



## **MELTON CITY COUNCIL**

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**Notice is hereby given that a  
Meeting of the Melton City Council  
will be held via a videoconference  
on 31 August 2020 at 7:00pm.**

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**Kelvin Tori  
CHIEF EXECUTIVE**

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**1. APOLOGIES AND LEAVE OF ABSENCE**

The Mayor will call for any apologies received from any Councillors who are unable to attend this meeting.

**2. DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR**

Pursuant to Section 77A, 77B, 78A, 78B, 78C, 78D, 78E and 79 of the Local Government Act 1989, any Councillor must declare any direct or indirect interest, and any conflict of interest, in any items contained within the Notice Paper.

### 3. PRESENTATION OF STAFF REPORTS

#### 3.1 ADOPTION OF 2020/2021 BUDGET; MINUTES OF THE SECTION 223 SUBMISSIONS ADVISORY COMMITTEE HELD 06 AUGUST 2020

Author: Sam Rumoro - Manager Finance  
Presenter: Sam Rumoro - Manager Finance

#### Purpose of Report

To advise Council of the minutes of the Section 223 Submissions Advisory Committee Meeting held on 06 August 2020, on the 2020/2021 Budget.

#### RECOMMENDATION:

That Council:

1. notes the minutes of the Section 223 Submissions Advisory Committee meeting held Thursday, 06 August 2020.
2. adopts the recommendations contained within the minutes at **Appendix 1**.

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#### REPORT

##### 1. Executive Summary

At the Ordinary Meeting of Council held on 22 June 2020, Council reviewed the 2020/2021 Proposed Budget, and resolved that:

- The proposed Budget will be placed on public display as required by the Local Government Act 1989 ('Act') and submissions will be received up until 22 July 2020.
- The Section 223 Submission Advisory Committee consider any submissions made in accordance with Section 223 of the Act and report these submissions to Council.

The Section 223 Submissions Advisory Committee met on 06 August 2020 to hear from the submitters and consider all submissions received.

A total of 19 submissions were received on the 2020/2021 Proposed Budget. Of those submissions 18 were from the public and 1 was a Councillor Initiative referred from budget deliberations.

The Minutes of the Section 223 Submissions Advisory Committee Meeting held on 06 August 2020 are attached at **Appendix 1**, the 2020/2021 Budget at **Appendix 2**, the Strategic Resource Plan 2020-2024 **Appendix 3**.

##### 2. Background/Issues

The Proposed Budget for 2020/2021 was presented to Council at the Ordinary Meeting of the Council held on 22 June 2020. Council resolved that the proposed Budget be displayed for 28 days as required by the Act, inviting public submissions.

Council received a total of 19 submissions on the 2020/2021 Proposed Budget, primarily from ratepayers and organisations seeking an allocation of additional funding for Council facilities and programs.

The Section 223 Submissions Advisory Committee meeting was held on 06 August 2020 to consider the 19 submissions received on the Proposed Budget for 2020/2021. The Committee reviewed the submissions received, of which 5 verbal presentations were made in support of their written submission and recommendations were prepared for consideration in response to every submission.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability  
*5.3 Effective civic leadership, advocacy, partnerships and good governance.*

### **4. Financial Considerations**

Costs associated with advertising and exhibiting the 2020/2021 Proposed Municipal Budget have been provided for in the current budget.

### **5. Consultation/Public Submissions**

Council, in accordance with section 223 of the Local Government Act 1989, invited submissions from the community, for consideration by Council on 31 August 2020 before adopting the 2020/2021 Proposed Municipal Budget.

The Section 223 Submissions Advisory Committee considered all submissions received on 6 August 2020 and present tonight recommendations in response to all submissions received before formally adopting the 2020/2021 Municipal Budget.

### **6. Risk Analysis**

Council's process of endorsing the 2020/2021 Proposed Budget and seeking public submissions is in accordance with the Local Government Act 1989 and poses no risk to Council.

### **7. Options**

It is a legislative requirement to have the 2020/2021 Budget adopted by 31 August 2020.

### **LIST OF APPENDICES**

1. Minutes of the Section 223 Submissions Advisory Committee Meeting - dated 06 August 2020
2. Municipal Budget 2020/21 - undated
3. Strategic Resource Plan 2020/21 to 2023/24 - undated

## 3.2 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: John Whitfield - Governance Coordinator  
Presenter: Christine Denyer - Manager Legal and Governance

### PURPOSE OF REPORT

To present the aggregated minutes of Advisory Committee meetings to be considered by Council.

### RECOMMENDATION:

That Council:

1. note the minutes of the Advisory Committee meeting at **Appendix 1**
  2. adopt recommendations arising within the Minutes.
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### REPORT

#### 1. Executive Summary

Whilst not mentioned in the *Local Government Act 2020* (the 2020 Act), Council has the power to create Advisory Committees pursuant to its general power set out in section 10 of the 2020 Act.

All current Advisory Committees continue to validly exist and remain subject to their individual terms of reference and certain provisions within the *Local Government Act 1989*.

The minutes of the Advisory Committees attached to this report form the written record of the assembly detailing matters considered and any conflicts of interest disclosed.

The minutes also serve as the advice/recommendations to Council for its consideration.

#### 2. Background/Issues

Advisory Committees are defined in section 3(1) of the 1989 Act. An Advisory Committee is a Committee established by Council to provide advice to it or its delegate. Advisory Committees are not defined in the 2020 Act however Council has the power to create such a Committees pursuant to its general power set out in section 10 of the 2020 Act.

Advisory Committees established under the 1989 Act continue until formally dissolved and remain subject to their individual Terms of Reference and, until 24 October 2020, certain provisions within the 1989 Act. These provisions include those that relate to conflict of interest and assemblies of Councillors.

The role of any Advisory Committee, including the limits of power, are clearly defined in the Terms of Reference adopted by Council. The membership varies depending upon the Committee's specific role. Committee membership will generally comprise a Councillor/s, council staff and community representatives and may include key stakeholders, subject matter experts and/or community service providers and organisations.

Councillor representation on Advisory Committees is generally for one year and is reviewed annually. Councillor representation on current Council Committees and to other organisations for 2020 were adopted by Council at the Ordinary Meeting held 9 December 2019.

A Council appointed Advisory Committee meeting where at least one Councillor attends and which considers matters that are intended or likely to be the subject to a decision of Council, is considered an assembly of Councillors.

In accordance with section 80A of the 1989 Act, a written record of an assembly of Councillors must, as soon as practicable, be reported at an ordinary meeting of the Council.

The minutes of the Advisory Committees attached to this report forms the written record of the assembly detailing matters considered and any conflicts of interest disclosed.

The minutes also serve as the advice/recommendations to Council.

Meeting Date	Advisory Committee	Attached
24 August 2020 1 <sup>st</sup> Meeting	Policy Review Panel	Appendix 1

At the Policy Review Panel Meeting the following items were considered with the Minutes at **Appendix 1** showing the Committee's recommendations to Council:

- Councillors and Delegated Committee Members Resources and Expenses Policy
- Public Transparency Policy
- Election Period Policy
- Audit and Risk Committee Charter

### 3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability
  - 5.3 *Effective civic leadership, advocacy, partnerships and good governance.*

### 4. Financial Considerations

Advisory Committees are not responsible for operational expenditure and cannot direct Council officers to act without the consent of Council. Operational expenses and administrative actions arising from an Advisory Committee meeting are accommodated within Council's recurrent budgets, unless otherwise requested within the minutes of the meeting and detailed in a recommendation to Council for consideration.

### 5. Consultation/Public Submissions

Advisory Committees are one method of Council consulting and communicating with the community. Such a Committee may be established to provide strategic level input into a broad area of Council operations, such as community safety or arts and culture. An Advisory Committee may also be established for a specific time-limited project, such as a review of a Local Law.

### 6. Risk Analysis

With a mandatory responsibility to report to Council and restricted to making recommendations for Council consideration, risks attached to Advisory Committee actions are substantially mitigated.

It is prudent for Council to carefully consider any and all recommendations arising from Advisory Committee minutes, as Advisory Committees may canvass significant issues and significant expenditure in their deliberations.

## **7. Options**

Advisory Committees are a Committee of Council, therefore Council has the discretion to accept, reject, amend or seek further information on any of the Committee minutes and/or recommendations.

## **LIST OF APPENDICES**

1. Policy Review Panel Meeting Minutes - dated 24 August 2020 at 1.30pm



### 3.3 LOCAL GOVERNMENT ACT 2020 IMPLEMENTATION

**Author: Christine Denyer - Manager Legal and Governance**  
**Presenter: Christine Denyer - Manager Legal and Governance**

#### PURPOSE OF REPORT

To advise Council in relation to the remaining actions and documents required by 1 September 2020 pursuant to the Local Government Act 2020.

#### RECOMMENDATION:

That Council:

1. adopt the Draft Governance Rules at **Appendix 1**;
  2. establish an Audit and Risk Committee in accordance with section 53 of the *Local Government Act 2020* to replace the existing Audit Committee established under the *Local Government Act 1989*;
  3. appoint the members of the existing Audit Committee (both independent and Councillor), to the new Audit and Risk Committee so that the term in each case expires at the same date or point in time that it would have expired pursuant to his/her appointment to the existing Audit Committee as follows:
    - Robert Tommasini, whose second term will expire on 31/12/2022
    - Farshan Mansoor, whose first term will expire on 31/12/2020
    - Celeste Gregory, whose first term will expire on 31/12/2021
    - Cr Lara Carli (Mayor), whose first term will expire at 6am on 24/10/2020
    - Cr Ken Hardy, whose second term will expire at 6am on 24/10/2020;
  4. vacate the meeting of the Audit and Risk Committee scheduled 28 October 2020;
  5. dissolve the existing Mayoral Charity Fund Special Committee;
  6. together with the other LeadWest Councils, makes application to the Minister seeking permission for an independent Chair for LeadWest and if that application is successful bring back a report to create a Joint Delegated Committee.
  7. in the interim, create a LeadWest Advisory Committee with Councillor and Staff representation as follows:
    - Cr Sophie Ramsey, Representative
    - Cr Ken Hardy, Proxy Representative
    - Mr Kel Tori, CEO
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## REPORT

### 1. Executive Summary

The report deals with the remaining documents and actions required in order to meet the first deadline under the new *Local Government Act 2020* (the 2020 Act). That deadline is 1 September 2020.

### 2. Background/Issues

At its Meeting held on 20 July 2020 Council was presented with a reporting setting out the documents and actions required to be undertaken by 1 September 2020, the first deadline under the new *Local Government Act 2020* (the 2020 Act).

The report deals with the remaining documents and actions required in order to meet that deadline.

#### Governance Rules

Council placed a public advertisement in relation to the Melton Moorabool Star Weekly and the Brimbank North West Star Weekly seeking submissions in relation to the Draft Governance Rules and exhibited a copy on its website. The period of submissions was open for 28 days.

No submissions were received.

Accordingly officers recommend adoption of the Draft Governance Rules at **Appendix 1**.

#### Audit and Risk Committee

The Council must establish an Audit and Risk Committee and requisite Charter by 1 September 2020. Noting that the Charter was dealt with under Item 3.2 of tonight's agenda, the recommendation in this report is confined to the establishment of the Committee.

The new Audit and Risk Committee is to replace the existing Audit Committee, the current member of which are as follows:

Name of Member	Commencement /Expiration of Term(s)	Current Term(s)
Robert Tommasini	06/04/2017 – 31/12/2022	Second
Farshan Mansoor	01/01/2018 - 31/12/2020	First
Celeste Gregory	01/01/2019 – 31/12/2021	First
Cr Lara Carli (Mayor)	09/12/2019 - 24/10/2020 (6am)	First
Cr Ken Hardy	21/11/2016 - 24/10/2020 (6am)	Second

The next meeting of the Committee is scheduled for 28 October 2020, which is before the result of the election will be declared. This means that no Councillor will be available to attend the meeting and therefore no quorum will be able to be achieved.

Accordingly, officers recommend in this report that the October meeting be vacated and the business scheduled for that meeting be carried over to December.

#### Delegated Committees

Council must establish Delegated Committees and Joint Delegated Committees to replace any existing Special Committees formed under the *Local Government Act 1989* (the 1989 Act).

Council currently has two Special Committees. The first is the Mayoral Charity Fund Special Committee. This is an historical Special Committee which has not met for some years. Officers recommend that that Special Committee be dissolved.

The other is the LeadWest Special Committee. Leadwest operates as a special committee at each of the six participating Councils where each special committee effectively sits simultaneously. It operates with an independent Chair.

However, the 2020 Act provides that the Chair of a Delegated Committee must be a Councillor. The Act also allows for the Minister to grant an exemption from strict compliance with the governance provisions in the Act.

Accordingly, officers recommend that application be made to the Minister to waive this requirement and allow a non-Councillor Chair. Whilst this application is made, the committee can operate as an advisory committee however is unlikely to meet.

Delegated Committees can be formed at any time and thus it will be open to Council to form a similar or indeed any other Delegated Committee in the future.

#### Advisory Committees

Council should note that the 2020 Act makes no mention of advisory committees as described in the 1989 Act.

This does not mean that advisory committees cannot exist however they will not be subject to the provisions of the Act which regulate conflicts of interest and confidentiality. It is recommended from a good governance point-of-view that these matters be included in each committee's Terms of Reference.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability

*5.3 Effective civic leadership, advocacy, partnerships and good governance.*

### **4. Financial Considerations**

Nil.

### **5. Consultation/Public Submissions**

As mentioned above, Council placed a public advertisement in relation to the Melton Moorabool Star Weekly and the Brimbank North West Star Weekly seeking submissions in relation to the Draft Governance Rules and exhibited a copy on its website. The period of submissions was open for 28 days. No submissions were received.

No public consultation occurred in relation to the establishment of the Audit and Risk Committee – it is a requirement of the Act.

No public consultation occurred in relation to the existing Special Committees for LeadWest or the Mayoral Charity Fund.

Consultation with the CEO's of the other five LeadWest Councils occurred on 30 July 2020 and the recommendations contained within this report reflect the unanimous view of the CEOs.

## **6. Risk Analysis**

If Council does not establish an Audit and Risk Committee, adopt Governance Rules and establish Delegated Committees to replace existing Special Committees by 1 September 2020 it will be in breach of the 2020 Act which may result in negative action being taken against Council by Minister for Local Government.

## **7. Options**

Establish the Audit and Risk Committee but not vacate the October meeting – noting that quorum will not be able to be achieved.

Dissolve the existing Mayoral Charity Fund Special Committee but instruct officers to develop an Instrument of Delegation and Terms of Reference for a new Delegated Committee to be considered in the new Council term.

## **LIST OF APPENDICES**

1. Draft Governance Rules - undated

### 3.4 COVID-19 COMMUNITY RELIEF AND RECOVERY FUND

**Author: Danielle Vandermey - Community Funding Officer**  
**Presenter: Maurie Heaney - General Manager Community Services**

#### PURPOSE OF REPORT

To provide an Officer report and recommendations in relation to the resolution of Council in Urgent Business at the Ordinary Meeting of Council on 17 August 2020.

#### RECOMMENDATION:

That Council:

1. Approve the COVID-19 Community Relief and Recovery Fund Program Criteria as detailed in the body of this report
2. Allocate \$100,000 from the 2020/21 Community Grants Program to fund the Covid19 Community Relief and Recovery Fund
3. Delegate authority to the Chief Executive Officer to establish the staff assessment panel and approve any allocation of funds as outcomes of the panel process.

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#### REPORT

##### 1. Executive Summary

At the Ordinary Meeting of Council on 17 August 2020, the following motion was carried in Urgent Business:

*'That Council establish a grants program for community groups who provided assistance to the community through the COVID-19 State of Disaster with the details of the criteria to be applied to such grants program to be the subject of an officer's report to the meeting of Council scheduled for the 31st August 2020.'*

This report provides a response to this motion, with recommendations from Officers to establish a COVID-19 Community Relief and Recovery Fund Program.

##### 2. Background/Issues

The impacts of COVID-19 have significantly increased the concerns that individuals and families residing in the City of Melton are experiencing. Of immediate concern for many households is their diminished capacity to meet their existing financial commitments whilst providing for immediate, basic necessities with a reduced income and limited supports available.

To support the community during the states of emergency and disaster, the Victorian Government has implemented the Community Activation and Social Isolation (CASI) initiative. This initiative is aimed at reaching the most vulnerable and isolated people to enable them to connect with practical help, emotional support and social activities.

In line with Council's legislated emergency management role and the *National Principles for Disaster Recovery*, Melton City Council is playing the lead role in the delivery of the CASI initiative for the municipality. To support this work, Council has also established three

Community Connector Hubs at Kurunjang, Aintree and Caroline Springs where residents can make appointments and seek support from Council or other service providers.

In addition to Council and government efforts, many not-for-profit community organisations are playing an active role in supporting Melton's residents through the provision of material aid. However, the unprecedented number of people currently experiencing crisis has meant that the community and voluntary sector does not have the capacity to meet their needs. As a result, Officers have reported a high number of residents seeking help from Council, with many of these requests being from first time help seekers.

Council's Community Grants Program is a budgeted item within the 2020/21 financial year, with a review currently taking place on the Program. This report proposes that a **COVID-19 Community Relief and Recovery Fund Program** be established as a temporary, specific funding stream to enable residents impacted by the crisis to receive the help they need via Council's Community Connector Hubs and community groups eligible to apply to the Fund. Eligible community groups will be required to engage with the Community Connector Hubs in their provision of emergency relief initiatives that are funded by Council.

To establish the Program to deliver on the intent of the motion and Council's desire to support residents in need, Officers recommend the following program criteria:

#### **Program Objectives**

- The support work of Council and non for profit community groups delivering emergency relief and recovery initiatives to residents of the City of Melton.
- To enhance the effectiveness of Council's Community Connector Hubs initiative.

#### **Eligibility Criteria**

- Not-for-profit incorporated community group or service organisations.
- 100% of beneficiaries reside in the City of Melton.
- No overdue acquittals from previously received grants from Council.
- Adhere to Local, State and Federal laws.

#### **Project Ineligibility**

- Capital works projects or vehicles.
- Equipment purchases that are not required for the delivery of the project that is being proposed.
- Projects where the primary purpose is to promote specific political or religious views.
- Funding for ongoing operational expenses (e.g. salaries for staff).
- Facility maintenance.
- Retrospective project expenditure.

#### **Selection Criteria**

- Need (20%)
  - Demonstrated need and impact from the COVID-19 pandemic situation.
  - Addresses needs not able to be currently met by the community or voluntary sector.
- Benefit (30%)
  - Community reach and partnerships.

- Value for money.
- Delivery (50%)
  - Demonstrated capability to deliver crisis support and emergency relief.
  - Appropriateness of project and risk management plans.
  - Suitability of delivery to meet relevant cohorts' particular needs.

### **Funding Conditions**

- Projects must be completed within 2 months of receiving funds.
- Acquittal must be completed within 1 month of project end date.
- If an organisation has already received a grant from the COVID-19 Community Relief and Recovery Fund Program, that organisation cannot receive more funds until the current grant has been fully expended and acquitted.
- Engagement with the Community Connector Hubs in the provision of the Council funded emergency relief project.

### **Round Frequency, Assessment and Approval Processes**

It is proposed that due to the urgent nature of emergency relief that the Program be opened on 7 September 2020 and remain open as a rolling program until the funding pool is expended.

Given the need for expediency in the administration of this grant program, it is proposed that fortnightly assessment rounds take place, with approval delegated to the Chief Executive Officer to appoint the assessment panel members and approve the allocation of funds as outcomes of the panel process.

To further support expediency, it is proposed that the assessment panel be comprised of four senior Council officers who have a significant role in recovery, namely:

- General Manager Community Services (Chair)
- Staff member from Community Care
- Staff member from Community Capacity
- Recovery Manager (Manager Community Planning)

This composition also reflects the Local Government Inspectorate's *Yarriambiack Shire Council Investigation Report* (November 2019) recommendation that Councillors should be removed from the grants evaluation process, and ensures strict compliance with caretaker requirements.

### **Funding**

The Program allocation proposed is an initial pool of \$100,000, with the option to extend the Program. The initial pool is approximately 50% of the annual Community Grants Program allocated funding in the recurrent budget, which is currently available with the Community Grants Program under review.

Applicants will be able to apply for a grant of up to \$5,000 for emergency relief services and can apply more than once subject to the stipulated Funding Conditions referred to above.

The total funding distributed across all applications will not be capped per Assessment Panel Meeting. Funding will be expended until exhausted.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
  - 1.3 *Equitable, inclusive and accessible community and health infrastructure and services.*

### **4. Financial Considerations**

The recurrent Community Grant Program budget is \$205,000. As this program is under review, there are unexpended funds and budget allocation currently available to resource the proposed temporary grants stream with an initial pool of \$100,000 (reflecting approximately 50% of the annual budget) recommended.

### **5. Consultation/Public Submissions**

The COVID-19 Community Relief and Recovery Fund Program is a temporary program developed to respond to the COVID-19 pandemic. Consultation is not necessary in the creation of this initiative or time-permitting.

### **6. Risk Analysis**

Funding opportunities are provided and administered in accordance with legislative requirements, Council objectives, guidelines and processes.

### **7. Options**

Council has the option to:

- Increase the maximum grant amount from \$5,000 to a higher amount as this is at Councils discretion.
- Review the assessment panel structure.

### **LIST OF APPENDICES**

Nil



**4. CONFIDENTIAL BUSINESS**

Nil.

**5. CLOSE OF BUSINESS**