

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, 12 January 2018 12:27 PM  
**To:** Planning  
**Subject:** Re: Planning Permit Application Proposal Confirmation

[REDACTED]

I would like to confirm that the details you have outlined for the permit are correct.

[REDACTED]

Sent from my iPhone

On 11 Jan 2018, at 5:02 pm, Planning <[planning@murrindindi.vic.gov.au](mailto:planning@murrindindi.vic.gov.au)> wrote:

[REDACTED]

Thanks for your time on the phone.

As per our discussion, could you please confirm the following details for your application proposal are correct:

1. Amend existing liquor licence from an existing wine and beer producer's licence to a full liquor licence
2. Hold up to 12 tourism and promotion events per year for up to 50 people at each event
3. Extend an existing shed (verandah), holding fifty (50) seats; this proposal is for retrospective approval of the existing verandah
4. Erect a 600 x 900 mm identification sign at the Kinglake-Glenburn Road entrance to the property, attached to the fence railings on the south side of the gate

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Monday, 18 December 2017 5:29 PM  
**To:** Planning  
**Subject:** Re: 1 2017 133 1 - 1084 Kinglake-Glenburn Road GLENBURN 3717 - Notification of objections to applicant

To clarify open by appointment. A person may phone and make a booking typically between 10am and 5pm. However if I am hosting a wine dinner for our loyal customers the trading hours would need to extend to 11pm. This would also cover me for participating in events away from the winery at night eg the Murrindindi Winemakers Truffle dinner which finishes at about 11pm. As for the number of people that may attend I think we stick to 50 as per the original proposal that allows for a group, eg a car club, to make an appointment for a group tasting.

On the issue of music. Acoustic musician, Yes. Me playing my records as background music, Yes. Amplified music as background music Yes. Times typically between 12pm and 5pm. The music is only an additon to the functions that I listed it is not the reason people would attend the function.

In terms of what we are proposing we will not have a permanent cellar door rather we will be open by appointment.

On 13/12/2017 3:32 PM, Planning wrote:

Thanks for sending through your response. It looks pretty good, so I will forward it on (in PDF format – I did get your second email) to the objector.

You may have already provided this information, so apologies if I'm covering old ground, but could you please confirm the following:

1. Clarification of the "open by appointment" (eg. What times could people make appointments? Maximum number of people by appointment?)
2. Details of any proposed music for events (eg. live music, amplified music, times, etc.)

I believe I have a pretty good understanding of what you're proposing, but I need to ensure this information is clearly stated in the application documents.

Thanks

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**From:** [REDACTED]  
**Sent:** Monday, 11 December 2017 11:06 PM  
**To:** Planning  
**Subject:** Re: 1 2017 133 1 - 1084 Kinglake-Glenburn Road GLENBURN 3717 - Notification of objections to applicant

[REDACTED]

I have attached our response to the objection.

You will note that I have replaced the word event with the word function for most of the document. I know that the planning scheme uses the word event but I think that implies more than we are planning to do. It is important to us that we can hold the annual dinner mentioned and so a restriction of 5pm to our licence is not acceptable. Typically it is 11pm to account for the dinner and someone arriving after 5pm to pick up some wine and then travel on.

Thanks for your help in all this [REDACTED]

[REDACTED]

On 29/11/2017 3:23 PM, Planning wrote:

[REDACTED]  
Please see attached correspondence regarding your planning permit application 2017/133.

Kind regards

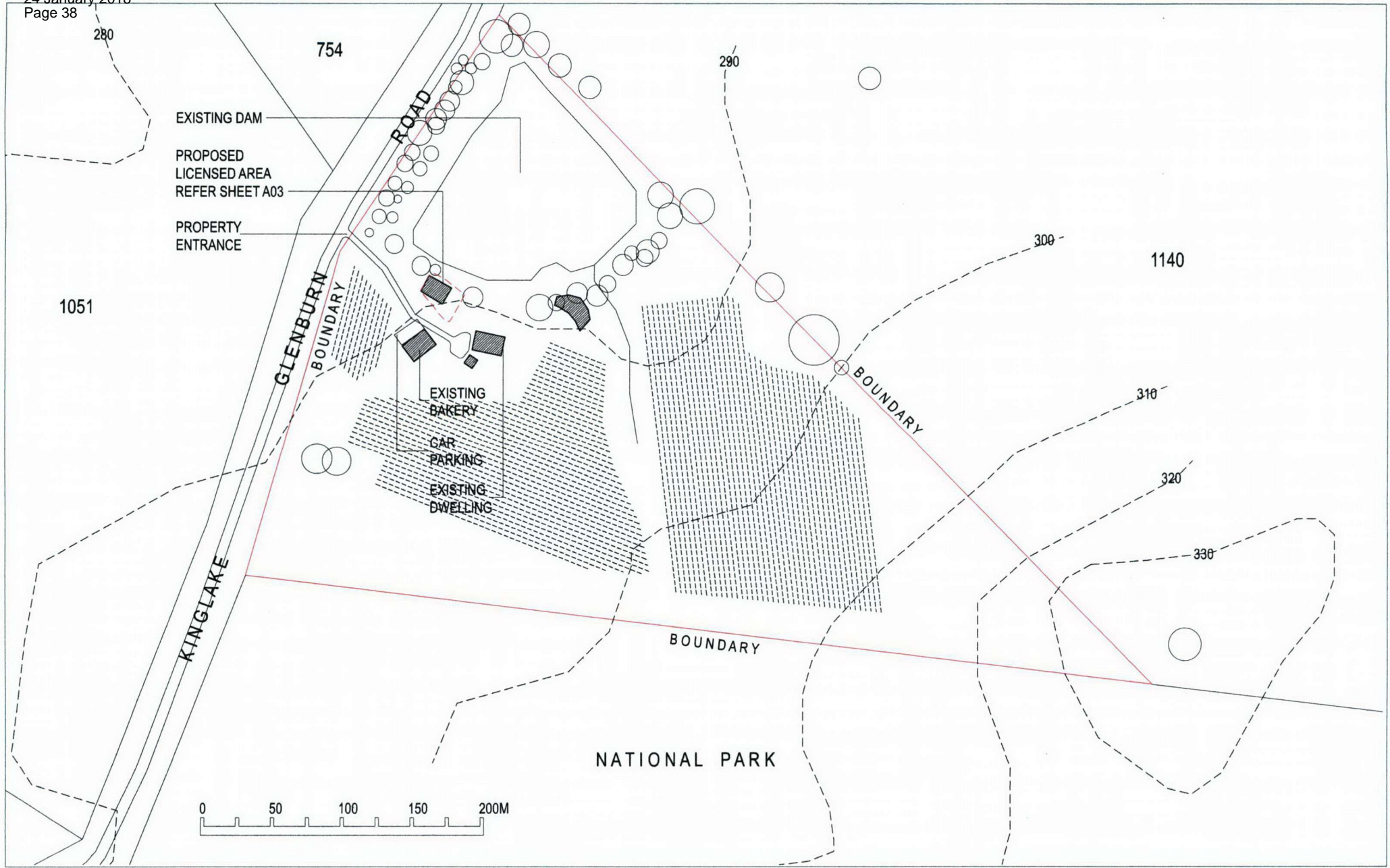
[REDACTED]  
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[REDACTED]  
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29 PARKVIEW AVENUE OCEAN GROVE 3226  
tel: 1300 732 050 / 03 5256 3056 email: info@softloud.com.au  
organic architecture for environment, community and spirit

issued:  
**PP** 14 JUL 2017

**PHILIP LOBLEY WINES**  
1084 KINGLAKE GLENBURN ROAD GLENBURN 3717

**SITE PLAN**

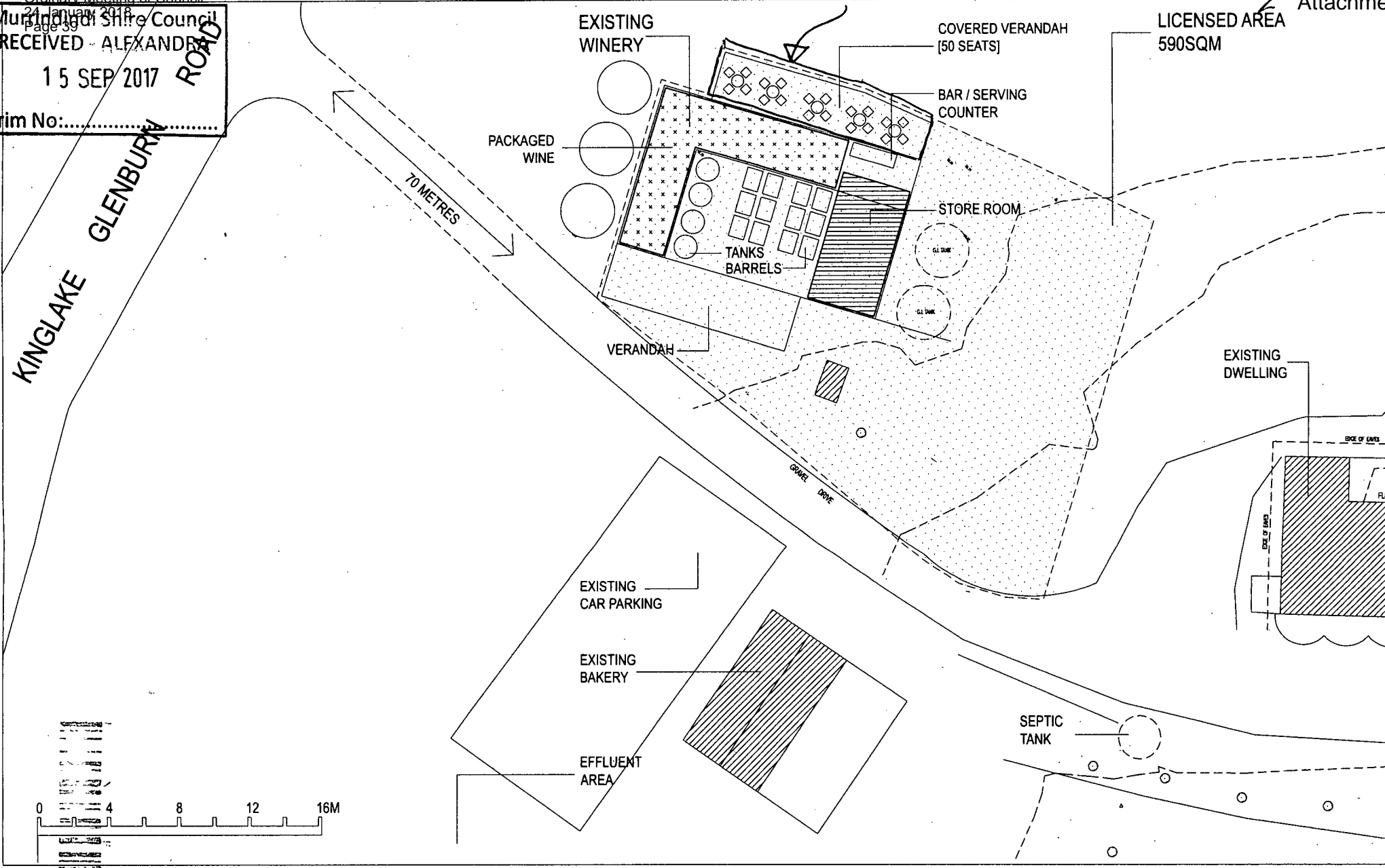
sheet: **A02 AT A3**  
scale: **1:2500**  
date: **JUL 2017**  
drawn: **AW**



This drawing must be read in conjunction with all other project documents, including the architects specification, and any architects instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work or shou drawings. This drawing is not to be used for construction unless indicated.

Ordinary Meeting of Council  
 21 January 2018  
 Municipal Council  
 RECEIVED - ALEXANDRA  
 15 SEP 2017  
 Trim No:.....

KINGLAKE GLENBURN ROAD

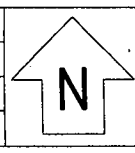


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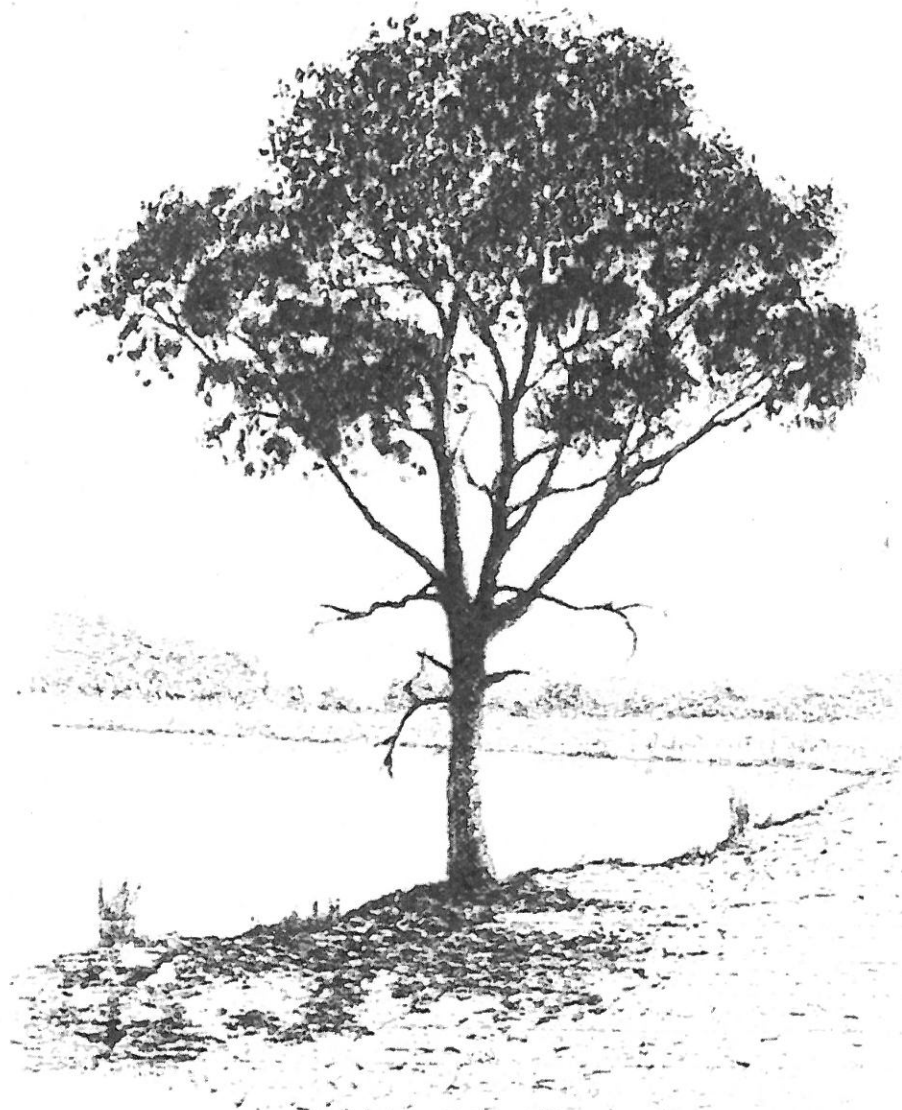
issued:  
 PP 14 JUL 2017

**PHILIP LOBLEY WINES**  
 1084 KINGLAKE GLENBURN ROAD GLENBURN 3717  
**LICENSING PLAN**

sheet: **A03 AT A3**  
 scale: **1:200**  
 date: **JUL 2017**  
 drawn: **AW**



This drawing must be read in conjunction with all other project documents, including the architects specification, and any architects instructions issued during the course of the contract. Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be used for construction unless indicated.



**PHILIP LOBLEY WINES**

**YEA VALLEY**

**5797 8433**

**[www.philiplobleywines.com](http://www.philiplobleywines.com)**

Signage Details:

Proposed signage will measure 600mm x 900mm and be located at the entrance to the property, attached to the fence railings on the south side of the gate.



<b>Title:</b>	Business and Tourism Innovation Grants Policy
<b>Type:</b>	<b>Council</b>
<b>Adopted:</b>	"[Insert Date]"
<b>File No:</b>	18/1698
<b>Attachments:</b>	

### 1. Purpose

The purpose of Business and Tourism Innovation Grants Policy (Policy) is to enable the delivery of Council's business and event funding streams in a transparent and equitable manner.

### 2. Rationale

The objectives of the Grants are to provide financial support to:

- grow businesses
- start businesses
- support sustainable events that grow tourism

These objectives will lead to the outcomes of increased employment opportunities and increased investment in the local economy.

Council will therefore make funds available to:

1. Businesses or organisations that can demonstrate:
  - funding received will facilitate economic growth within Murrindindi Shire
  - funding received will facilitate greater employment outcomes within Murrindindi Shire.

and

2. Organisations that will deliver events that attract visitation from a state, national or international base. These applications will demonstrate that the event will drive overnight stays, promote repeat visitation, and increase visitor yield.

### 3. Scope

The program will provide assistance for businesses to grow (value or employment numbers) or to commence operations.

Businesses must utilise other support services as appropriate, for example, 'Doing Business Better' activities, and/or other activities provided by the State Government and Council will not seek to fund activities that are eligible for other funding or support through State Government programs.

However, funding allocated through this program may be used to leverage further funding support from the State or Federal Governments.

Businesses are able to apply for funding in consecutive years, however, will need to demonstrate how further funding enhances previous funded activities, and will not be funded twice for the same activity.

The program will be administered over two rounds per annum. This will provide a competitive process to ensure value for money and equity.



## Business and Tourism Innovation Grants

Funds will be provided to assist with, for example (and not limited to):

a) business or growth expenses:

- office fit-outs
- shop fit outs
- factory upgrades
- website development
- IT equipment
- specialised equipment
- software
- rent

b) professional services:

- marketing
- wages
- legal costs
- accounting or financial advice
- business advice.

#### 4. Definitions

Not applicable

#### 5. Policy

*NB In the first year of implementation a round will be held where applications can be submitted in February and March and assessed in April. Applications will reopen from May until July and assessed in August.*

*The fund and its processes will then undergo a review and it is envisaged that two rounds of applications be assessed as follows.*

The Policy is delivered via two funding rounds:

- applications submitted from September to January are assessed in February
- applications submitted from February to July are assessed in August.

The pool of grant funds will be set annually as part of the Council budget. The total pool of grant funds will be available at the August round, with the balance available in the February round.

#### Eligibility

In normal circumstances, to be eligible for a Business and Tourism Innovation Grant allocation, businesses, organisations or groups must:

- be a legal entity, have an ABN, ACN, be incorporated or have an incorporated auspice for the project
- be based in the Shire of Murrindindi or delivering a project in the Shire of Murrindindi
- be seeking funds of no greater than \$50000 and no more than 50% of the total cost of the project (this may include in kind expenses associated with the project)
- have acquitted grants previously allocated through this fund.

## Business and Tourism Innovation Grants

The Business and Tourism Innovation Grants will not allocate to the following:

- programs/projects considered the responsibility of State or Federal Government
- projects that have started
- projects that do not align with Council's current strategic priorities as outlined in the Murrindindi Shire Council Plan.

### Assessment Process

Business and Tourism Innovation Grants applications are assessed on a competitive basis through a process as follows:

Preliminary – officers provide guidance to applicants to form and prepare an application

Stage 1 – eligibility and application compliance check by officer panel:

- Business Development Coordinator
- Tourism and Events Officer
- Manager Development Services.

Stage 2 – applications are assessed by the Business and Tourism Innovation Grants Panel (Panel):

- General Manager Infrastructure, Assets and Development Services
- three skills based representatives.

Stage 3 – recommendations for allocations to Council which may choose to fund part, all or none of the funding requested.

Recommendations to Council are at the discretion of the skills based Panel and Council's decision is final.

### Assessment Criteria

The Panel will use the following general criteria to assess applications to the Business and Tourism Innovation Grants:

#### Project Focus

Does the project meet the objectives of the Business and Tourism Innovation Grants?

- grow businesses
- start businesses
- support events that grow tourism.

Does the project align with the objectives of the Murrindindi Shire Council Plan?

Is the project operating within the Murrindindi Shire?

Does the project expressly answer the criteria for each of the funding streams available?

#### Project Planning, Management and Budget

Does the project have clearly defined aims?

Is the project well planned with clearly defined timelines?

Have other funding sources been identified, sought and exhausted?

Does the application demonstrate financial viability and sound management?

Will the project be undertaken if funding is not allocated from this fund?

## 5.1 Funding Streams

In all cases the event, project or activity:

- must align with the Council Plan
- must align with Council's strategic direction.

Responsible Officer: Manager Development Services

"[Insert Date Approved / Adopted]"

The Business and Tourism Innovation Grants offer the following funding streams:

Business Support

Up to \$2000 in business skills development and mentoring support

- not a cash allocation
- includes but not limited to:
  - Workshops (may include existing programs such as Doing Business Better and other offered by Business Vic):
    - mentoring services
    - business planning skill development
    - financial advice.

Business Growth or Establishment

Up to \$20000 in capital, marketing or operational cost support to assist with projects or activities which will allow a business to grow (either in dollars or in number of employees)

- cash allocation of no more than 50% of total cost of project
- can have business support as a component
- application alignment with submitted business plan must be endorsed by Council nominated accountant.

Industry and Economy Growth

Up to \$50000 in capital, marketing or operational cost support to assist with projects or activities which will allow a business to grow (either in dollars or in number of employees):

- cash allocation of no more than 50% of total cost of project
- can have business support as a component
- application alignment with submitted business plan must be endorsed by Council nominated accountant
- must demonstrate a strategic approach to creating a stronger industry or other benefits to the broader economy.

Events Kick Starter Program

Up to \$15000 in support of events that are starting or growing, and demonstrate the potential to draw visitation from a state wide base:

- applications must be accompanied by an events management plan
- must align with Council's key product/experience or marketing strengths.

Major Events Leverage Fund

Up to \$20000 to leverage support from a state government funding stream:

- applications must be accompanied by an events management plan
- must draw a minimum 1000 attendees, generate overnight stays and maximise the opportunities to generate repeat visitation.
- must align with the Council Plan
- must align with Council's strategic direction.

From time to time, an event or project is proposed within Murrindindi Shire which is significant but proves to require a faster response than these funding rounds allow for; or an event or project which

## Business and Tourism Innovation Grants

sits outside of the Grant criteria, but aligns with Council's objectives. If this situation arises, Council officers will accept the application as per usual, but will refer it to Council outside of the funding rounds for guidance. If Council agrees, the application will be assessed by the Council officers, referred to the Panel, which will be assembled outside of the normal round timeframes. This process is expected to be enacted under extraordinary circumstances only.

### 5.2. Funding Allocation, Management and Acquittal

#### Business Support

Approved Business Support activities will be reimbursed upon receipt of appropriate documentation.

#### Cash Allocations

After a funding allocation has been made via a formal decision of Council, officers will prepare contracts in line with the application criteria and forecast outcomes. A full allocation will not be paid until acquittal documentation has been provided. Officers will structure milestone or timed payments according to the nature of the event or business project.

#### Acquittal

There are no acquittal requirements for the Business Support grant stream.

For all other grant streams the funds must be acquitted in line with the requirements of the contract at allocation. This will include (but is not limited to) documented deliverables against:

- milestones
- timeframes
- budgets.

If a business cannot demonstrate delivery of the activity for which funding was allocated, the grant will be recalled and all or part of the monies will be actively pursued.

#### Unexpended Funds

Any unexpended funds from Council's annual allocation to the program will be returned to the Infrastructure Renewal Reserve to fund the long term renewal of our community assets.

## 6. Related Policies, Strategies and Legislation

- *Local Government Act 1989*

## 7. Council Plan

This matter is directed by 2017-2021 Council Plan "Provide a seamless service for businesses and investors", and supported through the 2017-18 Priority Action Plan "Explore the options for business grants".

## 9. Management and review

The Policy will be reviewed by the Manager Development Services at July 2018.

## 10. Consultation

The basis for this proposal is the Council Plan "Have Your Say" engagement program.

## 11. Human Rights Charter

This policy has been developed with consideration of the requirements under the Charter of Human Rights and Responsibilities.

<b>Title:</b>	<b>Child Safe Policy</b>
<b>Type:</b>	<b>Council</b>
<b>Adopted:</b>	"[Insert Date]"
<b>File No:</b>	17/7248
<b>Attachments:</b>	

### 1. Purpose

This Child Safe Policy (Policy) outlines Council's commitment to Child Safe Standards, to create and maintain a child safe organisation and to promote child safety throughout Council.

### 2. Rationale

The Policy enables Council to meet its obligations and responsibilities under legislation and embed a culture of child safety across the organisation.

The Policy is intended to enable all representatives of Council to understand their obligations to:

- create a workplace culture that supports child safety for all children
- report their concerns if they suspect a child's safety is at risk
- support a culture that goes beyond protection to one that promotes participation and empowerment of children in Council's activities and operations.

### 3. Scope

The scope of this Policy covers Council's commitment to the safety and wellbeing of all children with specific attention to the most vulnerable, including Aboriginal children, children from culturally and/or linguistically diverse (CALD) backgrounds and children with a disability.

The Policy applies to all representatives of Council.

### 4. Definitions - of terms in this Policy and attached procedure

Reference Term	Definition
Child	A person under 18 years of age unless otherwise specified.
Adult	A person 18 years of age or older.
Abuse	Under the Child Safe Standards this term covers child sexual abuse, physical abuse, serious emotional and psychological abuse and serious neglect. Council representatives may develop a reasonable suspicion that a child has been or is being abused.
DHHS – Child Protection	Department of Health and Human Services – Child Protection (and its successors) is the agency designated to oversee, investigate and manage cases of suspected child abuse.
Child FIRST	Child and Family Information, Referral and Support Team (Child FIRST) provides a central referral point to a range of community-based family services and other supports as well as referring to DHHS – Child Protection.
Child Safety Officer	Manager Community Services, and/or Children's Services Coordinator.
Council's Child Safe Standards Working Party	Representatives from various Council departments including Children's Services, Youth Services, Human Resources, Libraries, Environmental Health and Risk Management

Reference Term	Definition
	involved in reviewing obligations and developing this Policy and associated documents.
Failure to Disclose	'Failure to disclose' is an offence. Legislation requires any adult who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) to disclose that information to police or DHHS - Child Protection.
Failure to Protect	'Failure to protect' is an offence. If you are in a position of authority in your organisation and suspect a child is at risk of sexual abuse from someone within your organisation, the law requires you to protect the child by reducing or removing the risk. The maximum penalty for negligently failing to protect a child is five years imprisonment.
Grooming	When individuals communicate, including via online communication, with a child under the age of 16 or their parents, with the intent of committing child sexual abuse. The maximum penalty is 10 years imprisonment.
Mandatory Reporters	Mandatory reporting is a term used to describe the legislative requirement imposed on selected classes of people to report suspected cases of child abuse and neglect to Police, DHHS - Child Protection or Child FIRST. Mandated reporters include doctors, nurses (including Maternal and Child Health nurses), midwives, teachers (including early childhood teachers), school principals and police.
Reasonable Belief	<p>'Reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:</p> <ul style="list-style-type: none"> <li>• a child states that they have been physically or sexually abused</li> <li>• a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves)</li> <li>• someone who knows of a child who states that they have been physically or sexually abused</li> <li>• professional observations of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused</li> <li>• signs of abuse lead to a belief that the child has been physically or sexually abused</li> <li>• other circumstances where a child appears upset, afraid or otherwise vulnerable to attention/abuse or an adult appears to have behaved inappropriately towards a child in their company (such as in a public toilet).</li> </ul>
Reportable Conduct Scheme	This scheme comes into effect on 1 July 2017 and is in addition to mandatory reporting and disclosure requirements. It introduces additional obligations on the organisation to



Reference Term	Definition
	report to the Commission for Children and Young People any allegations of child abuse or misconduct towards children made against representatives of Council.
Cultural Safety	Cultural safety promotes an organisational environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.
Staff	Includes employees and Council contractors (agencies and individuals who provide services to Council) volunteers and consultants appointed to undertake Council business.
Representatives of Council	Means Councillors and all Council staff (as defined above).

## 5. Policy

Murrindindi Shire Council is committed to child safety and believes that all children have a right to feel safe.

We support and respect all children.

We are committed to the safety, participation and empowerment of all children.

We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and in providing a safe environment for children with disability.

All representatives of Council will be responsible for compliance with the Child Safe Standards.

We will incorporate child safety statements into our Codes of Conduct and promote child safety on our website.

We will report concerns about a child's safety to appropriate authorities.

Representatives of Council will receive appropriate training in order to meet their obligations under this Policy.

We will take all reasonable steps to employ skilled people to work with children.

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be representatives of Council, volunteers, parents or children, unless there is a risk to someone's safety. We will proactively manage potential risks of abuse to our children.

Council will take all allegations of abuse seriously and has practices in place to investigate thoroughly and quickly.

All representatives of Council will be appropriately trained to deal appropriately with allegations.



## 6. Related Policies, Strategies and Legislation

	<b>Include - Name, Reference and location of reference</b>
Acts	<p><i>Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)</i>  <i>Sex Discrimination Act 1984 (Cth)</i>  <i>Racial Discrimination Act 1975 (Cth)</i>  <i>Disability Discrimination Act 1992 (Cth)</i>  <i>Disability Act 2006 (Vic)</i>  <i>Fair Work Act 2009 (Vic)</i>  <i>Equal Opportunity Act 1984 (Vic)</i>  <i>Victorian Charter of Human Rights and Responsibilities Act 2006</i>  <i>Occupational Health &amp; Safety Act 2004 (Vic)</i>  <i>Health Records Act 2001</i>  <i>Privacy Act 1988</i></p>
Regulations	Victorian Child Safe Standards
Related Policies	<ul style="list-style-type: none"> <li>• Murrindindi Shire Council Enterprise Agreement 2015 (and any subsequent agreements)</li> <li>• Employee Code of Conduct</li> <li>• Confidentiality and Privacy Policy</li> <li>• Customer Complaints and Feedback Policy</li> <li>• E-mail Policy</li> <li>• Employment and Recruitment Policy</li> <li>• Equal Employment Opportunity Policy</li> <li>• Internal Grievance Resolution Policy</li> <li>• Prevention of Bullying Work Place Violence Policy</li> <li>• Recruitment Policy</li> <li>• Security Checks Policy</li> <li>• Communication and Social Media Policy</li> <li>• Volunteers Policy</li> <li>• Enterprise Risk Management Policy</li> </ul>

## 7. Consultation

This Policy was developed in response to the legislation using the guidelines developed by the Department of Health and Human Services. Research and consultation was undertaken with other Councils developing similar policies. All staff were consulted through display and promotion of the draft Policy on Council's intranet, newsletter and at staff briefings.

## 8. Human Rights Charter

This Policy has been developed with consideration of the requirements under the Charter of Human Rights and Responsibilities.

## 9. Council Plan

This Policy supports the Council Plan 2017-2021 Our People objective "to celebrate and encourage diverse, caring and connected communities".

## 10. Management and Review

This Policy will be reviewed every three years or following significant incidents if they occur. Where appropriate, the community, including families and children, will participate in reviews.

We will facilitate the opportunity for families and children to contribute to this review.



## Child Safe

### 11. Procedure

#### 11.1 General

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Council is committed to preventing child abuse, identifying risks early, and removing and reducing these risks.

Council has robust human resources and recruitment practices for all staff and volunteers.

We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

#### 11.2 Promoting a Child Safe Culture

Council will ensure that its planning, decision making and operational processes:

- prioritise the welfare of children
- create child safe and child friendly environments where children feel safe and are able to grow, develop and have fun
- actively encourage children to express their views
- consider the empowerment and participation of children in developing policies, processes and programs
- appropriately manage complaints and refer complaints to relevant agencies, where necessary.

#### 11.3 Training and Supervision

Council will provide guidance to staff and volunteers, relevant to their level of contact with children, to meet their obligations under this Policy (see Appendix: Table of Controls).

#### 11.4 Recruitment

Council selection criteria and advertisements will clearly demonstrate our commitment to child safety relevant to the level of contact with children, and an awareness of our social and legislative responsibilities in relation to equitable recruitment and employment practices (see Appendix: Table of Controls).

#### 11.5 Risk Management

Council's risk management processes aim to identify, assess and take steps to minimise safety risks, including child safety risks. Council's risk management processes require risks to be regularly assessed and for known risks to be managed and monitored.

#### 11.6 Allegations, Concerns and Complaints

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse, inappropriate behaviour or are a victim. If an adult has a 'reasonable belief' that an incident has occurred, or receives an allegation of abuse, they have a responsibility to report the incident or allegation, otherwise this will be seen as a 'failure to disclose' which may have legal ramifications.

## Child Safe

Factors contributing to reasonable belief may be:

- a child states they, or someone they know, has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

### 11.7 Abuse Incident Disclosure

If you believe a child is at immediate risk of abuse phone 000.

#### 11.7.1 If a child discloses an incident of abuse to you:

- try and separate them from other children discreetly and listen to them carefully
- let the child use their own words to explain what has occurred
- reassure the child that you take what they are saying seriously, it is not their fault and they are doing the right thing in telling you
- explain to them that this information may need to be shared with others, such as their parent/carer, specific people in your organisation, or the police
- do not make promises to the child such as promising not to tell anyone about the incident. You can tell them that you will do your best to keep them safe
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them
- provide them with an incident report form to complete, or complete it together if you think the child is able to do this. Alternatively, as soon as possible after the disclosure, record the information using the child's words. Ensure the disclosure is recorded accurately and that the record is stored securely
- report the disclosure to the Child Safety Officer or your Manager, Police or DHHS - Child Protection
- The Child Safety Officer will take responsibility for managing the incident from this point, including any internal and external reporting requirements.

#### 11.7.2 If a parent/carer says their child has been abused in one of our services or raises a concern:

- explain that Council has processes to ensure all abuse allegations are taken very seriously
- ask about the well-being of the child
- allow the parent/carer to talk through the incident in their own words
- advise the parent/carer that you will take notes during the discussion to capture all details
- explain to them the information may need to be repeated to authorities or others, such as the Child Safety Officer, members of Council's Management Team, Police or DHHS - Child Protection.
- do not make promises of any sort at this early stage, except that you will do your best to keep the child safe
- provide them with an incident report form to complete, or complete it together. Ensure the report is recorded accurately and that the record is stored securely
- ask them what action they would like taken

Responsible Officer: Manager Community Services/Coordinator Human Resources

13 December 2017

TRIM Reference: 17/7248

- depending on the nature of the incident, actions may include:
  - provide information on how they can report to independent agencies such as Police and DHHS – Child Protection
  - Council referral to independent agencies such as Police
  - report to the Commission for Children and Young People under the Reportable Conduct Scheme
  - Council internal investigation following its Performance Management and Discipline Policy.

### 11.8 Legal Responsibilities

Council takes its legal responsibilities regarding child safety seriously, including its responsibility to protect, disclose and report incidents of child abuse and prevent, detect and report on grooming incidents:

- failure to disclose - any adult who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) has an obligation to report that information to Police or DHHS - Child Protection or Child FIRST. Failure to disclose the information to Police is a criminal offence
- failure to protect - applies to people who hold a position of authority within organisations who know of a risk of child sexual abuse and have the authority to reduce or remove the risk, but negligently fail to do so
- any personnel who are mandatory reporters must comply with their duties. Mandatory reporters must report to DHHS - Child Protection or Child FIRST if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse
- ensuring policies and processes are in place to prevent grooming through the accumulation of personal information from computer/data access and storage and other technologies
- reporting to the Commission for Children and Young People any allegations of child abuse or misconduct towards children made against staff or volunteers.

### 11.9 Compliance Responsibilities

#### Employees & Volunteers

All representatives of Council are responsible for:

- understanding this Policy and their role in protecting children from abuse
- ensuring that their behaviour towards children is safe and appropriate
- ensuring they know how to report an incident or concern and the legal implications of failing to disclose or protect a child.

#### Supervisors / Managers

Supervisors and Managers are responsible for ensuring that their staff understand this Policy and their responsibilities in relation to child safety including the process for reporting an incident or concern and the legal implications of failing to disclose or protect a child.

### **Community Services**

The Manager Community Services and the Coordinator Children's Services are responsible for:

- providing advice about this Policy
- evaluating the Policy and its implementation with Council's Child Safe Standards Working Party.

### **Human Resources**

Human Resources is responsible for ensuring staff receive an induction on this Policy and child safety training depending on their roles and responsibilities (see Appendix: Table of Controls).

### **General Manager Corporate and Community Services**

As nominee of the Chief Executive Officer, the General Manager is responsible for the overall implementation and review of this Policy.

DRAFT

Child Safe – Appendix: Table of Controls

	<b>Direct service provision to and contact with children (under 16)</b>	<b>Indirect service provision and contact with children (under 16)</b>	<b>Incidental contact with or services to children (under 16)</b>
Category of requirements relevant to role (as staff or volunteer)	Providing childcare, in home care, maternal and child health programs, library/ educational/recreational programs to children (environmental sessions, work experience, FreeZa, pools).	Providing services such as cleaning and maintaining public facilities frequented by children and potentially vulnerable and/or isolated (eg. public toilets, playgrounds, resource recovery centres etc). Visiting people in private homes where children are/maybe present (local laws, environmental health).	Children attending Council offices, children of staff or volunteers visiting non-public areas of Council offices (eg. staff lunch rooms) whether under parental supervision or not. Services to all people in Murrindindi Shire (which includes but not limited to children).
<b>Recruitment</b> - Working with children check - Crimcheck - Recruitment question: have you ever been charged or found guilty of criminal activity towards children? - Reference check question: do you have any concerns about this person's capacity to work with children?	✓ ✓ ✓  ✓	 ✓	✓ - all new employees
<b>Induction</b> - Code of conduct – read and acknowledge - Child Safe Policy – read and acknowledge	✓  ✓	✓  ✓	✓  ✓

Child Safe – Appendix: Table of Controls

	<b>Direct service provision to and contact with children (under 16)</b>	<b>Indirect service provision and contact with children (under 16)</b>	<b>Incidental contact with or services to children (under 16)</b>
Department/unit specific procedures to protect child safety and promote child empowerment	✓ Procedures and training focus on highest level of care to ensure services are inclusive, safe, empowering: <ul style="list-style-type: none"> <li>• that suspicions of abuse or misconduct are immediately reported</li> <li>• that controls to reduce risks are regularly maintained and audited</li> <li>• that people are regularly trained.</li> </ul>	✓ Procedures and training focus on where services may incidentally impact on child safety, and how to report any suspicions that a child has or is vulnerable to abuse.	x No unit specific procedures. Comply with general obligations under Code of Conduct, and this Policy.
Promote friendly, welcoming inclusive culture that supports child safety at all levels	✓	✓	✓
All policies and procedures, whether specific to children or not, gives consideration to consultation with children and consideration of their rights	✓	✓	✓
Risk management review	Operational risk is reviewed annually	Operational risk is reviewed annually	Operational risk is reviewed annually



# Statement of Commitment

## Our organisation is committed to child safety.

- We want children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.
- We are committed to the safety, participation and empowerment of all children.
- We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.
- We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
- Our organisation is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.
- Our organisation has robust human resources and recruitment practices for all staff and volunteers.
- Our organisation is committed to regularly training and educating our staff and volunteers on child abuse risks.
- We are committed to the cultural safety of Aboriginal children, children from a culturally and/or linguistically diverse background, and to providing a safe environment for children with a disability.
- We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

If you believe a child is at immediate risk of abuse phone 000.



MINUTES  
of the  
AUDIT ADVISORY COMMITTEE MEETING  
held on  
THURSDAY 14 December 2017  
in the  
ALEXANDRA COUNCIL CHAMBER  
commencing at  
3 pm

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**1. PRESENT/APOLOGIES**

**Present:**

Michele Sheward (Chair)  
Ian McKaskill  
Richard Rogerson  
Cr Charlotte Bisset (Mayor)  
Cr Leigh Dunscombe  
Cr Sandice McAulay

**In attendance:**

Margaret Abbey, CEO  
Michael Chesworth, General Manager Corporate and Community Services  
Stuart McConnell, General Manager Infrastructure and Development Services  
Andrew Bond, Manager Business Services  
John Gavens, Partner, Crowe Horwath  
Audrey Kyval, Governance Officer

**2. DECLARATIONS OF INTEREST**

John Gavens declared an interest in Item 9.6 as he is a partner of Crowe Horwath.

**3. CONFIRMATION OF MINUTES**

**3.1 Minutes of the Audit Advisory Committee Meeting held on 14 September 2017.**

**Officer Recommendation**

That the Minutes of the Audit Advisory Committee Meeting held on 14 September 2017 be confirmed.

**RESOLUTION:**

**I McKaskill / Cr L Dunscombe**

**That the Minutes of the Audit Advisory Committee Meeting held on 14 September 2017 be confirmed.**

**CARRIED**

**4. REVIEW BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

**5. RISK MANAGEMENT**

**5.1 REVIEW BUSINESS CONTINUITY PLAN**

Attachment: Business Continuity Plan (*refer Attachment 5.1*)

**Purpose**

The purpose of this report is to enable the Audit Advisory Committee to review Council's Business Continuity Planning Framework.

### **Officer Recommendation**

That the annual review of the Business Continuity Plan be noted.

### **Background**

It is well established that organisations with a Business Continuity Plan (BCP) are statistically more likely to be able to return to full business capability within acceptable timeframes following a significant business interruption event.

In 2014 the administration undertook a full review and redevelopment of the Council's BCP framework to align with best practice standards. This included the establishment of a business continuity project team, workshops with officers, and a vulnerability assessment and business impact analysis (BIA) with all sections of the organisation.

The new BCP was finalised in late 2015 and following further testing and development during 2016 was completed in November 2016 and endorsed by Council's Executive Management Team and is provided in the *Attachment 5.2*.

### Overview of the Plan

The BCP is not a response manual to every possible business interruption event, but rather is a reference document to assist a Business Recovery Team to make informed decisions in a logical and considered manner to best respond to such an event.

The Plan's aims are to:

- minimise the duration of a serious disruption to business operations
- identify weaknesses and implement a major business interruption prevention and/or recovery program
- facilitate effective co-ordination of recovery tasks
- reduce the complexity of the recovery effort.

The decision to activate the BCP following an event is made by the Chief Executive Officer on advice from the Business Continuity Co-ordinator and, if the event is part of a wider municipal emergency, the Municipal Emergency Resource Officer (MERO).

The Plan outlines the following:

- the relationship between the BCP and the Municipal Emergency Management Plan
- roles and responsibilities of the Business Recovery Team and other key staff in a business recovery situation
- critical business processes across Council and scaled timeframes for their recovery
- information technology (IT) and telecommunications requirements to support the implementation of the BCP
- the nomination of Yea Council Offices as the IT recovery site, and business recovery site should access to the Alexandra offices be denied following an event
- prioritisation of Council services/functions to cater for various levels of staff loss, such as could occur in a pandemic

Whilst the BCP focuses on a worst case scenario, being the complete loss of access to the Alexandra Head Office of Council, it enables a scaled activation of the plan's elements for events that are less significant, but nevertheless involve some form of business interruption.

The BCP allows for the restoration of critical business systems (including required IT services) within 1 to 2 days following a serious interruption event affecting principle IT systems, utilising the Yea Office as the nominated disaster recovery site for IT systems.

As part of the BCP development all Council Departments have developed manual workarounds for critical functions for the time it takes to restore IT systems. In addition, Departments have established business recovery sub-plans to support corporate business recovery.

### **Council Plan/Strategies**

This report is consistent with the Council Plan 2017-2021 'Our Promise' Strategic Objective to 'work in collaboration with our communities to deliver the best possible outcomes in all that we do'.

### **Legal/Policy Issues**

Council has statutory obligations to perform a range of functions and services. There may be legal implications if there was a significant business interruption and Council was not able to recover critical business functions in a reasonable time frame.

### **Financial/Resources/Risk**

The business impact analysis assessed the likely impact of business interruption, and the level of tolerance that Council would accept or mitigate. Proactive actions to address these impacts have been identified in the BCP.

### **Discussion**

#### Annual Review and Development of the Plan

Whilst significant enhancements to the Plan and three tests of the Plan were conducted in 2016, there has been no further testing or modification to the Plan in the last 12 months, due to competing resourcing priorities.

An internal audit of Council's IT Security by Crowe Horwath in 2016 has examined Council's IT Disaster Recovery Plan and identified the need to further develop procedures on how to return IT services back to normal operation post disaster or outage at the original site. This was to be considered this year, but has been deferred to 2018, after the critical upgrades to Council's Authority, MS Office and Trim document management systems have been completed.

It is also necessary to conduct a full live test of the BCP which was intended for 2017 involving the entire organisation, and this too has been postponed to mid 2018.

### **Consultation**

Extensive internal consultation has occurred throughout the project's development and testing to ensure the plan is a comprehensive assessment of recovery impacts and required actions.

### **Conclusion**

The Business Continuity Plan significantly improves Council's preparedness and response to a significant business interruption event and hence is a critical component of Council's strategic risk management framework.

### **RESOLUTION:**

**I McKaskill / Cr L Dunscombe**

**That the annual review of the Business Continuity Plan be noted.**

**CARRIED**

**The Committee requested for the following documents to be forwarded to its members:**

- **Service Provision on Code Red Days Policy**
- **Employee Code Red and Fire Danger Policy**
- **Municipal Emergency Management Plan**

## **5.2 CHIEF EXECUTIVE OFFICER'S REPORT INTO LEGAL AND POLICY COMPLIANCE**

Attachment: Chief Executive's Questionnaire (*refer Attachment 5.2*)

### **Purpose**

The purpose of this report is to provide the Chief Executive Officer's (CEO) report to the Audit Advisory Committee.

### **Officer Recommendation**

That the report be received.

### **Background**

This report incorporate matters which have been previously reported to the Audit Advisory Committee on a separate basis but does not incorporate the regular quarterly financial and risk reports that will still be received by the Committee.

It is intended that this report will continue to be developed to meet the needs of the Committee.

### **Discussion**

#### 5.1 Declaration of Legal Compliance by the CEO

The declaration of legal compliance for 2017-2018 is included as Attachment 5.2 to this report.

#### 5.2 Important Developments within the Local Government Sector and at Council

##### *5.2.1 Appointment of Chief Executive Officer*

On 1 November 2017 Council appointed Craig Lloyd as Interim Chief Executive Officer from 8 January 2018 to 30 June 2018 and as the Chief Executive for five years from 1 July 2018.

##### *5.2.2 MAV Advice on Fraud Attempts*

The Municipal Association of Victoria (MAV) wrote to all CEOs on 27 November 2017 advising that in the previous two weeks, there had been at least one attempt of a CEO fraud, in which an email apparently from the CEO, requested urgent payment of funds was received within the accounts payable area.

Further, at least one further fraud attempt had occurred in the sector in which an email allegedly from a council employee was sent to a third party organisation advising that the council's bank details had changed. Major frauds have previously occurred when requests for fraudulent changes of bank details of council suppliers have led to significant losses.

The advice noted that both of these types of frauds were increasingly sophisticated and had used accurate staff names and titles, often used email addresses that appear or are correct, and were timed when key staff are out of the office.



Three actions were recommended for attempted CEO fraud including:

- clearly establishing with staff that the CEO will not make email requests for urgent payment of invoices that is particularly targeted at the executive and finance teams
- establishing hard controls around the approval of new suppliers
- examining IT system controls to block domains similar to the council's.

In relation to the first action, it has been reaffirmed with officers that the CEO will not make email requests for the urgent payment of invoices.

With respect to the other two recommendations I can advise that:

Council's Internal Financial Control manual contains adopted controls that are required to be undertaken by Council officers for both the creation of new suppliers, as well as amendments to existing supplier details. The creation and amendment to supplier master file is to be performed centrally, ie. only Accounts Payable and Finance officers have the system access to undertake this task – not users or approvers in other areas of the organisation. Evidence must be provided that the ABN for new vendors has been confirmed by checking the Australian Tax Office (ATO) register.

Council does not maintain specific programs or have defined processes to block domain names at present. Council's IT unit responds to high server volume domains to review their validity, as well as blocking specific domains that are highlighted by staff as suspect. Further research and benchmarking can be undertaken in this area depending upon the advice received.

In addition, MAV Insurance, through its Commercial Crime scheme, will shortly be providing further information to members on these frauds and potential controls that can be adopted within Councils.

### *5.2.3 Reviews of the Local Government Act and the Municipal Association Act*

Advice has been received from the State Government that the exposure draft of the *Local Government Act* will be released 'before Christmas' 2017 with submissions to be received by the third week of February 2018. It is still anticipated that the Bill will go into Parliament in the second quarter of 2018 with progressive implementation from 1 July 2018 through to October 2020.

### *5.2.4 VAGO - Results of 2016–17 Audits: Local Government*

The Victorian Auditor-General's Office (VAGO) has released its report on the 2016-2017 external audits of local government and other agencies. VAGO issued 78 clear audit opinions on councils' performance statements for 2016–17. It qualified its audit opinion for Towong Shire Council's performance statement. As the council did not conduct or participate in a 2016–17 community satisfaction survey, it was unable to obtain information for two indicators and, therefore, could not report the results.

VAGO commented that performance statements are important, as they communicate key financial and non-financial results. Currently, in their performance statements, councils explain significant variations in performance indicators in the context of results from prior years. While this information is useful, setting a target would assist readers to determine whether a council is operating efficiently and effectively.

In its report VAGO recommended that Local Government Victoria introduce targets for each of the performance indicators included in each councils' performance statements. Department of Environment, Land, Water and Planning (DELWP) has advised that it supports in-principle this recommendation but that targets need to be developed by individual councils.

VAGO, as part of its external audits, assessed councils' internal controls and found that they were generally well designed and operating as intended. However, they noted that they continued to observe issues in key IT internal controls and have identified this as an increasing trend across the sector. Persistent high-risk IT internal control issues include:

- unsupported systems and software
- weak user access management
- lack of software patch management.

These matters are being addressed in Council's Authority upgrade.

VAGO also noted that their analysis shows a gradual decline in the asset renewal and maintenance indicators. Overall, the sector forecasts spending less on asset renewal and maintenance.

As in previous audits, VAGO noted that rural and regional councils have a higher financial sustainability risk than metropolitan councils. They noted that this is linked to their relative inability to generate sufficient own-sourced revenue streams as well as steady increases in expenditure.

It is pleasing that Council was not listed as having Extreme or High Risk issues identified during their audits.

### 5.3 Policy Review and Management

Council's Policy development is based upon the hierarchy of:

- Council Policies – adopted and reviewed by Council
- Organisational Policies – adopted and reviewed by the Executive Management Team
- Departmental Policies – adopted and reviewed by the relevant General Manager.

Since the last report to the September 2017 meeting of this Committee the following action has occurred:

Council Policies:

- Enterprise Risk Management Policy has been reviewed and adopted by Council at its October Ordinary Meeting.

Organisational Policies:

- A new Grant Seeking Policy was approved on 27 October 2017. This Policy documents Council's approach to grant seeking and outlines how Council maximises the benefits to the Murrindindi Shire by taking an organisation wide approach and targeting effort to priority projects and managing grant risks.
- The revised Privacy Policy was approved on 27 September 2017. This Policy aims to ensure compliance with the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001* in relation to the management and handling of personal and health information within the public sector.

### **Conclusion**

The Chief Executive Officer's report will provide an important forum to advise the Committee on issues within Council as well as matters relevant to the local government sector.

**RESOLUTION:**

**I McKaskill / Cr L Dunscombe**  
**That the report be received.**

**CARRIED**

**5.3 RECENT REPORTS AND PUBLICATIONS OF INTEREST TO LOCAL COUNCILS**

Attachment: Publications of Interest (*refer Attachment 5.3*)

This report was tabled at the meeting and presented by Crowe Horwath.

**Noted.**

**6. AUDITS – INTERNAL**

**6.1 REVIEW AND RECOMMEND INTERNAL AUDIT PLAN AND RESOURCING**

Attachment: Murrindindi Shire Council Contributed Assets Report – Final (*refer Attachment 6.1*)

This report was tabled at the meeting and presented by Crowe Horwath.

**Noted.**

**6.2 REVIEW INTERNAL AUDIT REPORTS AND MANAGEMENT RESPONSES**

Attachments: Murrindindi Shire Council Contributed Assets Report – Final (*refer Attachment 6.2*)

This report was tabled at the meeting and presented by Crowe Horwath.

**Noted.**

**6.3 FOLLOW UP SIGNIFICANT ISSUES RAISED BY INTERNAL AUDIT**

Nil to report.

**6.4 REVIEW IMPLEMENTATION OF PREVIOUS AUDIT ACTIONS**

Attachments: Internal Audit Recommendations – Status of Actions November 2017(*refer Attachment 6.4*)

**Discussion**

Attachment 6.4 shows the status of progress in addressing internal audit recommendations. Three audit actions were completed during the quarter. With respect to those actions of High or Medium Risk that remain overdue the following is noted:

### IT Governance (2014)

The outstanding action refers to the implementation of an improved IT support and incident management tool and internal service level agreement. It is planned to utilise the functionality of the customer request management module of Council's corporate Authority system to provide this solution. This will be implemented following the planned upgrade of Authority scheduled to be completed in March 2018, which will provide enhanced customer request management features.

### Statutory Permit Management (2015)

Two actions remain partially completed and await the planned upgrade of Authority in March 2018. These relate to the establishment of an automated planning permit enforcement register in Authority and expanded reporting on building permit enforcement activities. The recommendation concerned the need to ensure these were all consolidated within the Authority system and not on separate systems.

### IT Security (2016)

Five high or medium risk items remain outstanding from this audit. These relate to the following:

- The need to develop an IT Security Policy. This policy has been developed and signed-off by the Council's executive. The remaining step is the promotion of the policy amongst staff which is being undertaken currently.
- The need for IT system penetration testing. An external supplier of penetration testing has been secured and this testing will occur early in the new year.
- The need to implement central software patch management. Where critical security patches have been identified patches have been tested and applied. Quotations have been sought for a recommended longer term solution, including software, setup and ongoing patch management.
- The need for back-up procedures for critical data during the day time. Hardware has been procured to provide additional capacity for incremental backup during the day time. Testing of Council's current (end of day) back-up software to incorporate incremental day time back-ups of critical data will be tested early in the new year.
- The need for 'return to normal services' in the IT Disaster Recovery Plan. Procedures have been drafted, however testing and finalisation of the procedures is yet to be undertaken and will be completed in the first half of 2018.

### Fraud Management (2016)

Progress on actioning this audit was slowed during the quarter as the Fraud Control Officer was seconded to a temporary management position during the quarter. The one outstanding medium risk issue concerns the need to develop a fraud incident form and incident register. A draft document have been prepared but a yet to be finalised. This is expected to occur prior to the next Audit Advisory Committee meeting.

**Noted.**

## **6.5 REVIEW SCOPES OF AUDITS BY CROWE HORWATH**

Nil to report.

## 7. FINANCIAL REPORT

### 7.1 REVIEW SIGNIFICANT ACCOUNTING AND REPORTING ISSUES

Nil to report.

### 7.2 QUARTERLY FINANCIAL STATEMENTS TO 30 SEPTEMBER 2017

Attachment(s): Qtr Report Attachment - Financial Statements (*refer Attachment 7.2a*)  
Qtr Report Summary - Operational Carry Forwards (*refer Attachment 7.2b*)

#### **Purpose**

The report provides the quarterly financial report for the period ending 30 September 2017 that was received by Council at the October 2017 Ordinary Meeting of Council.

#### **Officer Recommendation**

That the Audit Advisory Committee notes:

1. The Quarterly Financial Report to 30 September 2017
2. The reallocation of \$429,275 to fund the key action items in the adopted Council Priority Action Plan 2017/18 that were highlighted as unfunded at the time of its adoption.

#### **Discussion**

##### Annual Council Budget

The draft quarterly financial statements that are attached to this report detail Council's financial position as of 30 September 2017, a record of all financial activity that occurred in the first three months of the 2017/18 financial year. It should be noted that one of the first priorities in preparing the statements in the first quarter is to appropriately recognise and adjust for the financial impact of all items carried forward from the 2016/17 financial year. This includes items that were budgeted to occur in the 2016/17 financial year that were incomplete or not achieved prior to 30 June 2017, as well as the impact of items that were budgeted to occur from 1 July 2017 onwards, that were in fact recognised in last year's financial statements.

##### Carry Forward Adjustments to 30 September 2017

The table below is a reconciliation between Council's adopted budget 2017/18 and the adjustments for carry forwards relating to unexpended projects from 2016/17.

Table 1:

<b>Reconciliation of 2017/18 Revised Budget Adjustments - for September 2017 Review</b>		
	<b>2017/2018</b>	<b>2017/2018</b>
	<b>Operating Result</b>	<b>Capital Works</b>
	<b>Surplus / (Deficit)</b>	<b>Budget</b>
<b>Adopted Budget 2017/2018</b>	<b>(536,201)</b>	<b>(7,433,775)</b>
<b>Capital Works Program 2016-17 End of Year Report 23 Aug 2017</b>		
Table 1 - c/fwd with recommendations ( Council report 23 August 2017)		(338,058)
Table 2 - carry forwards - committed works ( Council report 23 August 2017)		(2,359,148)
Carry forward adjustments	(3,013,935)	-
<b>September Revised Budget 2017/2018 (Deficit)</b>	<b>(3,550,136)</b>	<b>(10,130,981)</b>

The original 2017/18 budget operating deficit has been impacted by carry forward adjustments as summarised above (*refer Attachment 6.12b*). The resultant deficit should be considered in light of

the 2016/17 period which forecasted a budgeted operating deficit of (\$1,132,000), while the actual operating result for 2016/17 was a surplus of \$3,267,000.

The change in the current year's adopted deficit from (\$536,000) to a deficit of (\$3,550,000) should be understood with regard to the result of the previous year. The bulk of the variance relates to the advance payment of 2017/18 Victorian Grants Commission (VGC) funding of \$2,224,000 that was unexpectedly received in the last week of June 2017. Several other grant funded projects either advanced or not completed at year end, improved the overall 30 June 2017 operating result and increased the levels of cash held by Council. These project budgets will be expended during 2017/18.

Balance sheet variances from the forecast position 30 June 2017 to actual results as recorded in Council's Annual Report for the year ended 30 June 2017 shows an increase in cash held of \$5.17 million plus an increase in Trade & Other Receivables of \$0.28 million. This is the funding allocated to support the carried forward budget adjustments.

As part of Council Quarterly Reviews an alternative view of the Income Statement, Statement A, has been provided showing Council's 'underlying result', which is the net surplus or deficit adjusted for capital grants, contribution to capital projects, and other once off adjustments.

#### Quarterly Financial Report to 30 September 2017

The four Statements for the first quarter to 30 September 2017 are included in *Attachment 6.12a*. These statements provide the first opportunity to detail the impacts of the final carried forward items from both a capital and operating perspective from the previous year. A more detailed summary of the minor variances in the operating statement and capital works program is included in this attachment.

Table 2 below is a reconciliation between Table 1, incorporating carry forward of unexpended projects from 2016/17, and the Revised Budget 2017/18 as detailed within the attached statements, which also includes all newly approved grant funded projects and all other known variances since budget adoption.

Table 2:

	2017/2018	2017/2018
	Operating Result	Capital Works
	Surplus / (Deficit)	Budget
<b>September Revised Budget 2017/2018 - with carry forwards</b>	<b>(3,550,136)</b>	<b>(10,130,981)</b>
<b>Additional Funding &amp; adjustments:</b>		
VGC Grants Commission - final allocation - additional funding	127,520	
Yea & Districts Children's Centre Upgrade - Grant \$325K Cont \$50K	375,000	(375,000)
Savings Interest on Loans - no drawdown 2016/17	24,152	
Doing Business Better - Stage 1 \$24,840 & Stage 2 \$175,000	-	
Bushfire Management Overlay \$40,000 - no change in net result	-	
Bushfire Memorials - transfer from Operating to Capital	380,000	(380,000)
transfer ACLC - Reserve Balance to Alexandra Secondary College	(20,802)	
<b>September Revised Budget 2017/2018 - with carry forwards (Deficit)</b>	<b>(2,664,266)</b>	<b>(10,885,981)</b>

The original budget operating deficit has been impacted by carry forward adjustments as detailed above projecting a (\$3,550,000) operating deficit for 2017/18. With additional grant funding and inclusion of other known budget variances this has now been reduced to a revised operating deficit of (\$2,664,000).

VGC final funding allocation has seen an overall increase of \$127,000 in funding for 2017/18.

Non Recurrent Grant Revenue has increased with additional funding of \$375,000 for the Yea & District Children's Centre Upgrade which has corresponding increase in Council Capital Works Program.

Finance costs (interest) show a saving of \$24,152 as a result of not drawing down the \$500,000 loan in 2016/17. In addition there has been a reduction of \$39,637 in principal through repayments in 2017/18.

Several other minor grants have been added to both the operating income and expenditure including Doing Business Better Stage 1 \$25,000 and Stage 2 \$175,000, and Bushfire Management Overlay funding \$40,000. Bushfire Memorial funding of \$380,000 has been reallocated from operation to capital.

#### Balance Sheet (Statement B)

The Balance Sheet – Statement B as at 30 September 2017 shows minimal year to date variance with Cash and Cash Equivalents favourable variance of \$396,000 directly related to the year to date operating surplus variance as presented within the Income Statement.

Trade and Other receivables year to date shows minimal variance and is on track. Provision for employee entitlements is trending slightly higher than predicted and will be monitored and reviewed as part of the December report. This traditionally trends higher in the first quarter, with staff expected to take more leave over the Christmas and New Year period.

The overall revised budget position shows the projected the level of cash as at 30 June 2018 of \$22.87 million which is \$0.42 million above the original budget for 2017/18 of \$24.45 million. The bulk of this relates to the increased level of Council Reserve funds.

#### Cash Flow Statement (Statement C)

This statement provides a more holistic picture and reports the important information on Council's cash inflows and outflows. Net cash flow from operating activities in the Cash Flow Statement (a cash view of the operating statement) shows a decrease of (\$1.11 million). The bulk of this adjustment is in grants received in advance and payments to suppliers relating to carry forwards and new grant funded projects. Net cash used in investing activities (Capital Works) shows an overall increase of (\$3.32 million) and net cash used in financing activities (mainly Trust and Deposits) has increased by (\$0.32 million).

The overall result with the inclusion of the additional cash of \$5.17 million held at 30 June 2017 is reflected in the Balance Sheet with the Revised Budget for 2017/18 projecting an increase in cash of \$0.42 million.

#### Non Discretionary Cash and Council Reserves (Statement E)

Included as part of this report is an additional reconciliation flowing from the cash flow statement of Council's Non Discretionary Cash Flow requirements. This reconciliation lists all Council reserves together with funds held as Deposits or Trust which are required to be refunded, and an allowance for the provision of employee entitlements. This latter provision being a nominal amount of 25% of Council's Annual Leave Liability and 25% of the current Long Service Leave Liability by 30 June 2017. This is then offset against the level of projected cash at year end.

#### Councillor Expenses (GST Exclusive):

As agreed in the new Councillor Reimbursement Policy that was adopted by Council at its February 2017 Ordinary Meeting, the following table details Councillor expenses for the three month period ending 30 September 2017.

Table 3:

Councillor	Councillor Allowance	Mobile Phone	Training & Professional Development	Accomm. & Travel	Total
Cr C Bisset	\$21,101.40	\$218.18	\$0.00	\$0.00	<b>\$21,319.58</b>
Cr S McAulay	\$7,062.76	\$218.18	\$0.00	\$0.00	<b>\$7,280.94</b>
Cr J Ashe	\$7,062.76	\$218.18	\$0.00	\$0.00	<b>\$7,280.94</b>
Cr R Bowles	\$7,062.76	\$218.18	\$0.00	\$0.00	<b>\$7,280.94</b>
Cr L Dunscombe	\$7,062.76	\$218.18	\$0.00	\$1,004.53	<b>\$8,285.47</b>
Cr E Lording	\$7,062.76	\$218.18	\$0.00	\$1,440.97	<b>\$8,721.91</b>
Cr M Rae	\$7,062.76	\$221.16	\$0.00	\$0	<b>\$7,283.92</b>
<b>Subtotal</b>	<b>\$63,477.96</b>	<b>\$1,530.24</b>	<b>\$0.00</b>	<b>\$2,445.50</b>	<b>\$67,453.70</b>

It should be noted that accommodation and travel costs include the reimbursement of the claims which a Councillor may choose to submit for travelling to Council meetings, briefings and other functions which they attend in their capacity as a Councillor. Where a Councillor's residence is greater than 50 kilometres from the location of a Council meeting they may also claim the statutory remote area allowance.

#### Re-allocation of Resources to Fund the Priority Action Plan 2017/18

As highlighted in the report to Council on 27 September 2017, the Priority Action Plan 2017/18 adopted at this meeting was prepared in line with the resource commitments contained in the adopted Annual Budget 2017/18, with the exception of several actions under the Our Prosperity Objective. Implementation of these actions were to be contingent on a review of resource allocations undertaken as part of the Council's September quarter budget review or subject to external grant funding.

The key unfunded activities that are to be included to meet the priority actions relating to business grants, improved tourism and event support have been costed by Council as requiring an additional \$380,000 per annum. Additional human resources of \$115,000 is also required to ensure the successful delivery of these programs.

The expected annual cost to implement these priority actions is \$495,000, though given that one quarter of the current financial year has passed without allocation of resource to achieve these actions, it is expected that only \$425,000 needs to be re-allocated to deliver these Council priorities for 2017/18.

Council officers have extensively reviewed the available budget, and re-assessed the priorities of other activities. As a result the re-allocation of resources shown in Table 4 is proposed to deliver the unfunded priority actions.

Table 4:

Proposed re-allocation	\$
Kinglake RAC revenue	60,000
VEC revenue	4,376
Building permits revenue	20,000
Interest revenue	50,000
Wages savings	27,099
SES funding	19,668
Corporate overheads	47,800
Planning projects	20,000
Infrastructure maintenance	180,332
<b>Total</b>	<b>429,275</b>



The first four items highlighted relate to revenue that is now anticipated to be received in excess of levels originally budgeted. The revenue relating to the former Kinglake Rebuilding Advisory Centre facility was excluded on the original assumption that the lease arrangements would not continue through 2017/18, whilst Council has also received additional unbudgeted revenue from the Victorian Electoral Commission (VEC) due to voter fines relating to Council elections in 2016. Building permit applications are also trending higher than budget allowing for a reallocation of a further \$20,000 in revenue, whilst Council's cash position remains strong and generating positive cash flows through its investment strategy.

The wages savings highlighted relate to positions that have been vacant throughout the first quarter, and represent one-off savings. These funds cannot be factored into allocation for the delivery of these actions in future years. The reallocation of the \$20,000 of State Emergency Services (SES) funding is due to the change in State Government funding arrangements for this service, resulting in Council not requiring to provide funding from 1 July 2017.

A number of procurement initiatives and re-allocation of priorities has allowed for \$47,800 of corporate overhead to be re-allocated. These funds are taken from numerous spending categories including legal costs, printing and stationery, postage and telecommunications. The \$20,000 of planning project funding to be reallocated will result in some strategic planning work being deferred until the 2018/19 financial year.

The \$180,000 of funding to be reallocated from infrastructure maintenance areas will be achieved by the re-scheduling and re-profiling of works across a large number of public areas, primarily in the areas of parks, gardens, car parks and shared trails. The deferral of these programmed works are again offered as one-year opportunities to assist in achieving the prioritised actions highlighted by Council and are not savings available in perpetuity, as longer term reduced maintenance will likely lead to higher capital works renewal costs in future years, and lower utility levels for the community.

### **Financial Implications and Risk**

The financial governance of a Council is an important role for Councillors. The risk of poor financial management can have a significant impact upon the governance of the Council. The financial implications flowing from this quarterly financial review are outlined in this report.

### **Conflict of Interest**

There are no declared conflicts of interest by Council officers in the preparation of this report.

### **RESOLUTION:**

**R Rogerson / Cr L Dunscombe**

**That the Audit Advisory Committee notes:**

- 1. The Quarterly Financial Report to 30 September 2017**
- 2. The reallocation of \$429,275 to fund the key action items in the adopted Council Priority Action Plan 2017/18 that were highlighted as unfunded at the time of its adoption.**

**CARRIED**

## **8. MANAGEMENT REPORTING**

### **8.1 LOCAL GOVERNMENT PERFORMANCE REPORTING FRAMEWORK**

An update to the Committee was provided on the "Know Your Council" website ([www.knowyourcouncil.vic.gov.au](http://www.knowyourcouncil.vic.gov.au)) that details the Council's results for the 2016-17 period of the Local Government Performance Reporting Framework.

**Noted.**

## **9. GENERAL BUSINESS AND FUTURE PLANNING**

### **9.1 ESTABLISH/SCHEDULE MEETINGS FOR FORTHCOMING YEAR**

Currently the Audit Advisory Committee meetings are held four times a year on a Thursday afternoon in the Alexandra Council Chambers. The following meeting dates are proposed for 2018:

<b>Meeting Date</b>	<b>Venue</b>	<b>Time</b>
Thursday 8 March 2018	Alexandra - Council Chamber	3 pm
Friday 18 May 2018 (Budget)	Alexandra - Council Chamber	1 pm
Thursday 13 September 2018 *	Alexandra - Council Chamber	3 pm
Thursday 13 December 2018	Yea - Council Chamber	3 pm

\* to consider 2017/18 Financial Statements

**Noted.**

### **9.2 ANNUAL ASSESSMENT OF COMMITTEE'S PERFORMANCE**

Attachment: Audit Advisory Committee Self Assessment Form – 2017 (refer *Attachment 9.2*)

As detailed at Section 2(r) of the Audit Advisory Committee Charter, the committee shall “be subject to a periodic review, including a review by the Council and the completion of a self-assessment program”.

This self-assessment has traditionally been taken by Audit Advisory Committee members on an annual basis, for presentation and review at the first meeting in the new calendar year.

Committee members are requested to return the annual assessment to Council by 19 January 2018.

**Noted.**

### **9.3 REVIEW/ASSESS ADEQUACY OF AUDIT ADVISORY COMMITTEE CHARTER**

Attachments: Audit Committee Charter Draft 2017-12-14 (refer *Attachment 9.3*)

The Audit Advisory Committee Charter was last reviewed and amended at the December 2015 Committee Meeting and endorsed by Council at its Ordinary Meeting of February 2016.

At the September 2017 Audit Advisory Committee Meeting, it was requested through the Chair that the Charter be reviewed to include a statement regarding the expectation of committee members to attend a minimum 75% of all scheduled meetings. This has been included in Section 2m of the attached revision of the Charter. Suggested changes to 2p are also included, requiring the Committee to report to Council on attendance at Committee Meetings as a part of the Committee's annual report.

The Committee Chair, Michele Sheward, will lead the discussion regarding any requirement to further amend the Audit Advisory Committee Charter.

**It was noted that clause (m) be further amended to include:**

- 1. an expectation of 100% meeting attendance**
- 2. that independent members will be required to vacate their position if they are not able to attend 75% of meetings, unless exempted by Council on recommendation of the Committee based on reasonable grounds.**

#### **9.4 REVIEW AUDIT ADVISORY COMMITTEE ANNUAL PLAN**

Attachment: 2018 Audit Advisory Committee Annual Plan DRAFT (refer *Attachment 9.4*)

**Noted.**

#### **9.5 CONFIRM TERMS AND APPOINTMENT OF COMMITTEE MEMBERS (ADVICE)**

As per Section 2(c) of the Audit Advisory Committee Charter, "appointments of external independent persons shall be made by Council by way of public advertisement and be for a term of two years with an option of a one year extension".

Committee Member	Term Ending:	Term Used To Date:
Michele Sheward	December 2019	1 years
Ian McKaskill	April 2018	1 year and 7 months
Richard Rogerson	April 2018	1 year and 7 months

**Noted.**

John Gavin left the meeting at 4.41 pm prior to consideration of agenda item 9.6.

#### **9.6 REVIEW INTERNAL AUDIT FUNCTION PERFORMANCE**

Committee Chair, Michele Sheward, lead a discussion to review the performance of the internal audit function.

#### **10. OTHER REPORTS**

Nil

#### **11. NEXT MEETING**

Thursday 8 March 2018 at 3 pm in the Alexandra Council Chamber.

**There being no further items of Business, the Chairperson declared the meeting closed at 4.46 pm.**

**CONFIRMED THIS**

\_\_\_\_\_

**CHAIRPERSON**

\_\_\_\_\_

SUBJECT TO CONFIRMATION

## **MURRINDINDI SHIRE COUNCIL**

### **CHARTER OF THE AUDIT ADVISORY COMMITTEE**

#### **1. OBJECTIVES**

The Audit Advisory Committee (“the Audit Committee”) is an independent advisory committee to Council. The primary objective of the Audit Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating the organisation’s ethical development.

The Audit Committee is established to assist the co-ordination of relevant activities of management, the internal audit function and the external auditor to facilitate achieving overall organisational objectives in an efficient and effective manner.

As part of Council’s governance obligations to its community, Council has constituted an Audit Committee to facilitate:

- The enhancement of the credibility and objectivity of internal and external financial reporting;
- Effective management of financial and other risks and the protection of Council assets;
- Compliance with laws and regulations as well as use of best practice guidelines;
- The effectiveness of the internal audit function;
- The provision of an effective means of communication between the external auditor, internal audit, management and the Council.

#### **2. TERMS OF REFERENCE**

##### **General**

- (a) The Audit Committee is a formally appointed committee of the Council and is responsible to that body. The Audit Committee does not have executive powers or authority to implement actions in areas over which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent of management.

The Committee’s role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision-making by Council in relation to the discharge of its responsibilities.

## Membership

- (b) The Audit Committee will comprise a minimum of six members – three external independent persons (voting rights), two Councillors (voting rights) and the Mayor (or substitute - both non-voting).
- (c) Appointments of external independent persons shall be made by Council by way of public advertisement and be for a term of two years with an option of a one year extension. The terms of the appointment should be arranged to ensure a staggered rotation and continuity of membership despite changes to Council's elected representatives. The term of the Chair is to be 12 months, with a maximum of three (3) consecutive years with a break of at least one (1) year if three consecutive terms have been served. The term of the Chair is to commence in the first quarter of each financial year.
- (d) All external independent persons will have senior business or financial management/reporting knowledge and experience, and be conversant with the financial and other reporting requirements. The evaluation of potential members will be undertaken by the Mayor, member Councillor and Chief Executive Officer taking account of the experience of candidates and their likely ability to apply appropriate analytical and strategic management skills, and a recommendation for appointment put to Council.
- (e) If the Council proposes to remove a member of the Committee, it must give written notice to the member of its intention to do so and provide that member with an opportunity to be heard at a Council meeting which is open to the public, if the member so requests.
- (f) Remuneration will be determined by Council and reviewed periodically. Payment will be paid to each independent member of the Committee on a quarterly basis in arrears.
- (g) The Chairperson shall be appointed from the external members of the Committee by the Audit Committee subject to Council's approval. In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the external members present.
- (h) A quorum will be a simple majority of the voting members of the Committee, including at least two (2) independent members.
- (i) The Chief Executive Officer and internal auditor (whether a member of staff or contractor) should attend all meetings, except when the Committee chooses to meet without management in attendance. Other members of Council or Council staff may be invited to attend at the discretion of the Committee to advise and provide information when required.
- (j) Representatives of the external auditor should be invited to attend at the

discretion of the Committee but **must** attend meetings considering the draft annual financial report and results of the external audit.

- (k) Council shall provide secretarial and administrative support to the Committee.
- (l) Induction of new members – any prospective new committee members should be provided with a copy of the audit committee’s charter and with the following documentation:
  - Council plan;
  - Annual report;
  - Key financial reporting policies, including related-party issues; and
  - Current council plan performance report.
- (m) It is expected that all members will attend 100 percent of Committee meetings per annum (as per the Victorian Government’s Appointment and Remuneration guidelines). Should independent members not be able to attend at least 75 percent of meetings per annum, they will be required to resign their position unless exempted by Council on recommendation of the Committee, based on reasonable grounds.

### **Annual Agenda**

- (n) An annual agenda including schedule of meeting dates will be developed and agreed to by the members. As an indicative guide, meetings would be arranged to coincide with relevant Council reporting deadlines, for example to coincide with the approval of the Council Plan, annual plans and budgets and in August to coincide with the finalisation of the financial statements and the draft annual report to the Minister.

The Committee shall meet at least quarterly.

Additional meetings shall be convened at the discretion of the Chairperson or at the written request of any member of the Committee, internal or external auditor.

All meetings of the Committee shall be conducted in accordance with Council’s Governance Local Law No. 2, 2014.

### **Reporting**

- (o) The Audit Committee shall after every meeting forward the minutes of that meeting to the next ordinary meeting of the Council, including a report explaining any specific recommendations and key outcomes.
- (p) The Committee shall report annually to the Council summarising the activities of the Committee during the previous financial year. This report shall include details of attendance of each member of the Committee throughout the previous 12 months.

### **Duties and Responsibilities**



- (q) The following are the duties and responsibilities of the Audit Committee in pursuing its Charter:
- (i) To review the scope of the internal audit plan and program and the effectiveness of the function. This review should consider whether, over a period of years the internal audit plan systematically addresses:
    - internal controls over significant areas of risk, including non- financial management control systems;
    - internal controls over revenue, expenditure, assets and liability processes;
    - the efficiency, effectiveness and economy of significant
    - Council programs; and
    - compliance with regulations, policies, best practice guidelines, instructions and contractual arrangements.
  - (ii) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or Chief Executive Officer.
  - (iii) Review the level of resources allocated to internal audit and the scope of its authority.
  - (iv) Review reports of internal audit and the extent to which Council and management respond to matters raised by internal audit, by monitoring the implementation of recommendations made by internal audit.
  - (v) Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs.
  - (vi) Critically analyse and follow up any internal or external audit report that raises significant issues relating to risk management, internal control, financial reporting and other accountability or governance issues, and any other matters relevant under the Committee's terms of reference. Review management's response to, and actions taken as a result of the issues raised.
  - (vii) Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
  - (viii) Monitor ethical standards and related party transactions by determining whether the systems of control are adequate.
  - (ix) Review Council's draft annual financial report, focusing on:
    - accounting policies and practices;

- changes to accounting policies and practices;
  - the process used in making significant accounting estimates; significant adjustments to the financial report (if any) arising from the audit process;
  - compliance with accounting standards and other reporting requirements;
  - significant variances from prior years.
- (x) Recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the financial report is signed.
- (xi) Discuss with the external auditor the scope of the audit and the planning of the audit.
- (xii) Discuss with the external auditor issues arising from the audit, including any management letter issued by the auditor and the resolution of such matters.
- (xiii) Review procurement practices against best practice and legislation and advise Council.
- (xiv) Review the annual performance statement and recommend its adoption to Council.
- (xv) Review issues relating to national competition policy, financial reporting by Council business units and comparative performance indicators.
- (xvi) Identify and refer specific projects or investigations deemed necessary through the Chief Executive Officer, the internal auditor and the Council if appropriate. Oversee any subsequent investigation, including overseeing of the investigation of any suspected cases of fraud within the organisation.
- (xvii) Monitor the progress of any major lawsuits facing the Council.
- (xviii) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that are within the parameters of the Committee's terms of reference.
- (xix) The Audit Committee in conjunction with Council and the Chief Executive Officer should develop the Committee's performance indicators.
- (xx) Receiving mandatory quarterly financial statements.
- (xxi) Review key policies impacting the effectiveness of Council's governance framework, including the Code of Conduct, Fraud Prevention & Control Policy, Protected Disclosures Policy, etc.

- (r) The Audit Committee, through the Chief Executive Officer and following authorisation from Council, and within the scope of its responsibilities, may seek information or obtain expert advice on matters of concern.

## **Review**

- (s) The audit committee shall be subject to a periodic review, including a review by the Council and the completion of a self-assessment program. The reviews should include the following:
- Obtaining feedback on the committee's performance and operations from key people such as the external auditor, the internal auditor, and senior financial and other management staff.
  - Obtaining feedback from the Council on the effectiveness of the committee.
  - Assessing the performance of the audit committee against its terms of reference.
  - Assessing the contribution of individual committee members (review to be completed by the committee's chairperson) and the chairperson (review by committee members), for discussion with the Mayor.

### **3. MISUSE OF POSITION**

In accordance with section 76D of the *Local Government Act 1989* as amended (the Act), members must not misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or to cause, or attempt to cause, detriment to the Council or another person.

### **4. CONFLICT OF INTEREST**

In accordance with Section 79 of the Act, members are required to disclose all conflicts of interest and may not be eligible to vote on a matter or attend a meeting at which the subject of the conflict will be considered, depending on the nature of the conflict. Members are expected to be aware of the provisions of the Act with regard to conflicts of interest and disclosure thereof. Failure to comply with the provisions of the Act with regard to conflicts of interest may result in the member's appointment being terminated.

### **5. CONFIDENTIALITY**

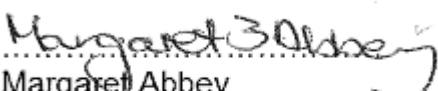
All members are expected to be aware of their responsibilities with regard to the confidentiality of information about Council's affairs pursuant to Section 77 of the Act. Failure to comply with the provisions of the Act with regard to confidentiality may result in the member's appointment being terminated.

## 6. ATTACHMENTS

The Council has attached the following documents or copies of the document to this Charter.

- Governance Local Law 2, 2014

The Audit Committee Charter was endorsed by the Murrindindi Shire Council on 24 May 2017.

  
Margaret Abbey  
CHIEF EXECUTIVE OFFICER