Councillor's Council Diary.

#### **DISCUSSION**

Councillors have attended several meetings in this period as per their appointments as delegate and other activities as a Council representative as per Attachment 1.

DELEGATE REPORT - OVERVIEW AND UPDATE ON ACTIVITIES AND DELEGATE DELIBERATIONS  
(CONT.)

# **MITCHELL SHIRE COUNCIL**

## **Council Meeting Attachment**

### **DELEGATES REPORTS**

**16 DECEMBER 2019**

**12.3**

**DELEGATE REPORT - OVERVIEW AND  
UPDATE ON ACTIVITIES AND DELEGATE  
DELIBERATIONS**

**Attachment No: 1**

**Councillor Delegates Report - November 2019**

**Councillor Delegate Report – November 2019**

**Cr David Atkinson**

Cr Atkinson submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

19 November 2019 - Harley Hammond Reserve Association Inc meeting at Harley Hammond Reserve, Broadford

19 November 2019 - Broadford Land Management Group Christmas meeting. We had a stroll through the Whiteman's Reserve up Davidson Street and through Colin Officer Reserve and observed how much good environmental work this Committee and its members have put into Broadford. I noted last meeting that it needs new members otherwise it will sadly close. They do so much for areas such as the Whiteman's Reserve and Colin Officer Reserve

Other meetings and events attended as a Council representative include:

1 November 2019 - Opening of Wallan Neighbourhood Off Road Connection by Danielle Green MP, Member for Yan Yean, Officers, Mayor Chisholm and other Councillors

1 November 2019 - Wallan Netball Court Lighting announcement by Danielle Green MP, Member for Yan Yean, Officers, Mayor Chisholm and other Councillors

11 November 2019 - Remembrance Day at Hudson Park with Councillor Humm followed by a get together with RSL members at Kilmore Soldiers Memorial Hall

14 November 2019 - Kilmore Community Hub Masterplan & Concept Plan drop in session held at the John Taylor Room, Kilmore

19 November 2019 - School Readiness funding 2020 "Creating Futures Kindergarten Ministerial" announcement by Danielle Green MP, Member for Yan Yean, officers and other Councillors, Wallan

22 November 2019 - Attended with other Councillors and Officers the second 2020/2021 budget session in the Community Room at Greater Beveridge Community Centre

27 November 2019 - Kilmore Creek Landscape Master Plan meeting with Officers and Cr Humm, Broadford

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**Cr Bill Chisholm**

Cr Chisholm submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

8 November 2019 – Municipal Association of Victoria Emergency Management Planning Committee Meeting in Melbourne. Serious concerns raised regarding the State Government locking up forests with no long-term phased approach plan

13 November 2019 - Mitchell Fire Management Planning Committee, Broadford

27 November 2019 - Municipal Emergency Management Planning Committee meeting in Broadford discussed a wide range of issues including potential fire hazards within towns (Broadford and Pyalong Pine Plantations)

Other meetings and events attended as a Council representative include:

1 November 2019 - Opening Wallan Neighbourhood Off Road Connection, Watson Street with Member for Yan Yean, Danielle Green MP which is \$900,000 project

1 November 2019 - Netball lightning for the second court in Wallan with Member for Yan Yean, Danielle Green MP

2 November 2019 - Seymour RSL 100 Years anniversary at the RSL Hall in Seymour with my fellow North Ward Councillors. Great night

9 November 2019 – Broadford RSL Remembrance Day Dinner at the Broadford RSL Hall. A large attendance and an extremely good guest speaker

11 November 2019 - Remembrance Day Service at the Memorial in Broadford. Morning Tea at the RSL Hall. A chance for a good catch up with veterans

12 November 2019 - Victorian Electoral Commission, Mitchell Shire Representation Review Chittick Park, Seymour and Wallan Early Learning Centre

13 November 2019 - Victorian Electoral Commission Mitchell Shire Representation Review John Taylor Room, Kilmore.

15 November 2019 - Opening and the official launch of the Producers Collective, Elgin Street, Carlton

18 November 2019 - CFA District 12 Summer Fire Season Briefing for relevant Mitchell Staff and Councillors, Seymour

19 November 2019 - Meeting with members of the Tooborac War Memorial Committee, Tooborac

19 November 2019 - Launch of School Readiness Funding 2020. Creating future Kindergartens with Member for Yan Yean, Danielle Green MP at Wallan

20 November 2019 - Karingal Age Care Annual General meeting, Seymour

21 November 2019 - Photo Shoot with several fellow Councillors highlighting Councils efforts to mitigate the potential fire risk on roadsides, Pyalong

21 November 2019 - Seymour College Students Art Exhibition Opening. Some great work by students, Seymour

22 November 2019 - Broadford Ambulance Station opening with Victorian Premier and other guests

23 November 2019 - Salvation Army, Seymour Community Garden relaunch. Very well conducted community event with a large crowd attending

23 November 2019 - Puckapunyal Military Area Christmas Party

24 November 2019 - Children's First Foundation Open Day with a large crowd in attendance. Really impressive to see the community support for such a worthwhile cause, Kilmore East

25 November 2019 - OKRFM Kilmore Radio Show with Cr Humm

28 November 2019 - Official closure of the Seymour East Kindergarten

28 November 2019 - Tooborac Recreation Reserve Annual General meeting where I conducted the election of the new committee

29 November 2019 - Inaugural Community Walk to End Violence along Sydney Street Kilmore. Large crowd present and marching

29 November 2019 - St Vincent de Paul 50 Year Celebration, Seymour

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**Cr Bob Cornish**

Cr Cornish submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

Other meetings and events attended as a Council representative include:

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**Cr Rob Eldridge**

Cr Eldridge submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

Other meetings and events attended as a Council representative include:

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**Cr Annie Goble**

Cr Goble submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

Other meetings and events attended as a Council representative include:

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**Cr Bob Humm**

Cr Humm submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

13 November 2019 - Municipal Fire Management Meeting, Broadford

27 November 2019 - JJ Clancy Committee of Management meeting

Other meetings and events attended as a Council representative include:

11 November 2019 - Kilmore RSL Support Laying of Wreath

14 November 2019 - Kilmore Community Hub Exhibition

22 November 2019 - Broadford Ambulance Opening

25 November 2019 - Kilmore Radio Station Council Activity Report

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27 November 2019 - Kilmore Creek Plan Review, Broadford

29 November 2019 - Community Walk to End Violence Against Women

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**Cr David Lowe**

Cr Lowe submitted the following Delegate report for the period October and November:

Meetings and events attended as a delegate:

17 October 2019 – LB Davern Reserve Committee of Management meeting

18 October 2019 – Goulburn Valley Waste and Resource Recovery Group Board meeting

21-22 November 2019 - Waste and Resource Recovery Group Boards Development Melbourne

27 November 2019 - Wandong Hall Committee of Management

28 November 2019 - Hume Region Local Government Network Mtg Benalla

Other meetings and events attended as a Council representative include:

3 October 2019 - Meeting with staff to discuss Hidden Valley Men's Shed

5 October 2019 – Seymour Show Opening Ceremony and Drop in Session on Seymour Flood Levee

10 October 2019 - Community Information Session Hogan's Hotel EGM application

12 October 2019 - Budget Pop-Up Session Wallan Market

15 October 2019 - Budget Pop-Up Session Wellington Square

19 October 2019 – Community BBQ Wandong R U Ready?

24 October 2019 – Councillors Budget Session, John Taylor Room, Kilmore

1 November 2019 – Opening of Wallan off Road Connection

7 November 2019 – Meeting with Directors to discuss Hidden Valley speeds

11 November 2019 – Remembrance Day Wreath Ceremony, Wandong

12 November 2019 – Site Meeting with officers Valley Drive Reserve

12 November 2019 - Electoral Representation Review Consultation, Wallan

19 November 2019 - School Readiness Funding Announcement, Wallan Kindergarten

26 November 2019 - Wallan Chamber of Commerce Annual General meeting

28 November 2019 - Visitors Centre Volunteers "Thank you" Christmas Party, Wallan

29 November 2019 - Inaugural Walk to End Community Violence

29 November 2019 - St Mary's Seymour Graduation Mass and Dinner

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**Cr Rhonda Sanderson**

Cr Sanderson submitted the following Delegate report for this period:

Meetings and events attended as a delegate:

12 November 2019 - Kings Park Committee of Management meeting, Second Oval Outbuilding, Kings Park, Tallarook Street, Seymour

20 November 2019 - Australian Light Horse Memorial Park Committee of Management meeting, Ken Hall Pavilion, Kings Park, Tallarook Street, Seymour. This committee is enthusiastically planning and undertaking a range of great projects to enhance the visitor experience at the Park, e.g., a WW1 rail carriage for horses, a plaque acknowledging Aboriginal WW1 servicemen, a virtual tour, geocaches and a booklet about the history of the Park

Other meetings and events attended as a Council representative include:

1 November 2019 - Opening of Wallan Neighbourhood Off Road Connection, Watson Street, Wallan. Danielle Green State MP for Yan Yean officially opened this path which was funded by the State Government (\$600k) and Mitchell Shire Council (\$300k)

1 November 2019 - State Government announcement, Greenhill Reserve, Wallan. Danielle Green MP for Yan Yean gave a speech regarding the recent announcement of netball lights for the second court.

2 November 2019 - Seymour RSL 100th Anniversary celebration, RSL Hall, Crawford Street, Seymour. A lovely celebration of the fantastic work of the Seymour RSL Sub-branch from 1919-2019

11 November 2019 - Seymour RSL Remembrance Day Service, Seymour and District Memorial Hospital Gates, Bretonneux Street, Seymour. I was proud to lay a wreath on behalf of the Mitchell Shire community at this touching ceremony

12 November 2019 - Victorian Electoral Commission Mitchell Shire Council Electoral Representation Review Public Information Session, Chittick Park Community Place, Pollard Street, Seymour. This session was attended by one community member

18 November 2019 - Mitchell Shire Council Summer Season Briefing, CFA District 12 Headquarters, McIntyre Street, Seymour. CFA and Mitchell Shire Council staff provided an update on the approaching fire season to interested Councillors and relevant staff at the Incident Control Centre

22 November 2019 - Ambulance Victoria Station opening, Hamilton Street, Broadford. The Victorian Premier, Daniel Andrews, officially opened Broadford's first ambulance station

23 November 2019 - Seymour Community Garden Relaunch, Salvation Army site, Victoria Street, Seymour. This event was very well attended. I was honoured to assist Seymour's Salvation Army Captain with the ribbon cutting. State and district Salvation Army representatives also attended

24 November 2019 - Seymour and District Historical Society AGM and General Meeting, Pioneer Library, Tallarook Street, Seymour. I was pleased to conduct the election of the new committee

28 November 2019 - Seymour East Early Learning Centre (Kindergarten) closure event, Pollard Street, Seymour. A fun event was held to acknowledge the impending closure of the preschool site which had officially opened in 1977. New rooms will open at Seymour College next year

28 November 2019 - Mitchell Shire Council Visitor Information Centre Volunteers' Christmas 'Thankyou' event, The Grove, Hidden Valley Boulevard, Hidden Valley. A small group of our volunteers gathered to celebrate Christmas and receive acknowledgement for their service this past year

29 November 2019 - St Vincent de Paul Society 50th Year Celebrations, Vinnies Shop, Wallis Street, Seymour. A free community BBQ was held to acknowledge the St Vincent de Paul Society's 50th anniversary in Seymour. The Society runs a Vinnies thrift shop in Wallis St and an assistance centre in Anzac Avenue, Seymour. State and Regional representatives attended along with many volunteers

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**Cr Fiona Stevens**

Cr Stevens submitted the following Delegate report for the period September/October:

Meetings and events attended as a delegate:

27 November 2019 - Attended and chaired the Annual General meeting for Tallarook Recreation Reserve Committee, Tallarook

Other meetings and events attended as a Council representative include:

2 November 2019 - Celebration dinner at the Seymour RSL celebrating 100yrs of their sub-branch, Seymour

11 November 2019 - Attended Remembrance Day Service and laid wreath with Mayor Chisholm. At the conclusion, mixed with members of the community and Broadford RSL, back at their rooms, Broadford

14 November 2019 - Seymour Business and Tourism Meeting, Seymour

18 November 2019 - CFA District 12 Fire Briefing, Seymour

21 November 2019 - Fire Prevention Roadside Cutting Program Inspection and photo opportunity, Pyalong

22 November 2019 - Briefing regarding 2010-2021 Budget, Beveridge

22 November 2019 - Official opening of new CFA facilities, Broadford

24 November 2019 - The Kilmore Racing Club Cup Day, Kilmore

**13 GENERAL BUSINESS**

*In accordance with Clause 30 of the Meeting Procedure Local Law.*

**14 URGENT BUSINESS**

*In accordance with Clause 31 of the Meeting Procedure Local Law.*

**15 CONFIDENTIAL BUSINESS****RECOMMENDATION**

**THAT** in accordance with Section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the following items which relate to matters specified under Section 89(2), as specified below.

**15.1 Confirmation of Minutes of previous Confidential Meeting****15.2 Kilmore Golf Club Status Update**

s89(2)(f) legal advice.

**15.3 Local Sports Infrastructure Fund Grants 2020-2021**

s89(2)(d) contractual matters.

**15.4 RFT132632 - Kilmore East Road & O'Gradys Road Intersection Upgrade**

s89(2)(d) contractual matters.

**15.5 RFT132635 Sealed Road Program 2019-2020**

s89(2)(d) contractual matters.

**15.6 Supply & Delivery of 2 Tipper Trucks**

s89(2)(d) contractual matters.

**15.7 Power Purchase Agreement**

s89(2)(d) contractual matters.

**15.8 Delegate Report - Audit Committee**

s89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

**15.9 Australia Day Awards 2020**

s89(2)(h) any other matter which the Council or special committee considers would prejudice the Council or any person.

**15.10 Re-opening of Meeting to members of the public**

**16 DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Monday 17 February 2020 at the Mitchell Council Chambers, 113 High Street Broadford, commencing at 7.00pm..

**17 CLOSE OF MEETING**