

Agenda

Special Meeting of Council

1:00pm, Wednesday 11 September 2024
Council Chamber, Tallangatta Council Office
32 Towong Street, Tallangatta, Victoria

Our Community Vision

Towong Shire will be the ideal place to be: welcoming, vibrant and diverse communities with quality facilities and services.

This information is available in alternative formats on request

**Agenda for the Special Meeting of Council to be held at
32 Towong Street, Tallangatta, Victoria
on Wednesday 11 September 2024 commencing at 1:00pm**

Commonly Used Acronyms

Abbreviation	Title
Council Officers	
CEO	Chief Executive Officer
DIE	Director Infrastructure and Environment
DCP	Director Community and Planning
DCOD	Director Corporate and Organisational Development
MF	Manager Finance
SAE	Senior Asset Engineer
Government/Organisation	
CH	Corryong Health (formerly Upper Murray Health and Community Services)
DFFH	Department of Families, Fairness and Housing
DJSIR	Department of Jobs, Skills, Industry and Regions
DTP	Department of Transport and Planning
DEECA	Department of Energy, Environment and Climate Action
GMW	Goulburn Murray Water
HRGLN	Hume Region Local Government Network
MAV	Municipal Association of Victoria
NECMA	North East Catchment Management Authority
NERPEN	North East Regional Procurement Excellence Network
NEW	North East Water
NEWRRG	North East Waste and Resource Recovery Group
RCV	Rural Councils Victoria
RDA	Regional Development Australia
RDV	Regional Development Victoria
THS	Tallangatta Health Service
VGC	Victorian Grants Commission

Table of Contents

1 Opening Prayer.....	4
2 Councillor and Officer Presence at the Meeting	4
3 Apologies and Granting of Leave of Absence.....	4
4 Disclosure of Conflicts of Interest	4
5 Organisational Improvement.....	6
5.1 Chief Executive Officer - Annual Performance Review (Mayor)	6
5.2 Unreasonable Customer Conduct Policy Adoption (DCOD)	7
6 Community Wellbeing	12
6.1 Rowen Park Sports Oval Lighting Project Tender Evaluation - 2024/25-010 (CEO)	12
6.2 Municipal Health and Wellbeing Plan 2021-2025 Review (CEO)	17
7 Land Use Planning	21
7.1 Hillcrest Avenue Bellbridge - Development Plan - 2024-019 (CEO).....	21
8 Council Policies	28
8.1 Election Period Policy Review	28
9 Closure of Meeting	29

1 Opening Prayer

"Almighty God, we ask that you be present at this meeting to assist us in our service to the Community through Local Government.

We pray that our decisions will be wise and taken with goodwill and clear conscience.

Amen."

2 Councillor and Officer Presence at the Meeting

Councillor Attendance

Crs Whitehead, Anderson, Scales, Wortmann and Dikschei

Officer Attendance:	Title:
Ms Phelps	Chief Executive Officer
Ms Taylor	Director Corporate and Organisational Development

3 Apologies and Granting of Leave of Absence

4 Disclosure of Conflicts of Interest

Section 130 of the Act requires that a 'Relevant person' (which means a person who is a Councillor, a member of a delegated committee who is not a Councillor or a member of Council staff) disclose any conflict of interest in the manner required by Council's Governance Rules and exclude themselves from the decision making process in relation to the matter including any discussion or vote on the matter at any Council meeting.

Council's *Governance Rules* state as follows:

A2 Obligations with regards to conflict of interest

Councillors, members of delegated committee, and Council staff are required to:

- a. Avoid all situations which may give rise to conflicts of interest;*
- b. Identify any conflicts of interest; and*
- c. Disclose or declare all conflicts of interest.*

A3 Disclosure of a conflict of interest at a Council meeting

A Councillor who has a conflict of interest in a matter being considered at a Council meeting at which he or she:

A3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Council meeting immediately before the matter is considered; or

A3.2 intends to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:

A3.2.1 advising of the conflict of interest;

A3.2.2 explaining the nature of the conflict of interest; and

A3.2.3 detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:

a. name of the other person;

b. nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

c. nature of that other person's interest in the matter, and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Council meeting immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

5 Organisational Improvement

5.1 Chief Executive Officer - Annual Performance Review (Mayor)

The report was not available at the time of preparing the agenda. The Mayor will circulate the report prior to the meeting and speak to the report at the meeting.

5.2 Unreasonable Customer Conduct Policy Adoption (DCOD)

Disclosure of Interests (S.130):

This report was prepared by Mr Justin Troy, Coordinator Governance and Compliance.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to present the *Unreasonable Customer Conduct Policy* for adoption.

Summary:

Council has a responsibility to maintain a workplace which protects the health, wellbeing and safety of staff and persons involved with the organisation, including Councillors, volunteers and contractors. There is also an expectation that Council utilises ratepayer funded resources, including staff, in an efficient and reasonable manner.

The *Unreasonable Customer Conduct Policy* articulates Council's commitment to protecting those involved with our organisation and sets out how Council will respond to unreasonable customer behaviour and ensure that fair and transparent processes are followed.

Recommendation:

That the *Unreasonable Customer Conduct Policy* be adopted, with the Chief Executive Officer authorised to make minor administrative changes where necessary.

Attachment:

1. Unreasonable Customer Conduct Policy DRAFT [5.2.1 - 8 pages]

Background/History:

Council is committed to providing high quality service to all customers who access our services and request information or assistance. It is recognised that all community members have a right to ask questions, express opinions and submit complaints, however there must also be a balance with respect to the rights of

employees and Councillors, including safety and respect at work.

Unreasonable customer conduct towards Council staff has been identified as an increasing workplace risk and negatively impacts the mental health and wellbeing of the staff involved, workplace culture and satisfaction, as well as retention of quality staff within the organisation. It has also been identified that unreasonable customer conduct can lead to a disproportionate allocation of ratepayer funded resources (such as staff) to address insignificant or unreasonable matters. This in turn impacts the ability of Council to provide fair and equitable services for all customers.

A consistent, fair and transparent approach in responding to unreasonable customer conduct is necessary to ensure the rights and responsibilities of both staff and customers are considered. This can be achieved through the deployment of a policy which identifies what conduct is unreasonable, how it can be identified and the process for effectively addressing it. Clear and practical guidelines can then be developed to promote a consistent approach towards implementing the policy.

The *Unreasonable Customer Conduct Policy* intends to contribute towards achieving the following objectives:

- Ensure the health, safety and wellbeing of those employed or involved with Towong Shire Council (Council);
- Ensure Council services and resources are fair and equitable for all customers;
- Identify what constitutes unreasonable customer conduct; and
- Ensure those employed or involved with Council feel supported in taking appropriate action to manage unreasonable customer conduct.

Unreasonable behaviour from customers is not productive for either the Council or our ratepayers and residents. Our staff strive to provide high quality services for the community and expect that they be treated with respect in return. There is never an acceptable circumstance to disrespect, abuse or threaten Councillors or staff, or any other people who are involved with our organisation.

Relevant Law (s.9(2)(a)):

Council has a responsibility to ensure health and safety as follows:

Occupational Health and Safety Act 2004

Section 21 – Duties of employers to employees

- *An employer must, so far as is reasonably practicable, provide and maintain for employees of the employer a working environment that is safe and without risks*

to health.

Section 5 – Definitions

- *“health” includes psychological health*

The Chief Executive Officer has the power to implement policies and procedures as follows:

Local Government Act 2020

Section 46 – Functions of the Chief Executive Officer

- *A Chief Executive Officer is responsible for—*
 - (b) ensuring the effective and efficient management of the day to day operations of the Council.*

Options – Best Outcomes for the Community (s.9(2)(b)):

The best outcomes for the community are for Council to have employees who feel safe and engaged in their work, and as a result work to the best of their ability to provide great service to ratepayers. This policy is intended to achieve that outcome.

Sustainability Implications (s.9(2)(c)):

Not applicable.

Community Engagement (s.9(2)(d)):

This is an internal operational policy, and community engagement is not considered necessary.

Innovation and Continuous Improvement (s.9(2)(e)):

The Policy aims to continuously improve processes in protecting the health, wellbeing and safety of staff, as well as ensure ratepayer funded resources are being utilised in a fair and equitable manner.

Collaboration (s.9(2)(f)):

In preparing the policy officers have referred to the policies that other Councils have in place.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

Not applicable.

Council Plans and Policies:

Council Plans:

This report supports the following Council Plan 2021-2025 priorities.

6. Organisational Improvement - Maintain a high performing customer-centred organisation that works with the community to develop and deliver priorities.

6.7 Provide a safe and healthy workplace for all Councillors and staff in a continually evolving environment

Council Policies:

Council currently does not have a policy to guide staff in how to deal with customer conduct that is unacceptable. This policy will provide this guidance.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Considering the impact unreasonable behaviour from customers has on the health, wellbeing and safety of staff, which is being highlighted across the entire local government sector, mechanisms that support staff through effective processes are beneficial in mitigating such associated risks. The Policy does not prevent customers from being able to contact Council or prevent municipal services from being delivered, but rather identifies when conduct is posing a risk to the organisation or staff and facilitates the mitigation of the risk from continuing.

Officer's View:

It is the officer's view that the *Unreasonable Customer Conduct Policy* will be an

effective mechanism to ensure our staff are supported and that our resources are not being disproportionately utilised on unreasonable matters. It is important that a policy and subsequent guidelines be implemented to demonstrate our commitment towards serving our communities to a high standard, whilst also acknowledging unreasonable conduct from customers will not be tolerated and providing a clear consistent approach to addressing any such behaviour.

6 Community Wellbeing

6.1 Rowen Park Sports Oval Lighting Project Tender Evaluation - 2024/25-010 (CEO)

Disclosure of Interests (S.130):

This report was prepared by Mrs Miranda Mouat, Co-ordinator Recreation and Community Development.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to provide information to support the assessment of tender submissions for the Rowen Park Sports Oval Lighting Project. The report seeks approval to appoint the recommended contractor.

Summary:

This report demonstrates the tender process followed for the procurement of a suitable contractor to undertake the installation of Sports Oval Lighting at Rowen Park, Tallangatta, and provides a recommendation for the appointment of a contractor to undertake these works.

Recommendation:

That:

1. Contract No. 2024/2025-010 Sports Oval Lighting Project at Rowen Park, Tallangatta, be awarded to Positive Electrical Services for the lump sum of \$328,890 excluding GST;
2. The Chief Executive Officer be authorised to sign and seal Contract No. 2024/25-010 in accordance with Local Law 1 – Common Seal and Miscellaneous Penalties; and
3. The Chief Executive Officer be authorised to approve contract variations up to the value of the total allocated project budget.

Attachment:

A comparative tender evaluation for Contract No. 2024/25-010 has been provided to Councillors prior to the meeting.

Background/History:

The Sports Oval Lighting project will deliver vastly improved lighting infrastructure at the Rowen Park Recreation Reserve for the benefit of the Tallangatta and wider community. The new lighting infrastructure will incorporate the use of energy saving LED technology to achieve 300 lux standard lighting, meeting both AFL and Cricket Victoria facilities standards for competition lighting.

The current lighting infrastructure at Rowen Park Recreation Reserve places significant limitations on the usage of this important community facility. The existing light towers are over 30 years old and 15 metres high, providing limited lighting to less than half the sports oval. The current light levels do not meet the recommended sporting industry standards for training and are certainly below the preferred facilities guidelines for practice and competition matches.

This project was developed through strong partnerships between Council, Rowen Park Recreation Reserve Committee of Management, and the local community groups who use Rowen Park for sporting and other activities. Broad community consultation was undertaken in the development of the project.

Council was awarded grant funding of \$250,000 in May 2024 from the Victorian Government for support delivery of this project. The funding was received through Sport and Recreation Victoria's Local Sporting Infrastructure Fund.

Relevant Law (s.9(2)(a)):

The *Local Government Act 2020* Section 109 states:

"A Council must comply with its Procurement Policy before entering into a contract for the purchase of goods or services or the carrying out of works".

The procurement process followed for this tender and the subsequent assessment and recommendation have been undertaken in accordance with Council's Procurement Policy adopted in June 2023.

Options – Best Outcomes for the Community (s.9(2)(b)):

In terms of achieving the best outcome for the municipal community, including

future generations, two options are proposed for consideration:

Option 1 – Approve the tender as presented and award Contract No. 2024/25-010 to Positive Electrical Services.

Option 2 – Retender the works. This will impact project timelines significantly due to Council being in Caretaker mode during September and October, and accordingly is not recommended as providing the best outcome for the Community.

Sustainability Implications (s.9(2)(c)):

Economic

This project will use local contractors providing a positive impact on the local economy.

Social

The successful completion of this project will significantly improve opportunities for sporting and recreation activities, and community events for the local community and visitors alike.

Community Engagement (s.9(2)(d)):

The Sports Oval Lighting project was developed through strong partnerships between Council, Rowen Park Recreation Reserve Committee of Management, and the local community groups who use Rowen Park for sporting and other activities. The final project design and delivery will realise the aspirations of the community. Council will maintain contact and engagement with the Committee of Management throughout the construction phase of this project.

Innovation and Continuous Improvement (s.9(2)(e)):

This project will deliver vastly improved lighting infrastructure at the Rowen Park Recreation Reserve for the benefit of the Tallangatta and wider community. The new lighting infrastructure will incorporate the use of energy saving LED technology to achieve 300 lux standard lighting.

Collaboration (s.9(2)(f)):

This project has demonstrated excellent collaboration between Council, State Government via Sport and Recreation Victoria, and the local community, to achieve a positive outcome.

Financial Viability/Budget Impact (s.9(2)(g)):

Budget requirements and availability have been confirmed, grant funding has been sought where possible and all expenditure is being monitored and managed within agreed budget allocations. In addition, the newly constructed asset will be owned by the CoM for Rowan Park, so ongoing costs will not be borne by Council.

Regional, State and National Plans and Policies (s.9(2)(h)):

No regional, state or national plans and policies need to be considered in strategic planning and decision making through this report.

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

2. Community Wellbeing - Encourage and support all people in our Shire to be healthy, happy, connected and resilient.

2.4 Support the development of recreational activities and infrastructure to encourage active lifestyles for all ages and stages

Council Policies:

Procurement Policy

The procurement process followed for this tender and the subsequent assessment and recommendation have been undertaken in accordance with Council's Procurement Policy adopted in June 2023.

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public. The tender evaluation report has been distributed to Councillors prior to the meeting, as it contains confidential information, being:

Local Government Act 2020 S3 (g): private commercial information, being information provided by a business, commercial or financial undertaking that:

- i. relates to trade secrets; or*
- ii. if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;*

Risk Assessment:

The project design and development, and the tender stage, have included strong risk management assessment. The due diligence exercised through the evaluation process has served to mitigate any significant risks associated with project construction.

A risk for this project is the time frame available to spend the allocated grant funding. This risk will be mitigated through active management of project implementation and supervision of the contractor.

The appointment of an experienced contractor with strong referrals will facilitate the project being as low risk as possible.

Officer's View:

It is the officer's view that the awarding of Contract No. 2024/25-010 to Positive Electrical Services for the value of \$328,890 will result in successful project delivery and an excellent outcome for Council and the community. The references provided by Positive Electrical Services in the tender submission demonstrate that they will deliver good value and are a low risk to Council for this project.

6.2 Municipal Health and Wellbeing Plan 2021-2025 Review (CEO)

Disclosure of Interests (S.130):

This report was prepared by Ms Juliana Phelps, Chief Executive Officer.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The report provides an annual summary of the progress toward the priorities detailed in the *Municipal Health and Wellbeing Plan 2021-2025*.

Summary:

The annual review of the *Municipal Health and Wellbeing Plan 2021-2025* demonstrates that good progress has been made against the key priorities outlined in the plan. Some key highlights of progress against the plan over the last year include:

- A draft Reconciliation Action Plan was endorsed by Council and submitted to Reconciliation Australia for its endorsement
- IDAHOBIT Day events were successfully staged in Tallangatta and Corryong
- Staff have participated in the Upper Murray Family Violence Network
- A Celebration of Recovery event was held in July 2024
- Continued expansion of recreational facilities and opportunities including creation/upgrades of walking and bike tracks, improved pedestrian footpaths and playgrounds
- Introduction of the new waste service
- Advocacy undertaken in relation to the Albury Hospital development

Recommendation:

That Council note the report.

Attachment:

1. Health and Wellbeing Plan 2021-2025 [6.2.1 - 18 pages]

Background/History:

The *Public Health and Wellbeing Act 2008* (the Act) recognises the significant role of

councils in improving the health and wellbeing of people who live, work, study and play in their municipality. The Act requires councils to develop a municipal public health and wellbeing plan every four years. Towong Shire's *Municipal Health and Wellbeing Plan 2021-2025* was adopted in October 2021. A new Plan will be developed in 2025.

The Act also requires councils to conduct an annual review of the Plan and, if appropriate, amend the plan (s. 26(4)).

Relevant Law (s.9(2)(a)):

Public Health and Wellbeing Act 2008.

Options – Best Outcomes for the Community (s.9(2)(b)):

As detailed in the Annual Review of *Municipal Public Health and Wellbeing Plan Guidance Note*, Council should consider if sufficient progress has been made against the plan and whether changes are required. A review of the progress against the priorities indicates that all agencies are progressing well against the plan and no changes are required to the current priorities.

Sustainability Implications (s.9(2)(c)):

There are several priorities within the *Municipal Health and Wellbeing Plan 2021-2025* that explicitly address the impacts of environmental risks and climate change. Progress has been made against these priorities throughout the year.

Community Engagement (s.9(2)(d)):

The Act does not explicitly require councils to involve the community in the annual review but does require councils to provide for the involvement of people in the local community in the implementation of the Plan (s. 26(2)(c)). The majority of priorities are delivered alongside extensive community engagement processes.

Innovation and Continuous Improvement (s.9(2)(e)):

The purpose of the *Municipal Health and Wellbeing Plan 2021-2025* is to ensure continuous improvement and innovation is undertaken across the municipality to improve and sustain the general health and wellbeing of the population. The specific improvements and innovations that have occurred during the year concerning the plan include:

- Ongoing implementation of the *Recreation Strategy for Towong Shire 2022-33* to support ongoing improvements and upgrades to all recreational facilities across the municipality;
- Improvements to accessibility and communications for people with disability and/or developmental delays in all kindergartens;
- Maintaining a healthy eating program in all early years centres run by Council to encourage children to develop lifelong healthy behaviours; and
- Delivery of new inclusive playgrounds in all council run kindergartens/early years centres.

Collaboration (s.9(2)(f)):

The plan is developed and implemented in collaboration with the key partners of the Towong Alliance: Corryong Health, Tallangatta Health Service and Walwa Bush Nursing Centre.

Financial Viability/Budget Impact (s.9(2)(g)):

Not applicable.

Regional, State and National Plans and Policies (s.9(2)(h)):

The *Victorian Public Health and Wellbeing Plan 2019-2023* and *Municipal Health and Wellbeing Planning Advice Notes 1 and 2* and *Annual review of Municipal Public Health and Wellbeing Plan Guidance Note* have been considered in the development of and reporting for the *Municipal Health and Wellbeing Plan 2021-2025*.

Council Plans and Policies:

All activities under the *Municipal Health and Wellbeing Plan 2021-2025* also support the delivery of the Council Plan 2021-2025 priorities.

Transparency of Decision (s.9(2)(i)):

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

Not applicable.

Officer's View:

It is the Officer's view that there has been good progress towards achieving the priorities listed in *Municipal Health and Wellbeing Plan 2021-2025* and no changes are required to the current priorities.

7 Land Use Planning

7.1 Hillcrest Avenue Bellbridge - Development Plan - 2024-019 (CEO)

Disclosure of Interests (S.130):

This report was prepared by Mrs Margaret Fox, Contract Planner.

At the time of preparation of this report, the officer did not have a general or material conflict of interest in any matter to which the report or advice relates.

Purpose of Report:

The purpose of this report is to seek Council's direction in this matter.

Summary:

Council received an application to approve a Development Plan for the land at Hillcrest Avenue Bellbridge. The land is within the Township Zone and subject to the Development Plan Overlay Schedule 2. The purpose of a Development Plan is *'to identify areas which require the form and conditions of future use and development to be shown a development plan before a permit can be granted to use or develop the land.'*

The application was accompanied by a range of reports in relation to Road Layout, Traffic Movement, Native Vegetation Removal, Bushfire Hazard, Connectivity and Movement, Drainage and Landscaping. The land is steep with part of the land having a gradient of 39%. A review of the proposed development plan has been undertaken. A request has been made for a geotechnical report demonstrating that the land can be developed without contributing to erosion or landslip. Revised plans have also been requested to show compliance with the Traffic Impact Assessment and the gradient, width and length of all court ends that demonstrate compliance with Council requirements. No formal request for further information was made. Council's officer has attempted to work collaboratively with the applicant to resolve the limitations of the site and achieve an outcome that would provide the community of Bellbridge with a quality development. The reports and amended plans have not been submitted to Council.

The application has been referred to North East Water, AusNet Services, Country Fire Authority, Goulburn Murray Water, Telstra and Council's Infrastructure Department. Not all the referral authorities have provided their feedback. North East Water identified that the the plan was inadequate.

Due to the above no advertising to affected parties has been undertaken.

The officer has made attempts to contact the applicant to resolve the outstanding issues to progress the application, without success.

The information provided in the application is insufficient, and it is the officer's opinion that the application cannot be supported in its current form.

The applicant has made an application under Section 149(1)(a) of the Planning and Environment Act 1987 for failure to make a decision. The decision on this planning application now sits with VCAT and Council are required to determine its position.

Recommendation:

That Council resolves if it were to decide on the application in its current form it would determine to refuse the application on the following basis:

That:

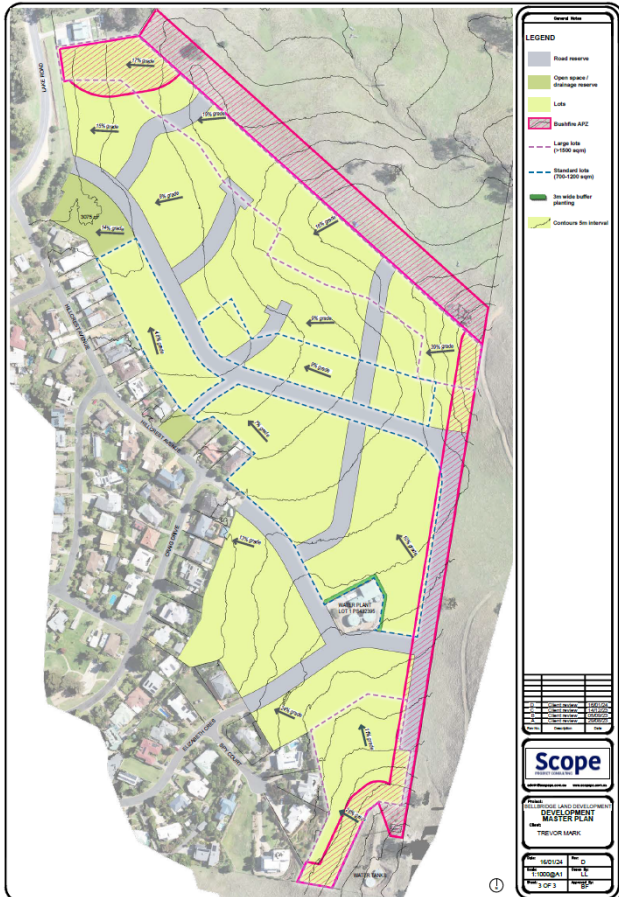
1. there is insufficient information to decide the application, particularly in relation to slope and drainage;
2. the application has not been advertised to affected parties;
3. the CFA have not responded to the proposal; and
4. this is the position of Council and the position be communicated to VCAT.

Attachment:

Nil

Background/History:

An application was received for the approval of a Development Plan for the land at Hillcrest Avenue Bellbridge. The land is an irregular shaped allotment of 26.48ha split over two zones. The development plan applies to the southern portion of the land that is zoned Township and consists of approximately 14ha. The land rises approximately 50m from Lake Road extending approximately 400m to the eastern boundary. The land becomes steeper towards the eastern boundary with some sections having a 39% slope.



Clause 43.04-2 specifies the requirements detailed in the Schedule to the Overlay are met. Schedule 2 dot point 4 states that a development plan must include:

- Describe the relationship of uses proposed on the land to existing and proposed uses on adjoining land and identify any proposed buffer areas to separate them.

This has been provided. North East Water have responded to our referral and have stated that they do not consider the access to the water treatment plant and high-level water supply tanks is adequate.

- Identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed.

No sites of conservation, heritage or archaeological significance have been identified on the land.

- Provide appropriate arrangements for the provision and funding of necessary physical and social infrastructure.

The applicant has not proposed any physical and social infrastructure. A drainage reserve is proposed to be created to the west of the land abutting Lake Road. This reserve cannot be considered as public open space.

- *Identify the staging and anticipated timing of development.*

No staging plan has been included as part of the proposal.

- *Provide an overall scheme of landscaping and any necessary arrangements for the preservation or regeneration of existing vegetation.*

This has been supplied and a biodiversity report has been prepared. Any subsequent planning permit application for the subdivision of the land will include an assessment of any native vegetation proposed to be removed.

- *Provide suitable linkages between the site using road, bicycle and pedestrian transport facilities to township areas.*

The development plan proposes to extend Hillcrest Avenue and Elizabeth Crescent. These two roads are proposed to intersection giving the water treatment plan two frontages. A road is proposed from Lake Road running east across the land. A pedestrian access from this road is proposed to lead into Hillcrest Avenue. Another road further to the east will connect Hillcrest Avenue and the proposed internal road. It is also proposed to create a road along the eastern boundary to provide a buffer with the land to the east which is zoned Rural Activity Zone. The proposal also includes two courts. The applicant has not identified that these courts will be of suitable dimensions to allow for waste collection trucks to turn without reversing.

- *Provide a Soil and Water Management Plan (SWMP) to demonstrate the capacity of infrastructure to service the development, treat and retard stormwater, and reduce any impacts on soil and water downstream of the proposed development. Reference must be made to the publication – Soil and Water Management Guidelines for Subdivision, publication prepared jointly by Albury, Hume, and Wodonga Councils, undated.*

A drainage strategy has been developed and was included in the application however the applicant has not provided any Soil Management Plan. A request has been made to provide a geotechnical report as evidence that the steep slopes are suitable for any future development.

Clause 02.03-3 requires consideration of Environmental Risks and Amenity and aims to avoid development of steep land that does not respond to site characteristics and environmental conditions. The applicant has not addressed this clause and has requested that the submission of a geotechnical report be deferred to the subdivision application.

The application was referred to the CFA who have not provided any response.

The application has not been notified to adjoining or surrounding landowners.

Relevant Law (s.9(2)(a)):

Planning & Environment Act 1987

Options – Best Outcomes for the Community (s.9(2)(b)):

The site offers potential for the future population growth and could accommodate an increase in housing diversity within the Township of Bellbridge and is consistent with Clause 02.03 of the Towong Planning Scheme.

An application that satisfies the requirements of Clause 43.04-2 could be supported to achieve the strategic objectives for Bellbridge.

Sustainability Implications (s.9(2)(c)):

All planning decisions should ensure the long-term sustainability of new housing, including access to services, infrastructure, walkability to activity centres, and open space. The application in its current form does not meet these requirements.

Community Engagement (s.9(2)(d)):

Council has not commenced community engagement as it is not in a form that Council could support.

Innovation and Continuous Improvement (s.9(2)(e)):

Not applicable.

Collaboration (s.9(2)(f)):

Not applicable.

Financial Viability/Budget Impact (s.9(2)(g)):

The public assets created by the proposed development will pass to Council and it is incumbent on Council to ensure that all assets it takes over are fit for purpose and do not place an onerous burden on Council to maintain. Supporting the application in its current form may expose Council to inheriting assets at risk of being impacted by erosion and landslip.

Regional, State and National Plans and Policies (s.9(2)(h)):

Towong Planning Scheme

- Clause 02.03 Municipal Planning Strategy – Strategic Direction
- Clause 11.01-1L-01 Planning Policy Framework – Settlement – Bellbridge

Council Plans and Policies:

Council Plans:

This report supports the following *Council Plan 2021-2025* priorities.

2. Community Wellbeing - Encourage and support all people in our Shire to be healthy, happy, connected and resilient.

2.9 Advocate for the development of a variety of housing options to match community needs, particularly for older people

Transparency of Decision (s.9(2)(i)) :

It is the officer's view that it is appropriate to consider this matter in a Council meeting that is open to the public.

Risk Assessment:

The officer considers the Approval of the Development Plan without both the CFA referral response and a geotechnical report demonstrating that the land can be developed without contributing to erosion or landslip, to be an unacceptable risk in regard to future development of the land.

As outlined above, Clause 02.03-3 of the Planning and Environment Act requires consideration of Environmental Risks and Amenity and aims to avoid development of steep land that does not respond to site characteristics and environmental conditions. The land is steep with part of the land having a gradient of 39%.

Revised plans have also been requested to show compliance with the Traffic Impact Assessment and the gradient, width and length of all court ends that demonstrate compliance with Council requirements and this information has not been provided.

Officer's View:

It is the Officer's view that the application in its current form should be refused on the following basis:

1. there is insufficient information to decide the application, particularly in relation to slope and drainage;

2. the application has not been advertised to affected parties;
3. the CFA have not responded to the proposal; and
4. North East Water have advised that the access to the water treatment plant and high level water tanks is inadequate.

8 Council Policies

8.1 Election Period Policy Review

The following policy is being tabled for adoption:

- Election Period Policy

Council's Election Period Policy is located at Chapter 9 within the Governance Rules. As per section 60(3) of the *Local Government Act 2020*, Council may amend its Governance Rules.

The 2024 Local Government Elections will be held in October 2024, prompting a review of the Election Period Policy. A briefing was provided to Council on the Policy and subsequent Guidelines, as well as an opportunity to provide feedback towards any amendments required to the Policy (and therefore the Governance Rules).

Attachment:

1. Election Period Policy [8.1.1 - 18 pages]

Recommendation:

That the updated Election Period Policy be noted and endorsed, with the Chief Executive Officer authorised to make minor administrative changes where necessary.

9 Closure of Meeting

Special Council Meeting - 11 September 2024 Attachments

5.2 Unreasonable Customer Conduct Policy Adoption (DCOD).....	2
5.2.1 Unreasonable Customer Conduct Policy DRAFT.....	2
6.2 Municipal Health and Wellbeing Plan 2021-2025 Review (CEO).....	10
6.2.1 Health and Wellbeing Plan 2021-2025.....	10
8.1 Election Period Policy Review.....	28
8.1.1 Election Period Policy.....	28



Unreasonable Customer Conduct Policy

Responsible officer:	Manager People and Customer
Key Result Area:	Organisational Improvement
Document type:	Operational Policy
Reference:	(Enter Records Management Reference)
Approved by:	Council
Date approved:	(Enter Date approved)
Date of next review:	(Enter Date for next scheduled review)

Contents

1. Purpose.....	2
2. Scope.....	2
3. Objectives.....	2
4. Policy Details.....	2
4.1 Statement on Unreasonable Customer Conduct.....	2
4.2 Defining Unreasonable Customer Contact.....	3
4.2.1. Unreasonable Demands.....	3
4.2.2. Unreasonable Persistence.....	3
4.2.3. Unreasonable Arguments.....	4
4.2.4. Lack of Cooperation.....	4
4.2.5. Unreasonable Behaviour.....	4
4.3 Managing Unreasonable Customer Conduct.....	5
4.3.1. Who they have contact with.....	5
4.4 Periodic reviews of Unreasonable Customer Conduct cases.....	6
4.5 Training and Awareness.....	6
4.6 Documentation and Reporting.....	6
5. Responsibilities.....	7
6. Human Rights.....	7
7. Relevant Legislation and Policies.....	7
8. Definitions.....	8



1. Purpose

This policy aims to assist Council employees with the management of unreasonable customer conduct. In addressing unreasonable customer conduct, it is Council's priority to ensure Council resources are being utilized effectively and the health, safety and wellbeing of all persons involved are protected.

2. Scope

This policy applies to the management of unreasonable customer conduct and those adversely affected by unreasonable customer conduct as defined in this policy.

This includes customers, Council employees, Councillors, volunteers, and contractors of Towong Shire Council

3. Objectives

This policy aims to:

- Ensure the health, safety and wellbeing of those employed or involved with Towong Shire Council (Council);
- Ensure Council services and resources are fair and equitable for all customers;
- Identify what constitutes unreasonable customer conduct; and
- Ensure those employed or involved with Council feel empowered and supported in taking appropriate action to manage unreasonable customer conduct.

4. Policy Details

4.1 Statement on Unreasonable Customer Conduct

Council is committed to providing high quality service to all customers who contact us to utilise our services, request information or assistance or make a complaint. We recognise that all community members have a right to ask questions, express opinions, and submit complaints. However, there must also be a balance with respect to the rights of employees and Councillors, including safety and respect.

This policy establishes Council's commitment to taking a proactive and decisive approach in managing all conduct that negatively impacts those involved with Council. Such negative impacts may reduce our ability to assist customers, allocate resources fairly or maintain the our obligation to maintain a workplace which protects the health, safety and wellbeing of Council employees and Councillors, as required under the *Occupational Health and Safety Act 2004*.

The impacts of encountering unreasonable customer conduct do not benefit the Towong Shire community, or those involved with Council and can have lasting negative outcomes if not managed appropriately.



4.2 Defining Unreasonable Customer Contact

Unreasonable customer conduct is any behaviour which, due to its nature or frequency, raises substantial health, safety, resource or equity issues for those involved with Council, other service users and customers or the customer themselves.

Unreasonable customer conduct can be broken down into five (5) categories:

1. Unreasonable demands
2. Unreasonable persistence
3. Unreasonable arguments
4. Lack of cooperation
5. Unreasonable behaviour

4.2.1. Unreasonable Demands

Unreasonable demands are demands (both express or implied) that are made by a customer that have an unreasonable or disproportionate impact on the Council, employees, services and/or resources.

Some examples of unreasonable demands include the following:

- Insisting on outcomes that are not possible or appropriate in the circumstances.
- Demanding services that are of a nature or scale that cannot be provided.
- Providing instructions/demands about how a request or complaint should be handled, the priority it should be treated as or the expected outcome.
- Insisting on a moral outcome, for example, justice in the community interest, when a personal interest is clearly at stake.
- Demanding on talking to the Councillors, or Chief Executive Officer when it is not appropriate or warranted.

4.2.2. Unreasonable Persistence

Unreasonable persistence is continued and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on the Council, employees, services and/or resources.

Some examples of unreasonable persistence include the following:

- Persistently contacting the Council about the same matter when it has been reasonably considered and dealt with.
- An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.
- Contacting the Council with multiple requests about a range of issues, whether related or not, which accumulatively require an unreasonable or disproportionate allocation of Council resources.
- Contacting Council about a matter over which Council has no jurisdiction to intervene or act on.
- Continuously contacting employees with phone calls, visits, letters, or emails after repeatedly being asked not to do so.



4.2.3. Unreasonable Arguments

Unreasonable arguments include any arguments that are not based on reason or logic, that are incomprehensible, false or inflammatory, trivial and that unreasonably impact upon the Council, employees, services and/or resources.

Arguments will be considered unreasonable when they:

- Fail to follow a logical sequence.
- Lead a customer to reject all other valid and contrary arguments.
- Are trivial when compared to the amount of time, resources and attention that the customer demands.
- Are false, inflammatory or defamatory.

4.2.4. Lack of Cooperation

Unreasonable lack of cooperation is an unwillingness and/or inability by a customer to cooperate with our employees, or request and complaints processes that results in a disproportionate and unreasonable use of our services and/or resources.

Some examples of lack of cooperation include the following:

- Cannot or will not accept that Council is unable to assist them or is unable to provide any further level of service other than that provided already.
- Refusing to define the underlying issues.
- Refusing to follow reasonable instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Displaying unhelpful behaviour such as withholding information, acting dishonestly or misquoting others.

4.2.5. Unreasonable Behaviour

Unreasonable behaviour is conduct that is unreasonable in all circumstances, regardless of how stressed, angry or frustrated a customer is, as it unreasonably compromises the health, safety and wellbeing of those involved with Council, other service users or the customer themselves.

Some examples of unreasonable behaviour include:

- Acts of aggression, verbal abuse, derogatory, racist or grossly defamatory remarks.
- Harassment, intimidation or physical violence.
- Rude, confronting and threatening correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property.

Council has zero tolerance towards any harm, abuse or threats directed towards staff. Any conduct of this kind will be dealt with under this policy, and in accordance with our duty of care and work health and safety responsibilities.



4.3 Managing Unreasonable Customer Conduct

Incidents of unreasonable customer conduct will be managed according to the nature and degree of unreasonable conduct. An incident report is required to be completed for the offending incident and emailed to ohs@towong.vic.gov.au

First instance of misconduct

In the first instance where the conduct is unreasonable but not severe enough to warrant a contact management plan, the first step to manage this is to address the behaviour with the resident and set clear expectations of what is required going forward. This would be done via a letter to the resident, using the template provided in the Appendix to the Guidelines that supplement this policy. The letter will be signed by the CEO.

Repeated/Serious misconduct

If the behaviour in the first instance is so severe or if the behaviour has been addressed formally and yet continues, then Council may implement restrictions, limiting or adapting the ways that Council interacts with, and/or delivers services to customers by restricting:

- Who they have contact with
- What they can raise with Council
- How they can have contact
- Where they can make contact

4.3.1. Who they have contact with

Council may limit a customer to a sole contact point who will exclusively manage their complaint(s) and interactions with the Council.

This is designed to ensure they are dealt with consistently, minimising the chances for misunderstandings, contradictions and manipulation. The allocation of a single point of contact will be based on the most appropriate level of subject matter expertise that is required to manage the customer requests and conduct.

4.3.2. What they can raise with Council

Council may restrict the subject matter of communications that will be considered.

When customers repeatedly send communications that raise trivial or insignificant issues, or that relate to a matter that has already been comprehensively considered and/or reviewed by the Council, we may restrict the subject matter the customer can raise with us or that we will respond to.

4.3.3. How they can have contact

Council may limit when and how a customer can contact Council.

If a customer's contact with Council places an unreasonable demand on our time or resources because it is overly disorganized or voluminous, or affects the health safety, or wellbeing of our staff because it involves behaviour that is persistently rude,



threatening, abusive or aggressive, we may limit when and/or how the customer can interact with us.

Where a caller uses inappropriate language (abusive or threatening) or casts personal aspersions on officers, the caller will be advised that unless they are prepared to speak in a different way, the call will be terminated.

4.3.4. Where they can have contact

Council may limit face to face interactions.

If a customer is violent or overtly aggressive, or is unreasonably disruptive, threatening or demanding, or continues to visit our premises in contravention of an earlier direction, we will consider restricting our face-to-face contact with them.

This action may be implemented through legal processes to formally enforce the necessary measures.

4.4 Periodic reviews of Unreasonable Customer Conduct cases

All active unreasonable customer conduct cases applied under this policy will be reviewed every six months (January and July) by the Senior Management Team. The Senior Management Team has the responsibility and authority to change or restrict a customer's access to Council's services in the circumstances outlined in this policy, based on the outcome of its review.

4.5 Training and Awareness

Council will ensure that all staff are aware of and know how to use this policy along with the Towong Shire Council Unreasonable Customer Conduct Guidelines.

All staff who deal with customers in the course of their work will receive appropriate training on dealing with difficult and/or challenging behaviour to promote awareness and understanding of appropriate techniques and considerations in responding to such instances.

4.6 Documentation and Reporting

In all of the situations referred to in this policy:

- adequate records must be made and maintained on the appropriate file; and
- the employees immediate manager should be kept informed off all interactions with difficult customers.



5. Responsibilities

Responsibility	Role/Position
Responsible for approving Contact Management Plans and facilitating periodic reviews of active cases.	Chief Executive Officer
Responsible for escalating unreasonable customer conduct as per the Towong Shire Council Unreasonable Customer Conduct Guidelines.	Directors
Responsible for overseeing organizational deployment and compliance with this policy. Will identify the need to organizational training and facilitate delivery (ref 4.6).	Manager People and Customer
Responsible for complying with this policy.	All Staff

6. Human Rights

The policy gives regard to relevant legislation, principles of natural justice and procedural fairness, community values and Council's resource capacity. It is considered that this policy supports the rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

7. Relevant Legislation and Policies

This policy should be read in conjunction with all other relevant Council policies and procedures, as well as relevant legislative requirements.

Related legislation includes:

- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2017*

Other related guidelines or policies include:

- *Unreasonable Customer Conduct Guidelines*
- *Complaints Policy*
- *OHS Policy*



8. Definitions

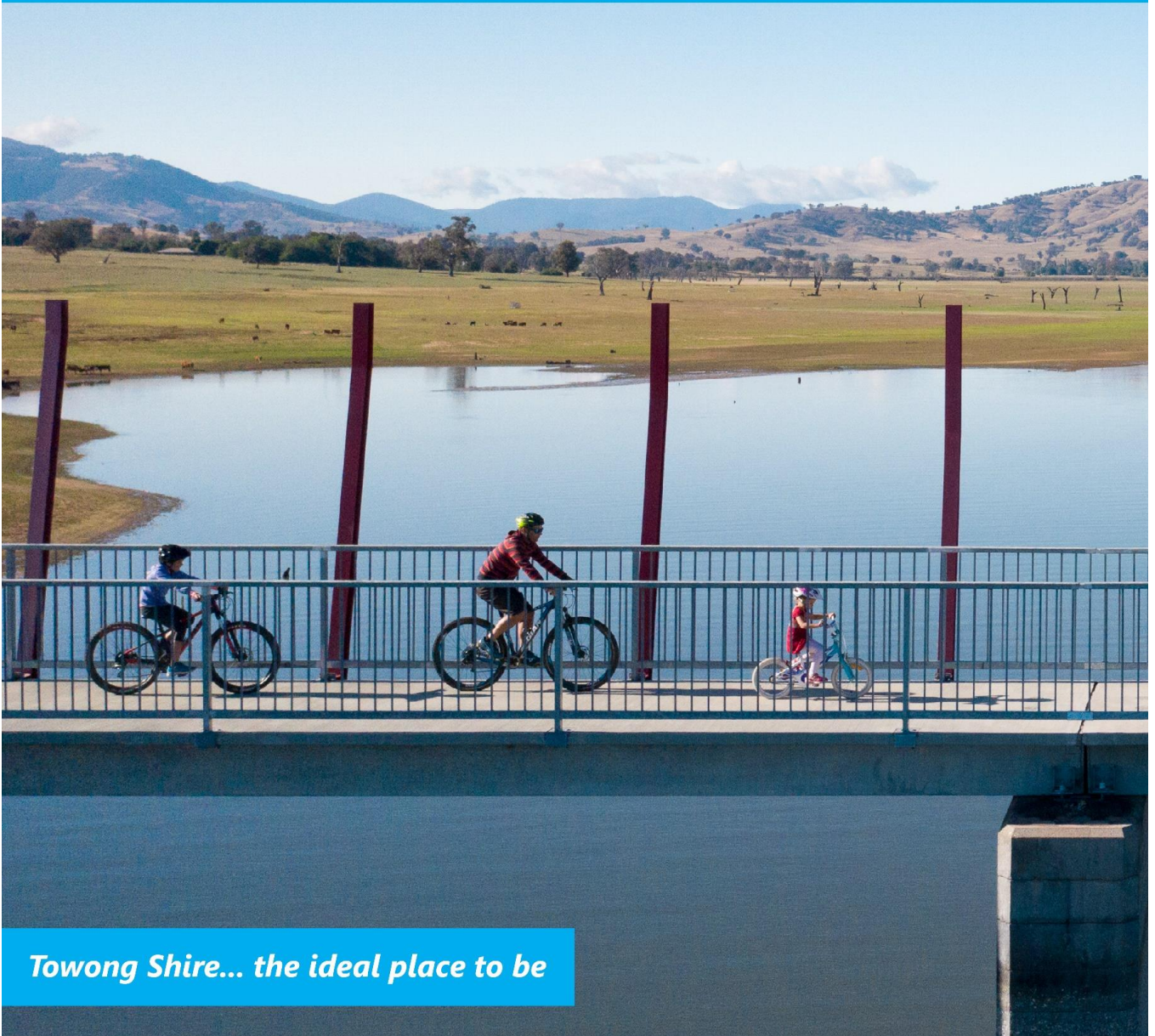
Term	Definition
Health	Occupational health is the promotion and maintenance of physical and mental health of all individuals involved with the organization.
Safety	Occupational safety is the process of protecting employees from work related illness and injury.
Senior Management Team	Consists of all Directors and Chief Executive Officer
Wellbeing	Workplace Wellbeing relates to all aspects of working life, from the quality and safety of the physical environment, to how employees feel about coming to the workplace.

Authorised by:

(Enter approver name)

(Enter approver title)

TOWONG SHIRE COUNCIL HEALTH AND WELLBEING PLAN 2021 - 2025



Towong Shire... the ideal place to be

Front cover image: Sandy Creek Bridge at Lake Hume.

The stunning, architecturally designed Sandy Creek Bridge makes for a spectacular traverse on foot or bicycle across the Sandy Creek inlet to Lake Hume. Adjacent to the bridge are picnic tables and a viewing platform to take in the vast scenery.

The bridge forms a portion of the High Country Rail Trail, which starts in Wodonga, making its way on to Tallangatta and further afield Shelley in the heart of Towong Shire. The trail meanders along the foreshore of Lake Hume, through pine plantations and State forests, past old timber trestle bridges and Shelley Station, one of the highest railway stations in the country.

The 600m bridge was reconstructed in 2012, sitting on the original rail pylons stripped off the railway track after the Cudgewa line closed in 1981. The project was funded by the Victorian Government, Towong Shire Council, Indigo Shire Council, City of Wodonga, Parklands Albury Wodonga and associated Rail Trail Advisory Committees.

Contents

Introduction	3
Why develop a plan?.....	5
Community Vision 2031.....	6
How we developed the plan	7
How do we approach Health and Wellbeing in Towong?.....	8
Our health and wellbeing.....	11
What does the evidence tell us about our priorities for the new plan?.....	12
The new priorities... ..	13
Goal 1: A community that is safe and healthy	14
Goal 2: A community that is inclusive and tolerant of diversity	16
Goal 3: A community that is adaptable and resilient	17

Introduction

The *Towong Shire Health and Wellbeing Plan 2021–2025* presents a municipality wide response to the requirements of the *Public Health and Wellbeing Act 2008 (Vic.)*. The *Public Health and Wellbeing Act 2008* recognises the significant role of councils and local health services in improving the health and wellbeing of people who live, work, study and play in their municipality. The Act requires councils to develop a municipal public health and wellbeing plan every four years (within 12 months of each general election of the council).

The plan must:

- include an examination of data about health status and health determinants in the municipality
- identify goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing
- provide for the involvement of people in the local community in the development, implementation and evaluation of the plan
- specify how Council will work in partnership with the Department of Health, DFFH and other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the plan
- be consistent with the Council Plan and the Municipal Strategic Statement
- have regard for the State Public Health and Wellbeing Plan

The *Victorian Public Health and Wellbeing Plan 2019–2023* is the overarching policy framework for improving public health and wellbeing in Victoria.

From this plan, councils are legislated to address:

Health and Wellbeing Plan 2021-2025

Page 3 of 18

- tackling **climate change** and its impact on health
- increasing **healthy eating**
- increasing **active living**
- reducing **tobacco-related harm**

In 2021, the Victorian Government added **emergency relief and recovery** (including Covid-19) to the issues that councils should consider. This change responds to the significant impact of recent emergency events on community health and wellbeing.

Why develop a plan?

To ensure health and wellbeing is central to all that we do in Towong, Council, in partnership with the Corryong Health, Tallangatta Health and Walwa Bush Nursing Centre has developed a standalone municipal health and wellbeing plan for 2021-2025. In Towong, we approach this as an alliance, because we can achieve more if we work together. This plan is owned by all partners in the alliance, stakeholders and the community.

This plan contains actions that are designed to deliver improved population health and wellbeing outcomes, to be implemented with the Towong Alliance and other key stakeholders across the municipality. The Plan is part of the wider prevention and health service system that is run at a local and regional level. The plan sits alongside the Alliance Partner's plans and policies to deliver a health and wellbeing response across the municipality.

Towong Shire Council prepare a municipality wide plan every four years. The current *Council Plan 2021-2025* includes the community vision. Together, the plans detail the roles Council will play in broad-ranging matters, and how it will invest in the community, infrastructure and services.



Community Vision 2031

Under the Local Government Act 2020, Council must develop, maintain and review a Community Vision which describes the community's aspirations for the future of the municipality.

We have developed the Community Vision 2031 based on the aspirations our community, which they told us as part of Council Plan community engagement activities during May 2021. In review of all responses, clear themes emerged which have been crafted into the Community Vision. The Community Vision is central to ensuring that good health and wellbeing outcomes are delivered for all people who live in and visit Towong Shire.

**“Towong Shire will be the ideal place to be:
welcoming, vibrant and diverse communities
with quality facilities and services.”**



Note: The comments above were received from community members during the Council Plan engagement activities.

How we developed the plan

We know that a good plan should reflect the community's needs, concerns, priorities and aspirations.

To develop our health and wellbeing plan goals, we considered:

- the views of external stakeholders, with the alliance and more broadly
- the views of our community identified as part of the council plan engagement process
- the views of our community recovery committees and bushfire recovery plans
- population data from many sources
- Commonwealth and Victorian Government priorities
- evidence about what works

Towong Shire Council

- Towong Shire Council Plan 2021-2025
- Towong Shire Municipal Recovery Plan

Tallangatta Health Service

- Strategic Direction 2018-27
- Service Plan 2018-27
- Diversity, Access and Inclusion Plan 2023-2026
- Environmental Sustainability Strategy 2024-2027
- Gender Equity Action Plan 2021-2025
- Reconciliation Action Plan 2022-2024
- Consumer Engagement Plan 2025-2027

Corryong Health Service

- Strategic Plan 2019-2024
- Service Delivery Plan 2022 – 2024 (in development)
- Access and Inclusion Plan 2021-22
- Partnering with Purpose – Consumer Engagement Framework 2021
- Safer Care Victoria Partnering with Consumers Plan 2019 - 2022
- Reflect Reconciliation Action Plan (draft) 2021

Walwa Bush Nursing Centre

- Walwa Bush Nursing Centre Strategic Plan 2021-2026
- Walwa Bush Nursing Centre Service Plan 2021-2026

How do we approach Health and Wellbeing in Towong?

We know that good health and wellbeing is vital to a community's resilience. Many factors can affect our health and wellbeing and these factors are known as the 'social determinants' of health. The Australian Institute of Health and Welfare's (2016)¹ description of the social determinants of health is summarised below.

Socio-economic position

Educational attainment is associated with better health because it equips people to achieve stable employment, secure income, adequate housing and provide for families. Higher education increases the likelihood of higher-status occupations and higher incomes. Income and wealth improve socio-economic position and allow for greater access to better food and housing, and healthcare options.

Early life

The foundations of adult health are laid in early childhood development. Healthy physical development and emotional support during the first years of life provide building blocks for future social, emotional, cognitive and physical wellbeing.

Social exclusion

Social exclusion covers social disadvantage and lack of resources, opportunity, participation and skills. Social exclusion may result from unemployment, discrimination, stigmatisation and other factors. It can increase the risk of disability, illness and social isolation.

Social capital

Social capital is the benefits obtained from having links that bind and connect people within and between groups. It can provide sources of resilience against poor health and can help people find work or cope with hardship.

Employment and work

The stress of unemployment brings higher risk of illness and disability. Unemployment rates are higher among people with no or few qualifications or skills, those with disabilities or poor mental health, people who have caring responsibilities, those in ethnic minority groups and those who are socially excluded for other reasons.

The demands of work - hours, control and conditions - have an impact on health. Quality work is health protective and provides opportunity for social interactions and personal development.

Housing

¹ Australian Institute of Health and Welfare (2016). *Australia's Health 2016*. Australian Government. Canberra.
Health and Wellbeing Plan 2021-2025

Safe, affordable and secure housing is associated with better health, which in turn impacts on people's participation in work, education and the community. It also affects parenting and social and family relationships. The relationship is two-way, in that poor health can lead to precarious housing.

Residential environment

Communities and neighbourhoods that ensure access to basic goods and services are socially cohesive. This promotes physical and psychological wellbeing and protection of the natural environment, which are essential for health equity.

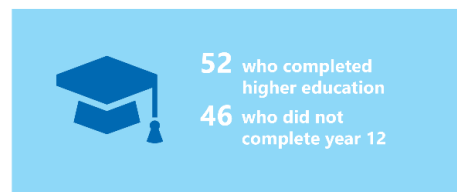
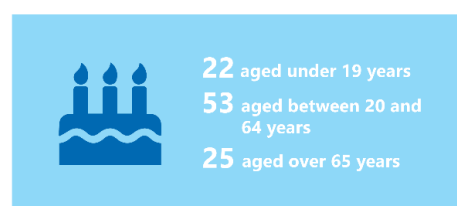
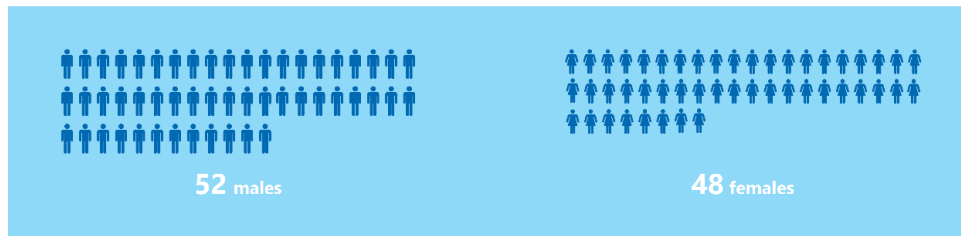
Health

Promoting modern urban environments that have appropriate housing and transport infrastructure and a mix of land use encouraging recreation and social interaction.

Many current health and wellbeing issues are the result of complex social systems and no single policy, organisation or program can change them in isolation. Collective effort, across diverse sectors and with a wide range of organisations, is important for building and sustaining effort to make improvements in health and wellbeing for the community. Therefore, our Towong Alliance is so important.



If Towong Shire consisted of 100 people there would be...



Australian Bureau of Statistics (2016). 2016 Census QuickStats. Australian Government. Canberra Accessed at <https://dbr.abs.gov.au>.

Our health and wellbeing

80.8% of Towong residents rated themselves as having good wellbeing.

Things that we are good at:

- 90% of residents feel they live in a close-knit community
- 88.7% of residents trust their neighbours
- 33% of residents volunteer

The things we need to improve:

- 26% do not have internet access at home compared with 14% in Victoria
- 30% of Towong residents have been diagnosed with anxiety or depression
- 19.4% of Towong residents consume the recommended 1-2 servings of vegetables per day
- 58.9% of residents are pre-obese or obese compared with 51.6% Victoria
- 71.5% of residents are at increased risk of alcohol related harm compared with 59.6% Victoria
- 27.5% of family households are not working
- 33.5% of household income is less than \$650 weekly
- 14.8% of residents have a diploma qualification or higher, this is less than half the state average
- 13.5% of residents are current smokers

Across the shire we also have some worrying trends:

- Less than half of the population meets the daily physical activity guidelines
- More businesses are exiting the Towong economy than are entering
- Population is predicted to only increase by 0.2% by 2036
- Limited transport options aside from private vehicle
- Family violence is considered to be an issue by 78.8% of residents
- There is low support in the community for gender equality in relationships
- Community acceptance of diverse cultures is 40.8%
- The rate of disability in Towong Shire is higher than the state average, with few options for supported accommodation
- Towong Shire will experience increasing risks associated with climate change with a maximum temperature to rise of up to 1.9° Celsius by the 2030s and increasing likelihood of extreme rainfall events

Australian Bureau of Statistics (2016). 2016 Census QuickStats. Australian Government. Canberra Accessed at <https://dbr.abs.gov.au>.

VicHealth (2015). Towong LGA Profile VicHealth Indicators Survey 2015 Results. Victorian Government. Melbourne. Accessed at <https://www.vichealth.vic.gov.au>.

VicHealth (2017). Victorian Population Health Survey 2017 results. Victorian Government. Melbourne. Accessed at <https://www.vichealth.vic.gov.au>.

Towong Shire Council (2019). Towong Shire Council Free from Violence Survey 2019 (Unpublished). Towong Shire Council. Tallangatta.

What does the evidence tell us about our priorities for the new plan?

The priorities for this plan emerged from:

- data on health status and health determinants in the municipality
- results of the community engagement
- priorities of the Council Plan and Municipal Strategic Statement
- regard for Victorian health priorities.

The issues of most concern that impact health and wellbeing in Towong are:

- increasing rates of chronic illness and body weight
- increased rates of physical inactivity and sedentary lifestyles
- very low compliance with recommended dietary guidelines
- increasing rates of alcohol consumption at risky levels
- the need to continue monitoring the impacts of tobacco, other drugs and gambling
- increased rates of diagnosed mental health issues
- the ongoing impacts of COVID-19 and the Black Summer Bushfires 2019-2020, including the long-term consequences of smoke inhalation.
- increasing rates of reported family violence and non-family violence
- Increased rates of youth suicide
- low rates of housing diversity for changing population needs
- the forecast doubling of the aged population as baby boomers transition to older age
- the low rate of community acceptance regarding diversity
- the low rate of community support for gender equality in relationships
- low rate of growth across the economy and the risk of families become disadvantaged
- low rates of social acceptance towards diverse populations
- the impacts of climate change on health especially the consequences of extreme weather.

We also want to ensure we maintain the things we are doing well at as part of our sustainable health and wellbeing approach. This includes:

- supporting the high levels of social cohesion and trust that already exists
- ensuring our volunteers are well supported and can continue to provide their invaluable contribution

The new priorities...

Goal 1: Our community is safe and healthy, when people are:

- 1.1. supported to eat well and be physically active
- 1.2. safe and free from violence
- 1.3. less impacted by the harm resulting from gambling, tobacco, alcohol and other drugs

Goal 2: Our community is inclusive and tolerant of diversity, when people:

- 2.1. embrace diversity
- 2.2. recognise the need for gender equality in relationships
- 2.3. have their mental health and wellbeing well supported

Goal 3: Our community is adaptable and resilient, when people:

- 3.1. commit to tackling the climate emergency and its impacts on health
- 3.2. effectively prepare for, respond to and recovery from emergencies, including COVID-19 and the Black Summer Bushfires



Goal 1: A community that is safe and healthy

Priority 1.1 people are supported to eat well and be physically active

- Enhance infrastructure that encourages activity and open spaces
- Support sporting clubs and groups to improve physical activity
- Promote and support opportunities for active lifestyle choices
- Support the development of accessible community gardens

Actions:

- Develop and implement recreational masterplan for the municipality
- Develop and implement a cycling masterplan for the municipality
- Seek funding to complete the High Country Rail Trail
- Seek funding to develop a master plan for Lake Hume
- Map and publish walking and cycling trails that connect townships, link destinations and create circular routes
- Support the ongoing operations of the swimming pools across the municipality
- Continue to deliver the strategic footpath network improvement program
- Increase the recreation opportunities for young families in Dartmouth
- Review and deliver the strategic parks and playgrounds upgrade program
- Complete streetscape upgrades in Dartmouth, Mitta Mitta, Tintalra, Towong and Cudgewa
- Market Towong as a great place to experience nature based activities and improve wellbeing
- Support the Tallangatta Community Gardens to promote food security and awareness on healthy eating
- Support and promote the Tallangatta Community Garden to provide an active living space for the whole community to engage in active participation and ownership
- Facilitate and support the Vic Kids Eat Well Initiative at local schools, out of hours childcare, sports and recreation clubs
- Continue to develop health and fitness programs in the Upper Murray and Walwa to target specific demographic groups
- Continue to participate in the State Government Achievement Program to create a healthier environment for working and learning
- Facilitate workshops through the RESPOND project to create an ongoing focus of children's health and wellbeing

Priority 1.2 people are safe and free from violence

- Raise awareness of family violence gendered and non-gendered violence and abuse
- Continue to build capability for a 'no wrong door' approach to family violence in partnership with Victoria Police and other key service providers
- Advocate for increased housing diversity across the municipality
- Advocate for better telecommunications and power supply across the municipality

Actions:

- Implement the Child Safe Standards to promote the safety of children, prevent child abuse and ensure processes are in place to respond to and report all allegations of child abuse
- Continue to provide family violence screening and referral through the Maternal and Child Health Service
- Ensure the ongoing operation of the Tallangatta and Corryong Family Violence Networks and contribute to actions that come out of this network
- Investigate short-and long-term options for the use of bushfire modular housing to address housing shortages

Priority 1.3 people can minimise the harm resulting from gambling, tobacco, alcohol and other drugs

- Raise awareness of alcohol and tobacco-related harms
- Work with other organisations to reduce harm from alcohol and other drugs

Actions:

- Support the development of a liquor accord
- Promote and deliver Freeza events
- Support and promote local community awareness of alcohol and tobacco-related harms



Goal 2: A community that is inclusive and tolerant of diversity

Priority 2.1 embrace diversity

- Ensure services, activities and events are accessible and inclusive
- Support opportunities through contribution and connection, particularly with culturally and linguistically diverse communities
- Raise awareness about aboriginal history and healing through cultural learning
- Apply an age friendly lens to all activities and projects
- To support future engagement with traditional owner groups

Actions:

- Identify opportunities to partner with Traditional Owner Groups
- Access School Readiness Funding to assist children with communication, wellbeing, access and inclusion outcomes prior to attending school
- Council managed kindergartens to continue to provide an inclusive program that is responsive to the individual abilities, interests and needs of children with a disability, developmental delay or complex medical needs
- Continue to strengthen the smalltalk support playgroup, and Enhanced Maternal and Child Health program to support eligible families and children
- Support all new parents/carers to join parent support groups
- Maternal and child health services continue to support families with support and referral to early intervention and pediatric specialist services
- Develop a reconciliation action plan across Towong Shire Council and Corryong Health
- Support the development of a strong arts and cultural offering throughout the shire
- Advocate for people with disability across the shire to gain equitable access to the NDIS
- Support the work of disability specific organisations, like the Green Galah, to prosper and support all people with disability across the municipality
- Ensure the neighbourhood house and early years services activities incorporate opportunities for culturally diverse activities
- Support events in Seniors Week
- Participate in the Indigo 4M's Age-friendly health care framework to ensure an age-friendly health care system

Priority 2.2 recognise the need for gender equality in relationships

- Raise awareness about the need for gender equality

Actions:

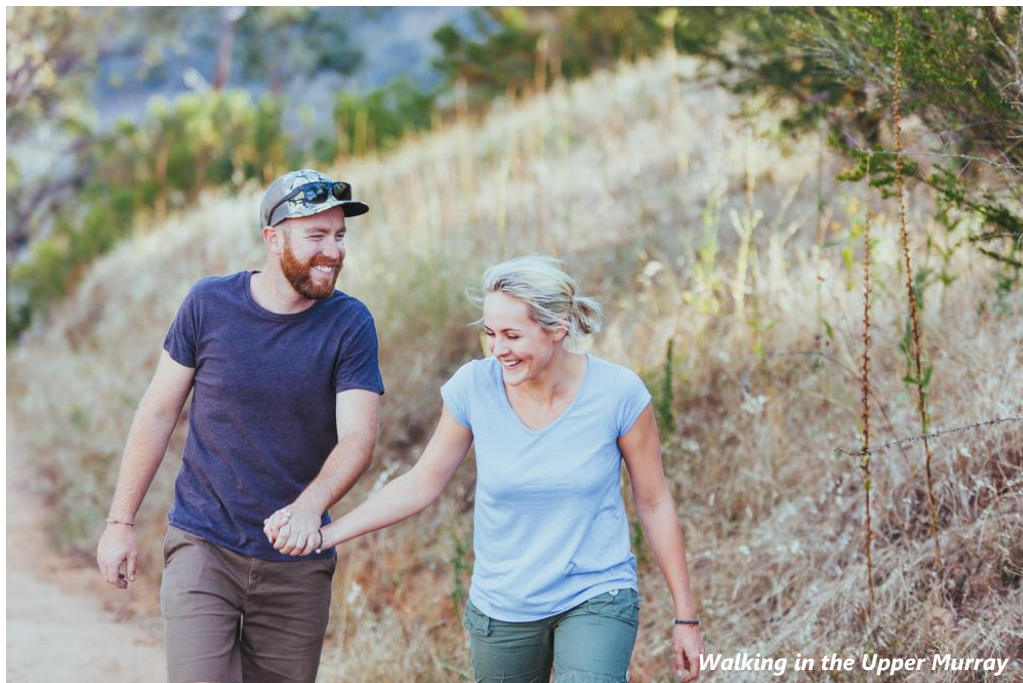
- Support the ongoing involvement of key stakeholders across the shire in 16 days of Activism
- Deliver love bites program to address respectful relationships
- Co-design with health services and community approaches to gender equality

Priority 2.3 mental health and wellbeing is well supported

- Provide education and information to promote good mental health through every stage of life
- Advocate for continuity of mental health services following the Black Summer Bushfires
- Strengthening the protective factors of the community to prevent and reduce suicide risk

Actions:

- Deliver the Resilience Project, mental health first aid and Live4Life programs
- Support the ongoing work of the Upper Murray Post Vention Committee
- Advocate for, support and promote a suicide prevention network for the Upper Murray



Goal 3: A community that is adaptable and resilient

Priority 3.1 commit to tackling the climate emergency and its impacts on health

- Support the community to reduce emissions
- Ensure communities adopt sustainable practices to reduce the impact of climate change

Actions:

- Continue to implement the tree planting strategy to achieve 40% canopy coverage in urban streets by 2025
- Support the development and operation of community gardens across the municipality
- Develop an agriculture strategy that incorporates considerations for achieving net zero emissions
- Develop a climate change action plan
- Integrate climate risk discussion in relevant peak committees within the municipality
- Participate in Upper Murray Micro-grid power plan supporting solar renewable power supply in the region and reducing carbon footprint
- Support the use and expansion of clean energy options across the key health service and government buildings throughout the municipality
- Support the establishment of a power node pilot in Walwa

Priority 3.2 effectively prepare for, respond to and recovery from emergencies, including COVID-19 and the Black Summer Bushfires

- Support our communities to drive their recovery from bushfires and the COVID-19 pandemic and improve their mitigation and resilience to future adverse events

Actions:

- Undertake the telecommunications review
- Develop community emergency management plans
- Support Upper Murray Inc to deliver the power plan
- Investigate ways of improving the power reliability
- Implement fire risk mitigation strategies through infrastructure upgrades including installation of water tanks and upgraded sprinkler systems at Corryong Health
- Continue to participate in recovery committees
- Support the ongoing delivery of COVID-19 vaccination and testing clinics

Chapter 9 Election Period Policy

PART A PURPOSE

The purpose of this policy is to ensure that Towong Shire Council:

- Demonstrates compliance with the election period provisions of the *Local Government Act 2020* (the Act);
- Demonstrates that public resources are not used for election campaigning;
- Is aware of what can and cannot be done during the election period; and
- Continues to provide high standards of service to the community.

PART B SCOPE

This policy defines the practices and behaviours of Councillors, members of special committees, and Council staff during the election period.

Councillors must comply with this policy, regardless of whether they intend to nominate, or have already nominated, as candidates for the election.

In accordance with section 34(2)(d) of the Act, Council staff members who are candidates for election must comply with this policy and in addition:

- Take leave from their duties for the duration of the election period;
- Return any council equipment, including vehicles, telephones, computers, and documents or information which is not available to the public for the duration of the election period; and
- Immediately resign from their position upon election.

Other candidates for election are expected to comply with the obligations of this policy where they apply.

PART C POLICY DETAILS

C1 Election period

The 'election period' is defined by the Act as starting at the time that nominations close on nomination day, and ending at 6pm on election day.

The Chief Executive officer will ensure that all employees are informed of and understand the requirements of this policy.

C2 Misuse of position

Section 123(1) of the Act prohibits a person that is, or has been, a Councillor or a member of a delegated committee from using their position to gain advantage for themselves or another person, or to cause detriment to Council or another person.

Significant penalty units apply to this provision.

For the purposes of section 123(3) of the Act and this policy, misuse of position includes the following circumstances:

- Making improper use of information acquired as a result of the position the person held or holds; or
- Disclosing information that is confidential information within the meaning of the Act; or



- Directing or improperly influencing, or seeking to directly or improperly influence, a member of Council staff; or
- Exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
- Using public funds or resources in a manner that is improper or unauthorised; or
- Participating in a decision on a matter in which the person has a conflict of interest.

Section 124 further specifies that a Councillor must not intentionally direct, or seek to direct, a member of Council staff in the exercise of any power or in the performance of any duty or function.

C3 Decision making

It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. Council therefore commits to this principle in that it will make every endeavour to avoid making decisions that inappropriately bind the incoming Council.

This includes a commitment to not only comply with the requirements of section 69 of the Act, but to apply restrictions to the making of 'major policy decisions', 'inappropriate decisions', and 'significant decisions' as defined within this policy.

Council may hold a scheduled Council meeting during the election period, however no decisions specified in this policy may be made.

Scope exists for Council to hold an unscheduled Council meeting but only in the most urgent or extraordinary circumstances or for any statutory processes that may arise.

Prohibition on decisions

In accordance with s69(2) of the Act, Council is prohibited from a making decision during the election period for a general election, which:

- relates to the appointment or remuneration of the Chief Executive Officer but not to the appointment or remuneration of an Acting Chief Executive Officer; or
- commits the Council to expenditure exceeding one percent (1%) of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- the Council considers could be reasonably deferred until the next Council is in place; or
- the Council considers should not be made during an election period.

In accordance with s69(3) of the Act, Council is prohibited from making a decision during the election period for a general election or a by-election that would:

- enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Decisions made in contravention of this policy

In accordance with s69(4) of the Act, any Council decision made in contravention of these specified prohibitions is invalid.

Decisions that Council considers could be reasonably deferred or should not be made during an election period

To provide context, Council will avoid making decisions during the election period that are of a significant nature and which would unnecessarily bind an incoming Council, or would use resources inappropriately during the election period. These include:



- Irrevocable decisions that commit the Council to substantial expenditure or major actions;
- Irrevocable decisions that will have a major impact on the municipality or the community;
- Decisions that would affect voting in an election; and
- Decisions that could reasonably be made after the election.

Examples of decisions that should not be made during an election period are:

- Approval of contracts that require significant funding in future financial years or are regarded as politically sensitive;
- Decisions that have significant impacts on Council's income or expenditure that relate to expenditure on politically sensitive matters;
- Awarding of community grants funded by Council;
- Decisions of a politically sensitive nature;
- Policy or strategy decisions; and
- Planning scheme amendments.

C4 Council and committee meetings

Council meetings

C1.1 Council will hold its ordinary meeting scheduled in the month leading up to the election during the election period. Council will make any Council recordings of Council meetings subsequently available to the public via its website: www.towong.vic.gov.au

In accordance with s100 of the Act, the Council meeting held to consider the annual report must be held on a day not later than the day before election day.

All items for consideration must be scrutinised for compliance with this policy, and be approved by the Chief Executive Officer before being included in the agenda. Each agenda item must include the electoral period statement.

Councillors must limit their discussion during debate to the topic under consideration and avoid raising electoral matters.

Delegated committees and community asset committees

Delegated committees are required to include Councillors as committee members, and are bound by Council's Governance Rules, and misuse of position requirements. Delegated committees will not be permitted to hold committee meetings during the election period.

Community asset committees are not required to include Councillors as committee members, and will be permitted to hold committee meetings during the election period.

Advisory committees will be permitted to hold committee meetings during the election period.

Question time, notices of motion, general business and reports by delegates

Question time will not be held during the election period. Notices of motion, general business and reports by delegates will not be presented during the election period.

Election period statement – Council meeting reports

In order to facilitate compliance with its commitment to ensuring appropriate decision making during elections, the Chief Executive Officer will ensure that an 'Election Period Statement' is included in every report submitted to a Council meeting for a decision.

The 'Election Period Statement' will specify:

"The recommendation is not a prohibited decision as defined by s69(2) or s69(3) of the Local Government Act 2020, nor is it a decision that could be reasonably deferred, or should not be made in accordance with Council's Election Period Policy."

During the election period, the Council will not make a decision on any matter or report that does not include the Election Statement.

C5 Council resources

It is an established democratic principle that public resources must not be used in a manner that would influence the way people vote in elections. Council therefore commits that it will ensure Council resources are not used inappropriately during a Council election.

C6 Council resources including staff

Council resources, including offices, staff, hospitality services, vehicles, IT equipment (phones and computers) and stationery will be used exclusively for normal Council business during the election period, and shall not be used in connection with any election campaign activity.

The Chief Executive Officer or any staff must not be asked to undertake any tasks connected directly or indirectly with an election campaign.

Council will ensure other Towong Shire Council resources are not used inappropriately in ways that may influence voting in an election or provide an undue advantage for a candidate. This includes financial, human and material resources:

- Council staff will not undertake an activity that may affect voting in the election;
- Council staff will not authorise, use or allocate a Council resource for any purpose that may influence voting in the election; and

Any staff member who considers that a particular use of Council resources may influence voting in an election or provide an undue advantage for a candidate, shall advise both their immediate supervisor and Director before authorising, using or allocating the resource. The immediate supervisor and Director may seek advice from the Director Corporate and Organisational Development to determine if the use of Council resources is appropriate or not.

C7 Council branding and stationery

No Council events, logos, letterheads or other Council branding should be used for, or linked in any way to, a candidate's election campaign.

Photos or images taken by or provided by Council are not to be used by Councillors for the purposes of electioneering or in support of their election campaign. This applies equally to images on Council websites that may be able to be copied.

C8 Councillor support

Councillors will not request staff to undertake any tasks connected directly or indirectly with an election campaign.



Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services to assist Councillors in conducting normal day-to-day activities.

C9 Councillor expenses

Reimbursements of Councillors out of pocket expenses during the election period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

C10 Councillor resources

Equipment and facilities provided to Councillors for the purpose for conducting normal Council business should not be used for election campaign purposes.

Where Councillors have Council funded services, such as mobile phones, tablets / computers and internet connections, and where it is impractical for Councillors to discontinue their use of these during the election, Councillors will reimburse the Council for excess usage of those services during the election period. Standard allowances for communication equipment are defined in Councillor Resource Policy.

Councillors who are standing as candidates must not use council email addresses as part of their election campaign.

C11 Council events

Public events run by Council will only be organised and run if it is totally unavoidable to conduct such events during the election period and then only with the express permission of the Chief Executive Officer.

However, Councillors may attend community meetings, events and functions during the election period which are relevant to Council and the community.

When attending events as part of their official Council duties, Councillors must not use the event to promote their individual election campaign.

Speeches for Councillors will only be prepared by Council staff in relation to events that are part of the normal services or operation of the Council and such speeches will not be circulated or available for publication. Official speaking engagements will be limited to a brief welcome, and will not contain any electoral matters or references to the election. Councillors who are not standing as candidates in the election or the Chief Executive Officer will be given preference to speaking at public events.

No election material or active campaigning is to be conducted at a Council sponsored event or be displayed in any Council building. This does not apply to Victorian Electoral Commission material.

Speeches will be subject to the publication certification process.

C12 Public consultation

Council will limit public consultation and scheduling of Council events during the election period.

Public consultation means a process that involves inviting individuals, groups or organisations or the community general to comment on an issue or proposed action or proposed policy, and which includes discussion of that matter with the public.

Public consultations include inviting the community to express opinions through social media.



If public consultation is required, the representative / spokesperson will be the Chief Executive Officer and not a Councillor.

Public consultations are best avoided during the election period where possible.

C13 Statutory process consultations

The public consultation required under the *Planning and Environment Act 1987* and matters subject to section 223 of the *Local Government Act 1989* are not subject to the restrictions of this policy. These consultations may be undertaken during the election period to facilitate the day-to-day business of Council and to ensure matters continue to be proactively managed. Consultations will avoid any express or implied links to the election.

Consultations under statutory provisions shall only proceed after express agreement of the Chief Executive Officer and only if they relate solely to the normal day-to-day business of the Council.

Where at all possible, statutory process consultations should conclude before the election period commences, or be delayed until after the general election has been held. Any outcomes of the consultation should be delayed until after the election, where possible.

C14 Media and communications

Council's communications and media will not be used in any way that might influence the outcome of a Council election.

Media outlets and the community will be advised that during the election period, communications will be restricted according to the following principles.

Media requests

Council contact with local media (newspapers, television, radio) will be restricted to the communication of normal Council activities and responding to questions not involving the election or possible election outcomes.

In response to media inquiries the response will be provided by the Chief Executive Officer or Directors only, and such information should relate to current services and operations.

Media releases / statements

During the election period, Council initiated communications shall be restricted to the communication of normal Council activities.

In the election period no media releases will be issued quoting or featuring any Councillor.

Publicity of Council events (if any during the election period) will be restricted to the communication of factual material and will not mention or quote any Councillor.

During the election period, no employee will initiate any public statement that relates to an election issue. Public statements are not only formal press releases but also verbal comments at meetings, functions and events where attending as part of their role.

Issuing of written media releases / statements will be subject to the publication approval processes outlined within C15.



Councillors

No media advice or assistance will be provided to Councillors in relation to election campaign matters.

No publicity will be provided that involves specific Councillors.

Councillors must not use their position as an elected representative of their access to Council staff and other Council resources or information in support of an elections campaign. This includes photos or images provided by Council for past Council activities.

Councillor participation at Council sponsored events (if any during the election period) should not be used to gain attention of an election campaign. Council sponsored events includes launches, events and any other public forum outside of the normal Council meeting cycle.

Social media

Social media is a key means of Council communicating and interacting with its community.

The nature of social media means that Councils should be monitoring and moderating the content on any pages that Council has ownership / control over.

Any publication on social media sites that are under the auspices of Council will also require certification by the Chief Executive Officer as described within C15.

Social media communications will be restricted in the same manner as restrictions on communications / media in this policy.

In addition, the following processes will be implemented on Council's social media pages during the election period:

- Any social media pages maintained by Council will be routinely monitored (including periodically during the weekend) during the election period.
- Posts by others on the page will be moderated by Council, and any electioneering, offensive or inappropriate matter will be removed by Council.
- At the completion of each day, Council will ensure that a copy of the page is taken for records of the Council.
- Before any posts may be removed or moderated by Council, a snapshot of the page must be recorded.

The above processes will be communicated on Council's social media pages prior to the election period commencing.

C15 Council Publications

Council must not print, publish or distribute publications containing specified electoral matter during the election period, unless it is electoral material provided by the Victorian Electoral Commission about the election process. This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

Council must not print, publish or distribute a publication during the election period unless it has been certified in writing by the Chief Executive Officer.

What is 'electoral matter'?

Electoral matter is any matter that is intended or likely to affect voting in an election. Material is definitely electoral matter if it:

- Publicises the strength or weaknesses of a candidate



- Advocates the policies of the Council or of a candidate
- Responds to claims made by a candidate
- Publicises the achievements of the elected Council
- Publicises matters that have already been the subject of public debate
- Is about matters that are known to be contentious in the community and likely to be the subject of election debate
- Deals with Election Candidates statements
- Refers to Councillors or candidates by name or by implicit reference

What is considered a 'publication'?

A publication refers to documents produced for the purpose of communicating with the community, including but not limited to:

- Council newsletters
- Advertisements and notices (for example job advertisements, public notices of contracts)
- Media releases
- Leaflets and brochures
- Mailouts (including emails) to multiple addresses
- Internet-based sources including Council's website and social media pages.

All the publication types listed above require certification by the Chief Executive Officer.

The recommended practice is where possible to avoid all publication activity during the election period except where it is essential for the conduct of Council operations.

Certification of documents by Chief Executive Officer

All documents fitting the descriptions above must be presented to the Chief Executive Officer prior to publication or distribution during the election period.

The Chief Executive Officer must not certify a publication that contains electoral matter, unless that material is only about the election process. It is an offence for the Chief Executive Officer to contravene this requirement.

The certification by the Chief Executive Officer must be in writing and cannot be delegated.

Council must develop a procedure for approval and monitoring of publications within the organisation to support this policy.

Council's website

The requirement for Chief Executive Officer certification of publications during the election period also applies to the publication of material on Council's website. This applies to all websites under the auspices of Council.

New pages or new material on the website will require certification and approval by the Chief Executive Officer.

Councillor details

Profiles and photographs of current Mayor and Councillors will be removed from Council's website during the election period but retain their contact details for their day to day role as Councillor (for example names and mobile numbers).



Recordings of Council meetings

Council will make any Council recordings of Council meetings subsequently available via its website: www.towong.vic.gov.au

New material on website

Any new material published on Council's website during the election period that may be an advertisement, handbill, pamphlet or notice must also be subject to the certification process.

Council agendas, minutes and the annual report are considered exempt from certification.

Annual Report

The annual report adopted during the election period will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors but will fulfil its statutory obligations on reporting matters.

C16 Assistance to candidates

The Council affirms that all candidates for the Council election will be treated equally.

Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

All election-related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the Chief Executive Officer or the election period contact officer designated within C17.

C17 Access to information by candidates

The Council recognises that all election candidates have rights to information from the Council administration.

Neither Councillors nor candidates will receive information or advice from Council staff that might be perceived to support election campaigns, and there shall be complete transparency in the provision of all information and advice during the election period.

Election period point of contact

Council's Director Corporate and Organisational Development will be the point of contact for both candidates and Councillors seeking information from Council during the election period.

All questions relating to the conduct of the election will be referred to the Victorian Electoral Commission's Returning Officer.

Information provided to Councillors

Information and briefing material prepared by staff for Councillors during the election period will relate only to factual matters or to existing Council services to assist Councillors in conducting their elected roles.

Information request register

Council's Director Corporate and Organisational Development will be assigned as the point of reference for all candidate enquiries.



Council's Director Corporate and Organisational Development will maintain an Information Request Register commencing from the opening of nominations. This register will be available for inspection, and will record all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the responses given to those requests.

Responses to candidate requests will be provided by Directors or the Chief Executive Officer. Directors will be required to discuss the request and the proposed response with the Director Corporate and Organisational Development (as the election period contact) prior to the response being issued. Only information that can be reasonably accessed will be released.

All candidates will be referred to the Victorian Electoral Commission Returning Officer for any election process enquiries.

Improper use of position

Section 123 of the Act prescribes serious penalties for any Councillor or member of a Delegated Committee who inappropriately makes use of the position or information obtained in their role.

Freedom of Information

Any Freedom of Information (FoI) applications lodged during the election period regarding potential 'electoral matters' will be dealt with where possible outside of the election period. Section 21 of the *Freedom of Information Act 1982* requires a notice of decision to be supplied to the applicant within a specified number of days.

PART D ROLES AND RESPONSIBILITIES

Responsibility	Role / Position
Implementation	Chief Executive Officer All staff Councillors Candidates Members of special committees
Compliance	Director, Corporate and Organisational Development
Development / Review	Director, Corporate and Organisational Development
Interpretation / Advice	Director, Corporate and Organisational Development

PART E BREACHES

This policy is issued with the authority of Council. Compliance with this policy is mandatory. Any breach of or failure to comply with this policy should be immediately reported to the Chief Executive Officer.

PART F HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006*.

PART G SUPPORTING DOCUMENTS

This policy should be read in conjunction with all other relevant, Council policies and procedures, as well as relevant legislative requirements.

Related Legislation

- *Local Government Act 2020*

Related Procedures

- Nil

PART H DEFINITIONS AND ABBREVIATIONS

<i>Act</i>	means the <i>Local Government Act 2020</i>
<i>Council staff</i>	includes full time, part-time, casual and temporary council employees
<i>Election</i>	is defined by s3(3) of the Act, and unless expressly provided, means a reference to the following: <ul style="list-style-type: none"> • A general election conducted under s257 of the Act; • A by-election conducted under s260 of the Act; • A countback conducted under s261 of the Act.



<i>General election</i>	<p>is defined by s257 of the Act, and means a general election of Councillors for all Councils, which must be held:</p> <ul style="list-style-type: none"> • On the fourth Saturday in October 2020; and • Thereafter on the fourth Saturday in October in the fourth year after the last general election of Councillors for all Councils was held.
<i>Election day</i>	<p>is defined by s3(1) of the Act, and means the day of an election determined under s257 or s260 the Act</p>
<i>Election period</i>	<p>is defined by s3(1) of the Act, and means the period that:</p> <ul style="list-style-type: none"> • Starts at the time that nominations close on nomination day; and • Ends at 6pm on election day
<i>Electoral material</i>	<p>means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing the holding of a meeting.</p>
<i>Electoral matter</i>	<p>is defined by s3(4) and s3(5) of the Act, and means matter which is intended or likely to affect voting in an election, but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election.</p> <p>It is matter to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on:</p> <ul style="list-style-type: none"> • The election; or • A candidate in the election; or • An issue submitted to, or otherwise before, the voters in connection with the election.
<i>Nomination day</i>	<p>is defined by s3(1) of the Act, and means the last day on which nominations to be a candidate at a Council election may be received in accordance with the Act, and the Local Government (Electoral) Regulations as made.</p>
<i>Publish</i>	<p>is defined by s3(1) of the Act, and means publish by any means including by publication on the Internet.</p>



Schedule A - Public Question Time

Public questions will be considered by Council at a Council meeting subject to receipt by 2pm on the day before the meeting. All questions must be brief and no greater than 200 words including any supporting or contextual information. There is a limit of two questions per person, per meeting. Public question time runs for up to 30 minutes prior to consideration of the formal Agenda by Council. Questions will be considered in the following order:

1. Questions with Notice that relate to items on the agenda coming before Council on the day.
2. Questions with Notice that relate to other matters not relating to the agenda.

Questions received without notice (ie received after 2pm on the day before the meeting) will be addressed in accordance with **Chapter 2, G4 of the Governance Rules.**

First Name: _____ **Surname:** _____

Address: _____

_____ **Postcode:** _____

Phone: _____ **Email:** _____

Address disclosure: Do you consent to your address being disclosed during the public meeting and in the minutes of the meeting? YES NO

Date of Council meeting: _____

Subject: _____

Question 1: _____

Question 2: _____

Signature: _____ **Date:** _____

If you require additional space for your questions (limit of 200 words) please attach separately.

Questions can be emailed to info@towong.vic.gov.au, or hand delivered to Council’s Offices, 32 Towong Street, Tallangatta OR 76 Hanson Street, Corryong.

Privacy Statement:
 Personal and or health information collected by the Council is used for municipal purposes as specified in the *Local Government Act 1989*. The personal and/or health information will be used solely by the Council for these purposes, and/or directly related purposes. The Council may disclose this information to other organisations if required by legislation. The applicant understands that the personal and/or health information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Request for access and/or correction should be made to Council’s Director Corporate and Organisational Development.



Schedule B – Notice of Motion

This form lodges a notice of intention to move a motion in accordance with Chapter 2, clause 30 of the Governance Rules.

I, Councillor _____ give notice of my intention to move the following motion at the Council meeting to be held on _____:

Motion:

Rationale:

*Note – Proposed motion and rationale not to exceed 500 words
To be signed by Councillor lodging this notice and one other Towong Shire Councillor*

Councillor

Councillor

Receipt by Chief Executive Officer

This notice was received by me at _____ am/pm on _____.

Chief Executive Officer



Schedule C – Notice of Motion to Rescind or Amend

This form lodges a notice of intention to move that a resolution passed by Council be rescinded or amended in accordance with Chapter 2, Clause 31 of the Governance Rules.

I, Councillor _____ give notice of my intention to move at the Council meeting to be held on _____ that the following resolution of Council passed on _____:

(Wording of resolution proposed to be amended/rescinded)

be rescinded OR be amended

and subject to that motion being carried, in its place I propose to move that Council:

(Wording of proposed motion to replace/amend above)

To be signed by the Councillor lodging this notice and one other Towong Shire Councillor

Councillor

Councillor

Receipt by Chief Executive Officer

This notice was received by me at _____ am/pm on _____.



Chief Executive Officer

Schedule D – Procedural Motions

Motion	When prohibited	If Carried	Debate
'That a report/document be tabled'		The item is tabled, can be considered as part of debate as will be included in the minutes of the meeting	No
'That the item listed at xx on the agenda be moved forward'	(a) At a Meeting to elect the Mayor; or (b) During any debate	Alters the order of business for the meeting	No
'That the motion be put'	During nominations for a <i>Chair</i>	Motion or amendment is put to the vote immediately without further debate, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	No
'That the matter be laid on the table'	During the election of the Mayor/Deputy Mayor	Motion not further discussed or voted on until Council resolves to take the item from the table at the same meeting	No
'That the matter be taken from the table'	When no motion is on the table	Debate of the item resumes	No
'That the meeting be adjourned'		The meeting adjourns until a designated time for recommencement	No
'That Standing Orders be suspended to ...' (reason must be provided)		The rules of the meeting are temporarily suspended in accordance with clause 37 for the specific reason given in the motion	No
'That Standing Orders be resumed'	When Standing Orders have not been suspended	The temporary suspension of the rules of the meeting is removed	No



Motion	When prohibited	If Carried	Debate
That, in accordance with section 66 of the Act, the meeting be closed to members of the public	During the election of the Mayor/Deputy Mayor	The meeting is closed to members of the public	Yes
'That the meeting be reopened to members of the public'		The Meeting is reopened to the public	No
'That the Chair's ruling be dissented from'	Anytime where the Chairperson has not just made a ruling on a point of order	The point of order decision made by the Chairperson is overturned and the meeting must proceed accordingly. The Chairperson should have the opportunity to speak to their ruling.	Yes
'That the debate on this matter be deferred until (insert meeting/date) to allow (purpose of deferral)' ...'	(a) During the election of the Mayor/Deputy Mayor; (b) During the election of a Chair; or (c) When another Councillor is speaking	Consideration/debate on the motion and/or amendment is postponed to the stated date and the item is re-listed for consideration at the resolved future meeting, where a fresh motion may be put and debated	Yes