



# Alpine Shire

## **ORDINARY COUNCIL MEETING**

### **AGENDA**

**M7 – 3 July 2018**

**Bright Council Chambers**

**7:00pm**



Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Council Chambers, Great Alpine Road, Bright on **3 July 2018** commencing at **7:00pm**.

## AGENDA

1	RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS .....	3
2	ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE .....	3
3	CONFIRMATION OF MINUTES.....	3
3.1	ORDINARY COUNCIL MEETING – M5 – 5 JUNE 2018.....	3
3.2	SPECIAL COUNCIL MEETING – SPM6 – 19 JUNE 2018.....	3
4	APOLOGIES.....	3
5	OBITUARIES / CONGRATULATIONS.....	4
6	DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST.....	4
7	PUBLIC QUESTIONS ON AGENDA ITEMS .....	4
8	PRESENTATION OF REPORTS BY OFFICERS.....	5
8.1	ACTING CHIEF EXECUTIVE OFFICER – WILL JEREMY.....	5
8.1.1	Contracts approved by the CEO.....	5
8.2	ACTING DIRECTOR ASSETS – FRANCINE STACEY.....	6
8.2.1	Contract 1802801 - Alpine Better Places: Myrtleford (Stage 2) - Myrtle Street / Jubilee park.....	6
8.2.2	Contract 1801901 - Bright Office Renewal Stage 2 (Building Works) .....	9
8.2.3	Supply of Electricity.....	11
8.3	DIRECTOR CORPORATE – NATHALIE COOKE.....	14
8.3.1	Audit Committee Meeting No. 4. 1 June 2018.....	14
8.3.2	CCTV Surveillance Camera Policy review .....	18
9	ASSEMBLY OF COUNCILLORS.....	21
10	GENERAL BUSINESS .....	22
11	MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN.....	22
12	RECEPTION AND READING OF PETITIONS .....	22
13	DOCUMENTS FOR SEALING.....	23



## **1 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS**

*The Acting CEO will read the following statement:*

All council meetings are filmed with both video and audio being recorded.

Video is focused on a specific area however audio from the entire room is captured.

By speaking during question time, or at any time during the meeting, you consent to your voice and any comments you make being recorded.

In common with all narrative during council meetings verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes.

The reasoning behind recording council meetings is of course to hold us more accountable and improve transparency of council's decision making to our community.

The full meeting is being streamed live on Council's YouTube channel which is "Alpine Shire Council" and will also be available on the YouTube channel shortly after this meeting.

## **2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE**

*The Acting CEO will read the following statement:*

The Alpine Shire Council acknowledges the traditional owners of the land we are now on.

We also acknowledge those people who have contributed to the rich fabric of our community and strive to make wise decisions that will improve the quality of life for all.

## **3 CONFIRMATION OF MINUTES**

### **3.1 ORDINARY COUNCIL MEETING – M5 – 5 JUNE 2018**

#### **RECOMMENDATION**

*That the minutes of Ordinary Council Meeting M5 held on 5 June 2018 as circulated be confirmed*

### **3.2 SPECIAL COUNCIL MEETING – SPM6 – 19 JUNE 2018**

#### **RECOMMENDATION**

*That the minutes of Special Council Meeting SPM6 held on 19 June 2018 as circulated be confirmed.*

## **4 APOLOGIES**

Charlie Bird – Chief Executive Officer



## **5 OBITUARIES / CONGRATULATIONS**

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to questions.

## **6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST**

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to questions.

## **7 PUBLIC QUESTIONS ON AGENDA ITEMS**

Questions on Notice will be limited to two questions per person.

Questions on Notice can be written or from the floor.

Refer to Alpine Shire Council's website [www.alpineshire.vic.gov.au](http://www.alpineshire.vic.gov.au); for its YouTube live-streaming recording for responses to questions.



## **8 PRESENTATION OF REPORTS BY OFFICERS**

### **8.1 ACTING CHIEF EXECUTIVE OFFICER – WILL JEREMY**

#### **8.1.1 Contracts approved by the CEO**

##### **RECOMMENDATION**

*That the Contracts approved by the CEO be noted.*

Contract No:	CQ 18026	Process:	Request for tender
Title:	Repairing and resurfacing the Canyon Trail Shared Path		
Tenderer:	Countrywide Asphalt Pty Ltd		
\$ (excl. GST):	\$88,346		

Contract No:	CQ 18037	Process:	Request for Quotation
Title:	Civil construction works to extend kerb and channel, side entry pit and pipe / headwall		
Tenderer:	Hutchinson Civil		
\$ (excl. GST):	\$48,000		

*\*Note Contract previously awarded to Stadelmann and noted at June Ordinary Council under contracts approved by the CEO was rescinded as they are unable to meet works schedule timelines.*



## **8.2 ACTING DIRECTOR ASSETS – FRANCINE STACEY**

### **8.2.1 Contract 1802801 - Alpine Better Places: Myrtleford (Stage 2) - Myrtle Street / Jubilee park**

File Number: 70620.00

#### **INTRODUCTION**

This report relates to the award of the Alpine Better Places: Myrtleford (Stage 2) - Myrtle Street / Jubilee Park Tender. The work includes the construction of landscape and civil works in Jubilee Park and along Myrtle Street between Standish Street and Lewis Avenue. Works in Jubilee Park also include the construction of new shelters, a viewing platform and refurbishment of the public toilets.

#### **RECOMMENDATION**

*That Council awards Contract 1802801 for 'Myrtleford (Stage 2) – Myrtle Street / Jubilee Park' to North East Civil Construction for the lump sum price of \$2,233,206+GST.*

#### **BACKGROUND**

Council commenced its Alpine Better Places project in early 2015, delivering detailed concept designs for priority projects in each of the town centres of Porepunkah, Bright and Myrtleford. Following an extensive process of community consultation and design, the Draft Detailed Concept Designs and the priority for implementing projects was adopted by Council in March 2016.

Council successfully delivered Stage 1 of the Myrtleford works (the Standish Street Roundabout) early in 2018. Detailed design and documentation for Stage 2 was completed in May 2018 and the works subsequently tendered.

The Invitation to Tender was advertised in the Herald Sun on 9 May 2018, the Border Mail on 12 May 2018, on Tenders.Net and the Alpine Shire Council website. Tenders closed on 8 June 2018.

The tender documents were downloaded by 15 prospective tenderers and 1 tender submission was received.

#### **EVALUATION**

The evaluation panel consisted of the Manager Asset Development and the Senior Project Engineer.

The tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Social



Following the initial assessment of the offer, the tenderer was invited to clarify aspects of their tender, present their proposed methodology/staging plan and provide further detail on their traffic management strategy, including their ability to meet the required timeframes. Following the tender interview it was determined that the tender from North East Civil Construction (NECC) addresses all the requirements of the selection criteria and can be demonstrated to present value for Council.

### **ISSUES**

NECC has demonstrated previous experience in the delivery of similar contracts for Council, including the Alpine Better Places Porepukah works and Stage 1 of the Myrtleford Alpine Better Places project. These works have been completed to a high standard, within agreed timeframes.

Traffic and pedestrian management, including maintaining access to shopfronts, has been an important aspect of the previous projects and has been well managed by NECC. The detailed staging plans and traffic management strategy submitted for this stage provides Council with confidence that the project can be delivered within the required timeframe, while providing reasonable access through and around the site.

### **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy and is in accordance with the *Local Government Act 1989*.

This report is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There is sufficient provision within the 2018/19 Budget to deliver this contract.

### **CONSULTATION**

Council has consulted extensively with internal and external stakeholders, all relevant authorities and the community on the development of the Alpine Better Places detailed concept plans.

Throughout the detailed design and documentation phase, Council has continued to engage with all stakeholders as well as the broader community. Officers have met with and collected contact details of all directly impacted stakeholders. Information sessions have been held in Myrtleford and drop-in sessions are planned before the start of construction. Project updates will be distributed via email and on Council's website and Facebook page. The implementation of the project stakeholder and communication plan will continue throughout the duration of the project.



### **CONCLUSION**

Following a comprehensive assessment, the tender from North East Civil Construction was deemed to present value for Council.

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

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Development
- Senior Project Engineer

### **ATTACHMENT(S)**

- Nil





## **8.2.2 Contract 1801901 - Bright Office Renewal Stage 2 (Building Works)**

File Number: CT 18019

### **INTRODUCTION**

This report relates to the award of a contract for stage 2 of the Alpine Shire Council Bright Office renewal.

### **RECOMMENDATION**

*That Council awards Contract 1801901 for the 'Bright Office Renewal Stage 2 (Building Works)' to JH Building and Renovation for the Lump Sum price of \$421,002+GST.*

### **BACKGROUND**

Stage 1 of the Alpine Shire Council Bright Office was completed in November 2016, with the renewal of the Mystic Wing. The building works were delivered by JH Building and Renovation.

An Invitation to Tender was prepared for the delivery of the building component of the Stage 2 works, covering the renewal of the Apex Wing of the office. In addition to the building works, the scope of the Invitation to Tender included replacement of the existing air conditioning system, supply and installation of double glazing in all external windows, installation of new flooring, and the delivery and installation of all joinery.

Tenders opened on 30 March 2018 and closed on 30 April 2018. The Invitation to Tender was advertised in the Herald Sun and local newspapers and was available on Tenders.Net and on the Alpine Shire Council website.

Tender documents were downloaded by 15 prospective tenderers with 5 tenders received.

### **EVALUATION**

The evaluation panel consisted of the Council's Project Manager and Director Assets.

The tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Social



Following the initial assessment of offers, only one of the tenders was shortlisted for further evaluation. The tenderer was asked to clarify aspects of their tender, including providing further detail on their proposed plan for the delivery of the works.

Following these clarifications, it was determined that the tender from JH Building and Renovation best met the selection criteria.

### **ISSUES**

Stage 2 of the office renewal was budgeted for delivery in the 2017/18 financial year. However, an extensive process of engagement with office staff was required in order to achieve a concept which best met the requirements of the different teams. Coupled with a late start to the design process, this has delayed delivery of the project beyond the end of the 2017/18 financial year.

### **POLICY IMPLICATIONS**

The tender was advertised and evaluated in accordance with Council's Procurement Policy and is in accordance with the *Local Government Act 1989*.

This report is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

There is sufficient provision within the 2018/19 Budget to deliver this contract.

### **CONSULTATION**

Extensive engagement has been carried out with Council staff through the concept design process, including seeking feedback from staff based in the activity-based working environment in the recently renewed Mystic Wing.

### **CONCLUSION**

Following a comprehensive assessment, the tender from JH Building and Renovation is considered to present the best value for Council.

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

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report:

- Project Manager
- Director Assets

### **ATTACHMENT(S)**

- Nil



### 8.2.3 Supply of Electricity Contracts

File Number: SU1745.01

#### **INTRODUCTION**

This report relates to the award of contracts for the supply of electricity for public lighting throughout Alpine Shire, and to facilities operated by Alpine Shire Council.

#### **RECOMMENDATION**

*That Council:*

- 1. Awards a Contract to AGL Sales for the supply of electricity for public lighting in the Alpine Shire for a fixed term to 30 June 2021;*
- 2. Awards a Contract to Origin Energy for the supply of electricity to facilities operated by Council for a fixed term to 30 June 2021; and*
- 3. Delegates to the CEO the authority for signing the electricity supply agreements with both AGL Sales and Origin Energy.*

#### **BACKGROUND**

AGL is currently contracted by Alpine Shire Council for the supply of electricity for public lighting and to Council operated facilities. An extension of the contract expiry date from 30 June 2018 to 13 July 2018 has been requested by Council.

In 2018, on behalf of 144 participating Local Government Authorities and non-local government organisations located across five States, Procurement Australia commenced an aggregated tendering process for a three year contract for the supply of large and small market electricity, large and small market natural gas, and public lighting. Council signed up to participate in this tendering process for the supply of large and small market electricity, and public lighting. All of the facilities operated by Council are currently registered as small market users of electricity. The supply of natural gas is not relevant to Alpine Shire Council.

The Request for Tender was advertised on 27 February 2018 in the Sydney Morning Herald, in the Melbourne Herald Sun on 28 February 2018, and on the Tenderlink website.

The Request for Tender closed on 14 March 2018 for non-financial responses, on 20 March for responses to the large market electricity and public lighting categories, and on 4 April 2018 for the small market electricity category. Six tender submissions were received across the three categories.

#### **EVALUATION**

A panel of seven representatives was established to carry out the evaluation, including two representatives from the Local Government Authority sector, and an independent energy procurement product specialist.

The Tender responses were evaluated according to the following criteria:

- Compliance with Specification (pass/fail)



- Price
- Customer Focus
- Corporate Responsibility
- Contractor Performance

The results of the evaluation were documented in a confidential tender evaluation report provided to Council by Procurement Australia. The evaluation panel resolved to award the Tender for the supply of electricity for public lighting and large market users to AGL Sales, and for the supply of electricity to small market users to Origin Energy.

The tender evaluation report and supporting documentation has been reviewed by the Director Assets, and the recommended awards to AGL and Origin Energy confirmed as providing best value to Council.

### **ISSUES**

Council currently receives an individual electricity bill per quarter for each of the 78 Council operated facilities. In moving to the new agreements Origin Energy, Council will take the opportunity to move to a single consolidated bill per quarter. The consolidated bills will list the electricity consumption and cost against each facility. It will still be possible to track usage against each facility or asset.

Three bills per quarter will be issued by AGL Sales, covering the supply of electricity to public lighting.

### **POLICY IMPLICATIONS**

The tendering process followed by Procurement Australia met the requirements of Council's Procurement Policy.

This recommendation is in accordance with the *Local Government Act 1989*.

This report is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Highly utilised and well managed community facilities.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The cost of electricity supply for public lighting and to Council operated facilities in 2017/18 is approximately \$300,000 inclusive of GST. A 20% increase in the cost of electricity supply was assumed in the 2018/19 Budget, recognising the significant increase in the cost of electricity since the negotiation of the current contract.

Based on 2017/18 electricity usage, the forecast 2018/19 cost of electricity supply under the proposed contracts with AGL and Origin Energy is \$380,000, an increase of 27% over the 2017/18 expenditure. This will result in a forecast budget shortfall of \$80,000 inclusive of GST.

Based on network charges applicable to the 2018/19 financial year, the forecast 2019/20 and 2020/21 cost of supply is \$355,000 and \$350,000, representing an



increase of 18% and 17% respectively on the 2017/18 expenditure. However, network charges from Ausnet Services are not fixed under the supply agreements with AGL Sales and Origin Energy, so the forecast 2019/20 and 2021/22 cost of supply is subject to inflation in these network charges over the period of the contracts.

### **CONSULTATION**

Procurement Australia consulted with councils which had entered into a contract following the previous tendering process, and incorporated common requirements into the tender documents before proceeding to tender. In this process, Alpine Shire Council provided to Procurement Australia details of all existing public lighting and Council operated facilities being supplied under the current contract with AGL.

The tender evaluation and recommendation report has been made available to Council, in addition to an assessment of the impact on Council's annual electricity cost through the new contracts which are recommended.

### **CONCLUSION**

Following an aggregated tendering process carried out by Procurement Australia and an in-house assessment of the recommendations, the following submissions are considered to offer the best value for Council:

- AGL Sales for the supply of electricity to public lighting; and
- Origin Energy for the supply of electricity to Council operated facilities.

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

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets

### **ATTACHMENT(S)**

- Nil



### **8.3 DIRECTOR CORPORATE – NATHALIE COOKE**

#### **8.3.1 Audit Committee Meeting No. 4. 1 June 2018**

File Number: 0900.06

##### **INTRODUCTION**

The purpose of this report is to present the minutes and recommendations of the Audit Committee meeting held on 1 June 2018.

Key items presented to, and considered by, the Committee at this meeting included:

- Nomination and recommendation of Audit committee Chair;
- VAGO Interim Management Letter, Year Ending 30 June 2018;
- Critical Functions;
- VAGO Report on Local Government and Economic Development;
- 2017/18 Quarter 3 Health and Safety Report;
- Waste Charges; and
- Audit Committee Annual Performance Survey.

##### **RECOMMENDATION**

*That Council:*

- 1. Receive and note the minutes of the 1 June 2018 Audit Committee meeting;*
- 2. Appoint Sue Lebish to the role of Chair of the Audit Committee for 2018/19;  
and*
- 3. Adopt the confidential 2017/18 Quarter 3 Health and Safety Report.*

##### **BACKGROUND**

Council must establish an Audit Committee under section 139 of the *Local Government Act 1989*. The Committee's charter requires it to report to Council its activities, issues and related recommendations. This report relates to the Audit Committee meeting held on 1 June 2018.

##### **ISSUES**

###### **Welcome of new members**

The Audit Committee extended a welcome to two returning independent members Sue Lebish and Mark Anderson and one new member Gerard Moore.



### **Nomination and recommendation of Chair**

The Alpine Shire Council Audit Committee Charter 2017 sets out the requirements for the appointment of the Chair of the Audit Committee.

Section 3.4 of the Charter stipulates that:

*"The chair of the Audit Committee must be an independent member.*

*The chair must have suitable qualifications in line with the member knowledge and skills criteria in this Charter and as required by section 139 (2A) of the Local Government Act 1989.*

*The Audit Committee will nominate and recommend to Council a chair each year.*

*The Alpine Shire Council will formally appoint the Audit Committee Chair".*

The Audit Committee nominated and recommends to Council independent member Sue Lebish as Chair of the Committee for the 2018/19 period.

### **VAGO Interim Management Letter, Year Ending 30 June 2018**

Council's audit service provider, RSD Chartered Accountants from Bendigo, was onsite for the interim audit in early May 2018. The Interim Management Letter provides a detailed overview of the matters raised by the auditors from that visit. Three new matters were identified, two of which were considered low risk and one medium risk. These matters are:

- IT general controls;
- Returns and credits review;
- Payroll audit trail reports.

These matters have been acknowledged and accepted and will be addressed in line with the timelines detailed in the management letter responses. Progress of these actions will continue to be monitored by the Audit Committee.

### **Critical Functions**

Council has been progressing a project to identifying its critical functions as part of the larger project to review and develop its business continuity plans. The identification of critical functions is now complete and the Committee were updated on the next stages of the project.

### **VAGO Report on Local Government and Economic Development**

The Victorian Auditor General's Office (VAGO) examined whether local councils' economic development activities improve the economic viability and sustainability of their municipalities and improve the quality of life for residents. VAGO made three recommendations for local councils to consider. The Committee considered VAGO's recommendations and Council's level of compliance and note that Council is allocating funds in 2018/19 to develop an economic development strategy.



### **2017/18 Quarter 3 Health and Safety Report (Confidential)**

The Audit Committee reviewed the Quarter 3 2017/18 Health and Safety Report (Confidential). The report highlights that employee hazard; incident, injury and near-miss reporting had increased on the previous quarter and was slightly down on the same period in 2016/17. There were nine injuries during the quarter and one injury progressed to a WorkCover claim. The Health and Safety Committee met once during the quarter.

### **Waste Charges**

On the 24 April 2018, the Victorian Ombudsman, Deborah Glass OBE, tabled in the Victorian Parliament her investigation into the overcharging of a waste management levy at a local council. The Committee was provided with a detailed overview of Councils waste charges, how they are calculated, reviewed annually and the use of a reserve to 'smooth out' fluctuations between waste income and expenditure.

### **Audit Committee Annual Performance Survey**

The Victorian Government's Audit Committees – A Guide to Good Practice for Local Government and the current Audit Committee Charter require the Committee to undertake a self-assessment of its performance each year. In addition to a member survey, the Committee requested that key staff participating in the Committee meetings also be given the opportunity to provide feedback on the performance of the Committee. There was a 100% return rate of both surveys.

Feedback this year has been very positive with members satisfied with the overall performance of the Committee, the diverse skill set of members, the improvement in reporting and the focus on risk management. Management are more than satisfied with the working relationships and guidance, advice and scrutiny of the Committee and are keen to ensure that Council makes the best use of the Committee's skills and experience.

### **POLICY IMPLICATIONS**

Council complies with the following sections of the *Local Government Act 1989*:

- Section 139: requires Council to have an audit committee and act within the guidelines made by the Minister for Audit Committees.
- Section 136: requires Council to implement the principles of sound financial management.

This report is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation.





### **CONCLUSION**

The Audit Committee, being satisfied with the detail provided in the agenda, submits the minutes of its 2017/18 Meeting No.4 held on 1 June 2018 to Council.

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

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Health, Safety and Risk Officer

### **ATTACHMENT(S)**

- 8.3.1a Audit Committee Meeting No. 4 Minutes, 1 June 2018
- 8.3.1b 2017/18 Quarter 3 Health and Safety Report (CONFIDENTIAL)



### 8.3.2 CCTV Surveillance Camera Policy review

File Number: Policy Register

#### **INTRODUCTION**

A review of the Closed Circuit Television (CCTV) Surveillance Camera Policy (No.93) is being undertaken to provide for CEO approval of CCTV locations on Council owned, operated or managed sites.

#### **RECOMMENDATION**

*That Council:*

- 1. Note the changes to CCTV Surveillance Camera Policy in relation to the ability for the CEO to approve CCTV installation on Council owned, operated or managed sites;*
- 2. Revoke CCTV Surveillance Camera Policy No. 093, Version 3;*
- 3. Adopt CCTV Surveillance Camera Policy No. 093, Version 4; and*
- 4. Sign and seal CCTV Surveillance Camera Policy No. 093 version 4 at the appropriate time of the meeting.*

#### **BACKGROUND**

Council's CCTV Surveillance Camera Policy was first adopted in 2014. At the time the policy governed the installation and usage of CCTV in the Bright Council office and Bright Council depot only.

A review of the policy was undertaken in November 2017 to allow the addition of the Bright Sports Centre as an approved location. Following this adoption, it was requested at the Ordinary Council Meeting that the policy should be written so that future proposals for CCTV in Council facilities would not be dependent on re-presentation of the policy to Council, but to allow the CEO to endorse the locations instead.

#### **Governing legislation**

The *Surveillance Devices Act 1999* regulates the installation, use, maintenance and retrieval of surveillance devices, and restricts the use, communication and publication of information obtained through the use of those devices. The *Privacy and Data Protection Act 2014* provides for responsible collection and handling of personal information - the capture of images of people in CCTV footage is considered personal information. Numerous other pieces of legislation also relate to the capture, retention and release of information - these are detailed within the attached policy.

#### **Objectives of the policy**

The use of CCTV surveillance on Council owned, operated or managed sites is to:

- ensure the safety of Council employees, councillors and members of the public;
- protect property from theft and damage;



- discourage unlawful activity; and
- improve the investigation of incidents on Council owned, operated or managed sites.

## **ISSUES**

### **Council owned and operated facilities**

It is acknowledged that there may be instances where Council owns sites but does not operate or manage their functions directly (e.g. local halls and sporting reserves), and also the reverse where Council manages or operates a site, but it is owned by another entity (for example Crown Land administered by the Victorian Department of Environment Land Water and Planning (DELWP)).

The proposed policy allows for CEO approval in Council owned, managed or operated sites, and requires written agreement between all parties including the owner, manager and operator where at least one entity is involved other than Council.

Any proposal for CCTV installation outside of this scope would need to be presented to Council for approval.

Prior to the proposal for a new CCTV location being presented to the CEO for approval, the following factors will be considered: the proposed location, evidence supporting the need for CCTV such as public or staff safety issues, requirements for community and staff consultation, and any privacy impacts.

### **Approved locations**

All CEO-approved CCTV locations will be included in Council's CCTV location register. Signage will continue to be a requirement of the installation of the systems, so that visitors to a site where CCTV has been installed are made aware of the presence of cameras.

There are no additional installation locations proposed for CCTV at the time of writing this report.

### **Management of systems and data**

The management of the CCTV systems and access to the footage / data will continue to be governed by the two operational procedures that support the current CCTV surveillance camera policy. With the exception of updating the location definition their content will remain unchanged from previous versions. Updated procedures will be approved by the CEO.

## **POLICY IMPLICATIONS**

The use of CCTV systems is governed by a suite of legislation to ensure that operation meets surveillance and privacy guidelines. The following legislation must be considered in conjunction with the policy: *Surveillance Devices Act 1999*, *Privacy and Data Protection Act 2014*, *Public Records Act 1973*, *Private Security Act 2004*, *Freedom of Information Act 1982*, *Evidence Act 2008*, and the *Charter of Human Rights and Responsibilities Act 2006*.



The update to the CCTV surveillance camera policy ensures that Council is delivering on its Council Plan 2017-2021 priorities.

This report is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- A responsible and sustainable organisation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The review of the CCTV surveillance camera policy has been undertaken by Council officers and has not required additional expenditure.

Any proposal for installation of CCTV in additional Council owned, operated or managed sites will be subject to Council's financial management and budgetary processes.

### **CONSULTATION**

Council officers and councillors have been briefed as part of this review.

### **CONCLUSION**

The review of the CCTV surveillance camera policy proposes a move from Council-approved locations to CEO-approved locations. This will ensure that any proposed expansion of the CCTV network in Council owned, operated or managed sites will continue to receive a thorough assessment prior to approval, whilst enabling a more efficient approval process.

There are no additional installation locations proposed for CCTV at the time of writing this report.

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

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Governance Officer

### **ATTACHMENT(S)**

- 8.3.2 CCTV Surveillance Camera Policy No.093 - Version 4



## 9 ASSEMBLY OF COUNCILLORS

### INTRODUCTION

Section 80A of the *Local Government Act 1989* requires a written record of Assemblies of Councillors to be reported at an ordinary meeting of the Council and to be incorporated in the minutes of the Council meeting.

### RECOMMENDATION

*That the summary of the Assemblies of Councillor for May / June 2018 be received.*

### BACKGROUND

The written records of the assemblies held during the previous month are summarised below. Detailed assembly records can be found in Attachment 9.0 to this report.

Date	Meeting
29 May	Briefing Session
4 June	Community Meeting – Pioneer Park
5 June	Briefing Session
19 June	Briefing Session
26 June	Strategic Planning Workshop

### ATTACHMENT(S)

- 9.0 Assemblies of Councillors – May / June 2018



**10 GENERAL BUSINESS**

**11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**

**12 RECEPTION AND READING OF PETITIONS**



### **13 DOCUMENTS FOR SEALING**

#### **RECOMMENDATION**

*That the following documents be signed and sealed.*

- 1. ASC Policy CCTV Surveillance Camera Policy No. 093 version 4.*

There being no further business the Chairperson declared the meeting closed at \_\_\_\_p.m

.....  
Chairperson