

# Agenda

## LeadWest Advisory Committee



### Meeting Details

Title:	LeadWest Advisory Committee	
Date:	19 May 2021	Time: 3.30pm – 5.30pm
Location:	Reception Room, Maribyrnong City Council Cnr Hyde & Napier Streets Footscray VIC 3011	
Chairperson:	Jim Williamson	
Invitees:	Brimbank City Council	Mayor – Cr Ranka Rasic CEO – Helen Morrissey
	Hobsons Bay City Council	Cr Matt Tyler CEO – Aaron van Egmond
	Maribyrnong City Council	Cr Bernadette Thomas CEO – Stephen Wall
	Melton City Council	Cr Sophie Ramsey CEO – Kelvin Tori
	Wyndham City Council	Deputy Mayor – Cr Peter Maynard Acting CEO – Natalie Walker
	LeadWest	Executive Officer – Sue La Greca
Minute Taker:	Marnie Giles	Administration Officer – LeadWest
Conflict of interest:		
Guests:	Sean McManus	Manager Engagement and Advocacy – Melton City Council
	Pauline Hobbs	Advocacy Advisor – Melton City Council
Other Attendees:		
Apologies:		

## Meeting Items

No.	Topic	Attach. (Y/N)	Presented By	For	Time
1.	Welcome, Acknowledgement of traditional owners & apologies	No	Jim Williamson	Information	3.30pm
2.	Melton City Council - Investment Attraction Strategy	No	Sean McManus & Pauline Hobbs	Information	3.35pm
3.	Conflicts of interest to be declared in accordance with the 'Local Government Act 2020'	No	Jim Williamson	Information	4.00pm
4.	Adoption of minutes from meeting held 17 February 2021 <b>(pg. 3)</b>	Yes	Jim Williamson	Decision	4.05pm
5.	Matters arising from meeting held 17 February 2021 <b>(pg. 8)</b>	Yes	Sue La Greca	Information	4.10pm
6.	Adoption of Finance subcommittee minutes from meeting held 17 March 2021 <b>(pg. 9)</b>	Yes	Cr Peter Maynard	Decision	4.15pm
7.	Adoption of LeadWest Budget <b>(pg. 12)</b>	Yes	Sue La Greca	Decision	4.25pm
8.	Transition to a 'Section 64 Joint Delegated Committee' <b>(pg. 15)</b> Briefing Paper <b>(pg. 17)</b> Draft Terms of Reference <b>(pg. 22)</b> Instrument of Delegation and Schedule <b>(pg. 32)</b>	Yes	Sue La Greca	Information	4.35pm
9.	Four Year Rolling Implementation Plan review and update <b>(pg. 34)</b>	Yes	Sue La Greca	Discussion	4.45pm
10.	Project Proposal – LeadWest Delegations to Commonwealth and Victorian Governments and Oppositions – 2021 <b>(pg. 38)</b>	Yes	Sue La Greca	Decision	5.00pm
11.	Other business	No	Jim Williamson	Information	5.25pm
12.	Closure of meeting	No	Jim Williamson	Information	5.30pm

<b>Next Meeting:</b>	18 August 2021 3.30pm – 5.30pm Hobsons Bay City Council
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# MINUTES

## LEADWEST ADVISORY COMMITTEE

### MEETING DETAILS

Title:	LeadWest Advisory Committee Meeting	
Date:	17 February 2021	<b>Time:</b> 3.33pm – 5.44pm
Location:	<a href="https://brimbankcc.zoom.us/j/93401760583">https://brimbankcc.zoom.us/j/93401760583</a>	
Chairperson:	Jim Williamson	
Invitees:	Chairperson Brimbank City Council  Hobsons Bay City Council  Maribyrnong City Council  Melton City Council  Wyndham City Council  Executive Officer	Jim Williamson Mayor – Cr Ranka Rasic CEO Helen Morrissey Cr Matt Tyler CEO – Aaron van Egmond Cr Bernadette Thomas CEO Stephen Wall Cr Sophie Ramsey CEO Kelvin Tori Deputy Mayor - Cr Peter Maynard CEO – Kelly Grigsby Sue La Greca
Conflicts of interest:	Jim Williamson  Stephen Wall  Helen Morrissey	On the board of WoMEDA Agenda item 9 – Section 64 & Independent Chair Agenda item 10 – WoMEDA proposal & draft MoU On the board of WoMEDA Agenda item 10 – WoMEDA proposal & draft MoU On the board of WoMEDA Agenda item 10 – WoMEDA proposal & draft MoU
Guests:	Ben Ryan Megan Cusack  Ashley Lodder	Director – Melbourne Airport Rail, Rail Projects Victoria Deputy Director – Communications & Stakeholder Engagement, Rail Projects Victoria Communications and Stakeholder Engagement Advisor, Rail Projects Victoria
Other Attendees:	Natalie Walker Carly Catalano	Head of Strategy and Policy Impact, Wyndham City Council Communications Officer, LeadWest
Apologies:	Kelly Grigsby	Wyndham City Council
Minute taker:	Marnie Giles	LeadWest

## MEETING ITEMS

No.	Topic	Key discussion points
1.	Welcome, acknowledgement of traditional owners & apologies	The Chair welcomed all in attendance and opened the meeting at 3.33pm. The Chair acknowledged the traditional owners of the land and paid respects to elders past, present and emerging.
2.	Conflicts of interest to be declared in accordance with the Local Gov't Act 2020	The Chair noted that he would need to be excluded from the discussion around agenda item 9 – Section 64 Committee and the Independent Chair.  The Chair also noted that he, Stephen Wall and Helen Morrissey, are all current members of the board of WoMEDA, and will need to exclude themselves from any matter/s requiring a decision in relation to WoMEDA – Item 10.
3.	Melbourne Airport Rail Presentation	Ben Ryan and Megan Cusack presented Committee members with an update on the Melbourne Airport Rail Link (MARL) project: <ul style="list-style-type: none"> <li>It was late 2020 when the Prime Minister and Premier of Victoria announced their joint contribution to the commitment of the MARL- \$5 billion from the Federal Government and \$5 billion from the State Government.</li> <li>The MARL project will start in 2022 and is expected to be operational in 2029.</li> <li>The MARL will run through the Metro Tunnel which is currently under construction.</li> <li>Five new train stations will connect parts of Melbourne to the heavy rail network and will be integrated with the remaining public rail network.</li> <li>The expected frequency of the service is 10 minutes and will transport passengers to the center of the CBD in under 30 minutes.</li> <li>Connection through the Metro Tunnel provides direct access to key economic areas such as university, health and business precincts.</li> <li>The MARL will be designed to cater for the significant expected population growth of Melbourne and will provide a single interchange to travelers throughout metro Melbourne and regional Victoria.</li> <li>Phase one - awareness raising, of the 'Community Engagement Program' is proceeding. Part of this has involved providing a virtual room for community members to seek information around the project, and will conclude in March 2021. Phase 2 of the community engagement strategy is currently in planning.</li> </ul>
4.	Adoption of minutes of 16 December 2020	<i>Minutes of the meeting held, 16 December 2020, were confirmed without amendment.</i>  <i>Moved: Cr Peter Maynard</i> <i>Seconded: Cr Sophie Ramsey</i>
5.	Matters arising from meeting: 16 December 2020	The Executive Officer (EO) noted that attachment 2 – 'matters arising' from the meeting held on the 16 <sup>th</sup> December 2020 have been completed. The matter of the Section 64 Committee transition and Independent Chair would be resolved during agenda item 9.
6.	Finance Subcommittee	Cr Peter Maynard noted that the Finance Subcommittee did not meet during December 2020. Next meeting is scheduled for 17 <sup>th</sup> March 2021.  A finance update was provided at Attachment 3 indicating a reserve fund balance of \$303,638 – expected costs against the reserve fund include a forecast recurrent budget shortfall of \$56,452, an MOU – for discussion and decision – with WoMEDA of \$50,000, and a contingency for further work on the Strategic Plan (also \$50,000) – estimated funds in reserve fund for 2021/22 would be just over \$147,000.

No.	Topic	Key discussion points
		<p>Also noted in the update is the fact that the budget shortfall is a result of the withdrawal of Moonee Valley City Council from the LeadWest Advisory Committee.</p>
7.	LeadWest Rebranding	<p>The EO introduced the Communications Officer to present the LeadWest rebranding presentation to the committee. During the presentation the Communications Officer provided the final draft copy of the design for the LeadWest logo and website.</p> <p>It was noted that links to the LeadWest member councils, WoMEDA and the North &amp; West Melbourne City Deal websites would also be placed on the LeadWest website.</p> <p><i>The Committee resolved to adopt the new logo, and the website was adopted in principle with minor amendments to be made.</i></p> <p><i>Moved: Cr Peter Maynard</i> <i>Seconded: Cr Sophie Ramsey</i></p> <p>The Chair, on behalf of the Committee thanked the Communications Officer, with assistance from Brimbank staff, for their work on this project. In discussion it was also noted that the branding and website look is modern, crisp and attractive. It was well received.</p> <p>The Chair further noted that if project work carried out by the Working for Victoria staff is unable to be completed prior to the contract end dates, a proposal be put to the LeadWest Finance Subcommittee to discuss the possibility of extending employment contracts.</p>
8.	Interim Terms of Reference	<p>The Chair advised the committee of the requirements around the interim Terms of Reference (ToR) and noted that these are applicable to LeadWest and its current governance structure as an Advisory Committee. For future governance structure changes, these ToR will be amended as appropriate.</p> <p>The EO advised the Committee that the principles of the interim ToR are as previously documented, but refers to LeadWest as an Advisory Committee. The withdrawal of Moonee Valley City Council has also been reflected within the interim ToR.</p> <p>In discussion it was noted that if the ToR need to be amended, then consideration should be given to priority activity and advocacy plans for LeadWest. The issue of indicating how projects are delivered within agreed timeframes, something that is currently identified in a four year rolling plan and an annual implementation plan.</p> <p><i>The Committee resolved to adopt the interim Terms of Reference without further amendments. A watching brief is also implemented for future Terms of Reference.</i></p> <p><i>Moved: Cr Bernadette Thomas</i> <i>Seconded: Kelvin Tori</i></p>
9.	LeadWest Section 64 and Independent Chair	<p>The Chair was excused from the meeting at 4.42pm. The EO directed the meeting for agenda item 9.</p> <p>The EO provided background information on the changes to previous governance structures of LeadWest and the recent changes to the Local Government Act (LGA) of Victoria. In accordance with the new LGA 2020, the position of the Chairperson must be filled by an elected representative.</p> <p>A letter was sent from the Advisory Committee to the Local Government Minister in September 2020, seeking an exemption from section 177 of the LGA, to maintain an Independent Chair on the LeadWest Committee.</p> <p>The Advisory Committee was advised (letter from the Minister dated 28 January 2021) that the request to retain an Independent Chair was declined due to section 177 being a key reform of the new LGA and to promote leadership from the elected representatives.</p>

No.	Topic	Key discussion points
		<p>The Minister's letter gave consideration to some other ways of proceeding and these were noted.</p> <p><i>The Committee then resolved to move to a 'Section 64 – Joint Delegated Committee', with further advice sought from each council regarding the term of the Chairperson.</i></p> <p>It was further resolved that:</p> <p><i>The Chief Executive Officers (CEOs) of LeadWest will discuss the options of either an annual term or council term (four years) for the Chairperson with their respective councils. The CEO's will provide their council's decision to the EO electronically by the 9<sup>th</sup> March 2021.</i></p> <p><i>Moved: Cr Peter Maynard</i> <i>Seconded: Cr Matt Tyler</i></p>
10.	Western Intermodal Freight Precinct Letter of Support	<p>The Chair rejoined to the meeting and invited comment on Item 10, a letter prepared by Melton Council seeking support from LeadWest for the WIFP to proceed.</p> <p><i>The Committee resolved to endorse the Western Intermodal Freight Precinct letter of support for Melton City Council.</i></p> <p><i>Moved: Cr Peter Maynard</i> <i>Seconded: Stephen Wall</i></p>
11.	Brimbank Leading with Vision 2050 Letter of Support	<p>The EO referred the Committee to attachment 8 – 'Leading with Vision 2050, Letter of Support'.</p> <p><i>The committee resolved to endorse the Leading with Vision 2050 letter of support for Brimbank City Council.</i></p> <p><i>Moved: Cr Peter Maynard</i> <i>Seconded: Cr Sophie Ramsey</i></p>
12.	Regional Jobs Taskforce	<p>The EO provided an update on the applications received for the Regional Jobs Recovery Fund. The successful applicants are yet to be determined.</p> <p>The Jobs Tasks Force will look into working with the unsuccessful applicants for the next round of funding.</p> <p>Once formal advice is received regarding the applications, the EO will circulate the information to the Committee members.</p>
13.	North & West Melbourne City Deal and Regional Bus Tour	<p>The EO updated the committee on meetings held with senior officers from the Federal Government.</p> <p>They have advised the North &amp; West Melbourne City Deal (NWMDC) working group that the city deal proposal needs to be revised with one overarching theme and reduced to a smaller number of projects.</p> <p>Cr Bernadette Thomas raised concern around the lack of climate change and green energy related projects within the NWMCD proposal. As Melbourne's west is one of the fastest growing regions in Australia, the NWMCD is a great opportunity to capture climate and environmental sustainability projects for the region.</p> <p>Brimbank City Council provided an update on a recent meeting with Senator Sarah Henderson. The Senator's advice was around providing projects with the prospect of gaining funding which align with job and employment potential.</p> <p>An update was also provided around the planning and development of the Regional Bus Tour.</p> <p>Due to COVID-19, an increased demand in time for parliamentary sitting dates and a department restructure, the Federal Government has postponed the Regional Bus Tour. The</p>

No.	Topic	Key discussion points
		planning and organization of the tour will still proceed so LeadWest are ready to move forward once a new date is confirmed.
14.	West of Melbourne Economic Development Alliance (WoMEDA) Proposal & Draft MoU	<p>Due to a conflict of interest, the Chair, Helen and Stephen were excused from the meeting and the EO directed the meeting for advertised agenda item 10.</p> <p>The EO provided information regarding the proposal which WoMEDA had submitted. At a contributory payment of \$50K, WoMEDA would undertake further consultancy research and economic impact analysis for key issues being:</p> <ul style="list-style-type: none"> <li>• Research for the future development of Werribee and the Werribee Employment Precinct</li> <li>• Continued work on the North and West Melbourne City Deal</li> <li>• Business case for the Jobs Institute in Sunshine</li> <li>• Economic impact analysis and advocacy for Scienceworks</li> </ul> <p>The EO also noted that this MoU is valid for the 2021 calendar year.</p> <p><i>The Committee resolved to enter into a MoU with WoMEDA in principle with amendments to be made to the 'Termination' clause of the document.</i></p> <p><i>Where the agreement of the MoU is terminated prior to works being completed, a claw back provision should be added to the MoU to recover any monies paid.</i></p> <p><i>The EO will make amendments to the MoU and electronically forward the revised document to committee members by 24<sup>th</sup> February 2021. The Committee agreed that approval will be electronically returned by 3<sup>rd</sup> March 2021.</i></p> <p><i>Moved: Cr Sophie Ramsey</i> <i>Seconded: Cr Peter Maynard</i></p>
15.	Closure of meeting:	The EO thanked all in attendance and closed the meeting at 5.44pm

**Next meeting:**

**19 May 2021**  
**TBC**

**Recommendation:**

*That the LeadWest Committee adopt the minutes of the meeting of 17 February 2021.*

**LeadWest – Advisory Committee**  
**Matters arising from meeting held 17<sup>th</sup> February 2021**

**Action List**

Agenda Item	Action	Actioned By	Status
14	Amend the Memorandum of Understanding between LeadWest (LW) and West of Melbourne Economic Development Alliance (WoMEDA) to include a claw back provision if the case arises that the agreement is terminated before all agreed work is completed then monies would be returned for incomplete work. MoU can then be signed.	Sue La Greca	Completed

# Minutes

## LeadWest Finance Subcommittee Meeting



### Meeting Details

Title:	LeadWest Finance Subcommittee Meeting	
Date:	17 March 2021	Time: 3.32pm – 4.21pm
Location:	<a href="https://brimbankcc.zoom.us/j/95435447186">https://brimbankcc.zoom.us/j/95435447186</a>	
Chairperson:	Cr Peter Maynard	
Invitees:	Cr Peter Maynard	Chairperson
	Jim Williamson	Independent Chair - LeadWest
	Stephen Wall	CEO - Maribyrnong City Council
	Shane Marr	Representative - Brimbank City Council
	Sue La Greca	Executive Officer - LeadWest
Conflict of interest:	No conflicts of interest declared	
Guests:		
Other attendees:		
Apologies:		
Minute taker:	Marnie Giles	Administration Officer - LeadWest

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## Meeting Items

No.	Topic	Key discussion points
1.	Welcome & Apologies	The chairperson, Cr Peter Maynard, welcomed all in attendance and opened the meeting at 3.32pm.
2.	Conflicts of interest to be declared in accordance with the Local Government Act 2020	No conflicts of interest were declared.
3.	Adoption of minutes 30 September 2020	The committee agreed to adopt the minutes from the meeting held 30 <sup>th</sup> September 2020 without amendment. <i>Moved: Stephen Wall</i> <i>Seconded: Shane Marr</i>
4.	Matters arising 30 September 2020	It was noted that agenda item 4 – ‘matters arising’ from the meeting held on the 30 <sup>th</sup> September 2020 have either been completed or are in progress. It was also noted that during agenda items 7 and 8 the matters regarding the four year budget forecast would be addressed.
5.	Operational Budget	The Chair noted agenda item 5 – ‘operational budget’ and advised that further discussions would be held during agenda items 7 and 8.
6.	Reserve Fund Position Statement	The Chair noted agenda item 6 – ‘Reserve / Project Fund Position Statement.
7.	Four Year Operational Forecast Budget	<p>The Executive Officer (EO) gave an overview of the forecast budgets and the finance subcommittee discussed and noted the following:</p> <ul style="list-style-type: none"> <li>The four year forecast reflects the governance transition from a company limited by guarantee to a special committee of Council then to an advisory committee. This transition will also encompass the change to a Section 64 Joint Delegated Committee.</li> <li>The 2020/2021 member contributions were \$40k plus overheads which brought the total amount of contributions to \$237,197.</li> <li>The four year budget forecast combining the operational and project incomes and expenditures, with an assumed annual project budget of approximately \$100k and no changes to member council contributions, demonstrated that the reserve fund would be in deficit by the end of 2022.</li> <li>The predicted deficit is a direct result of the resignation of Moonee Valley City Council.</li> <li>In line with appropriate work practices, the budget should be balanced at the end of each financial year rather than declining into a deficit.</li> </ul> <p><i>The following recommendations were made:</i></p> <p><i>Increase the member contributions from \$40K to \$50K to cover the operating expenditure for 2021/2022 financial year.</i></p> <p><i>Index member contributions and review the annual amount to obtain a balanced budget over the four year forecast</i></p> <p><i>For the LeadWest Committee to consider additional members to defray operational expenditure</i></p> <p><i>Moved: Stephen Wall</i> <i>Seconded: Shane Marr</i></p>

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8. Four Year Project Forecast Budget

- The projects and associated budget have been extracted from the Strategic Plan and Implementation Plan
- An estimation of approximately \$100K to be spent per annum from the project budget
- For the current 2020/2021 financial year however, \$72K has already been spent on projects and there is a further \$50K anticipated to be spent before year end, giving total project expenditure for 2021 of \$122K.
- The goal for the 2021/2022 financial year is to expend the reserve fund on projects and have the budget balanced as previously resolved by the LeadWest Committee. The member contributions have had a significant reduction from previous years to achieve this goal.

*The following recommendations were made:*

*Keep operational income and expenditure and project income and expenditure separate*

*Review the project forecast annually, submit the identified projects to the LeadWest committee for endorsement and establish each member council's contribution per project*

*Include a project income line in the budget forecast for proposed projects that have been adopted by the LeadWest committee.*

*To review the project budget during the 2021/2022 financial year to predetermine the project costs and advise member councils of the contributions needed to balance the project budget.*

*Moved: Stephen Wall*

*Seconded: Shane Marr*

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9. Other Business

The EO provided an update around the LeadWest Ltd Annual Reports. Previous discussions suggested that the financial report be conducted by Brimbank City Council. As advised by the finance subcommittee it was agreed that the audit be produced by Crowe Horwath as resolved by the LeadWest Ltd Board.

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10. Closure of meeting

The Chair thanked all in attendance and closed the meeting at 4.21pm

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**Next meeting:**

16th June 2021  
3.30pm – 4.30pm

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**Recommendation:**

*That the LeadWest Committee adopt the minutes of the LeadWest Finance sub-committee of 17 March 2021.*

## 7. LeadWest 2021/2022 Operational Budget

<b>0487. LeadWest Program</b>	<b>2020/21 Predicted Forecast</b>	<b>2021/22 Budget with member contributions = \$281,064 (\$50k per council + o/heads)</b>	<b>2022/23 Budget</b>	<b>2023/24 Budget</b>	<b>2024/25 Budget</b>
<b>Income</b>					
50 438 0487 1327 Member Council Contributions	(237,197)	(281,064)	(281,064)	(281,064)	(281,064)
Transfer from Reserve Account	( 86,799)	( 13,358)	( 16,547)	( 19,773)	( 23,035)
<b>Total Income</b>	<b>(323,996)</b>	<b>(294,422)</b>	<b>(297,611)</b>	<b>(300,837)</b>	<b>(304,099)</b>
<b>Expenditure</b>					
50 438 0487 2001 Salaries & Wages Ordinary	227,078	229,349	231,642	233,959	236,298
50 438 0487 2022 Superannuation Oncost	21,493	21,708	21,925	22,144	22,366
50 438 0487 2023 LSL Oncost	6,221	6,283	6,346	6,410	6,474
50 438 0487 2032 WorkCover OnCost	4,350	4,394	4,437	4,482	4,527
50 438 0487 3001 *Consultants	22,728	0	0	0	0
50 438 0487 3011 *Memberships/Subscriptions	1,596	1,624	1,652	1,681	1,711
50 438 0487 3055 *Legal Fees	10,000	0	0	0	0
50 438 0487 3702 Internal Corporate Overheads	30,530	31,064	31,608	32,161	32,724
<b>Total Expenditure</b>	<b>323,996</b>	<b>294,422</b>	<b>297,611</b>	<b>300,837</b>	<b>304,099</b>

- The above figures assume forecast CPI of 1.75% and forecast EB of 1.00% with staff compliment of one full time executive officer, one full time administrative officer (band 4) and one part time communications officer (0.2 x band 7)
- Member contributions for 2020/2021 totalled \$237,197, being \$45,936 for each of the full five member councils (\$40,000 contributions plus \$5,936 each to cover overhead costs) and \$7,517 for Moonee Valley Council's membership from 1 July 2020 to 1 September 2020.
- A transfer of approximately \$86,799 will be required from the reserve fund to cover all operational costs for 2020/2021 if forecast expenditure figures are achieved.
- For 2021/2022, if the number of member councils remains at five and contributions remain at \$40,000 plus overheads, member contributions will total \$231,064 and \$63,358 will be required from the reserve fund.
- If however, as recommended at the last LeadWest finance subcommittee meeting (17 March 2021), member contributions are increased to \$50,000 plus overheads (\$56,212) and membership numbers remain at five, then total contributions will be \$281,064 with only \$13,358 required from the reserve fund.
- Given the need to cover both operational and project costs, the principles adopted are:
  - To limit member contribution increases until the reserve fund has been fully utilised
  - To use the reserve fund to cover all projects expenses and any deficit in the operational budget
  - Reserve fund expenditure will be monitored annually and as it is expended, member councils will determine the amounts they will contribute to individual projects.
  - If project expenditure is estimated at approximately \$100,000 per annum, then the reserve fund will be depleted by the end of 2022.
  - LeadWest will consider pursuing additional member councils.

## 7. LeadWest 2021/2022 Project Budget

<u>0487. LeadWest Program</u>	2021/22 Budget	2022/23 Budget	2023/24 Budget	2024/25 Budget
<b>Income</b>				
Reserve Fund	(251,156)	(132,798)		
<b>Total Income</b>	<b>(251,156)</b>	<b>(132,798)</b>		
<b>Expenditure</b>				
North and West Melbourne City Deal	10,000			
Delegation to Canberra	15,000			
Advocacy Strategy:				
State	10,000			
Federal	10,000			
Economic and Social demographic database for the region with baseline jobs data	20,000			
Research benefits of the social economy and how to develop further				
Campaign for financial allocations from major projects for local infrastructure:				
Outer Metropolitan Ring (OMR)	10,000			
Western Intermodal Freight Precinct (WIFP)	10,000			
Melbourne Airport Rail Link	10,000			
Advocate for improved regional sports and recreation facilities	10,000			
Liaise with health sector stakeholders to determine regional needs.	In house			
<b>*Elected Rep Forum</b>				
Support rapid progress for construction of Melton and Footscray hospitals	In house			
Transfer to cover operational short fall	13,358			
<b>Total Expenditure</b>	<b>\$118,358</b>			

### **Recommendation:**

*That the LeadWest committee adopt the 2021/2022 operational budget and the 2021/2022 project budget*

## 8. Transition to a Section 64 Joint Delegate Committee

**Attachment 1: Briefing Paper – Joint Delegated Committee**

**Attachment 2: Draft Terms of Reference**

**Attachment 3: Draft Instrument of Delegation**

### **Purpose**

To advise on the progress with transitioning the LeadWest Committee to a Joint Delegated Committee (Section 64 LGA 2020).

### **Background**

LeadWest was established as a company in 2007 to provide nonpartisan and not-for-profit advocacy for Melbourne's West including the Councils of Brimbank, Hobsons Bay, Maribyrnong, Melton, Moonee Valley and Wyndham.

Following a governance review in 2018, LeadWest Ltd (the company) was wound up and replaced by LeadWest as a section 86 committee under the then Local Government Act 1989 (LGA 1989).

In May 2020, the LGA 1989 was repealed and replaced with the LGA 2020, meaning that section 86 committees were removed effective from 1 September 2020. At this stage LeadWest reverted to an advisory committee of council and the City of Moonee Valley decided to withdraw from LeadWest.

LeadWest began the process of transition to a Section 64 Joint Delegated Committee under the new act but sought exemption from the requirement to have an elected representative as the LeadWest Chair in order to maintain its independent Chair. Earlier this year, the Local Government Minister advised that this exemption would not be granted. LeadWest must now proceed to form a section 64 Joint Delegated Committee with an elected representative of one of the member councils as the chair and also an elected representative of one of the member councils as the deputy chair.

### **Key Issues**

LeadWest, the governance departments of all member councils and Maddocks (council solicitors) have worked to produce a draft briefing paper, terms of reference and instrument of delegation to facilitate the governance transition to a Section 64 Joint Delegated Committee (JDC) (Attachments 1,2 & 3).

The draft terms of reference are based on the existing terms of reference with the main difference being that LeadWest can no longer have an independent chair but instead must have an elected representative as its chair and an elected representative as its deputy chair. While LeadWest as a JDC cannot have an independent chair, it can have independent members if it so chooses.

It is proposed that the term for the LeadWest chair and for the LeadWest deputy chair be for one year.

With the term of the current chair, Jim Williamson, coming to an end at 30 June 2021, it is proposed that the LeadWest committee appoint an elected representative to chair LeadWest from 1 July 2021 until the section 64 JDC comes into effect and also an elected representative as deputy chair for the same period. At the first LeadWest meeting after November 2021, the LeadWest committee to elect its chair and deputy chair for 2022.

## Next Steps

- Each member council will need to resolve, at an ordinary council meeting, to move LeadWest to a Joint Delegated Committee in accordance with Section 64 of the Local Government Act 2020 with the same Terms of Reference and Instrument of Delegation. This is proposed for July 2021.
- The Executive Officer is liaising with the Governance Department of each member council, with the lead being taken by Melton City Council.

## **Recommendation:**

*That the LeadWest committee:*

1. *Note the process for transitioning to a Section 64 Joint Delegated Committee under the Local Government Act 2020*
2. *Elect a Chair and a Deputy Chair from the elected representatives of its member councils for the period 1 July 2021 until the section 64 Joint Delegated Committee comes into effect*
3. *At the first LeadWest meeting after November 2021, elect its chair and deputy chair for 2022.*
4. *Write to the existing Chair, Jim Williamson, thanking him for his three years of dedicated and valuable contribution to the leadership of LeadWest.*

# Briefing Paper

## Subject: LeadWest – Joint Delegated Committee

### Purpose

This report outlines the actions required to re-establish the LeadWest Committee as a Joint Delegated Committee, to bring its governance structure in line with the requirements of section 64 of the *Local Government Act 2020*.

### Background

LeadWest LTD (LeadWest) was established as a company in 2007 to provide nonpartisan and not-for-profit advocacy for Melbourne's West. It is a membership-based organisation currently including Brimbank, Hobsons Bay, Melton, Maribyrnong, and Wyndham Councils.

In 2018 the LeadWest Board commenced a strategic review process to evaluate the Company's objectives. The review found that, in order to fully achieve its objectives, LeadWest should be re-established as a section 86 Special Committee under the then *Local Government Act 1989*.

On 7 May 2019 Council resolved to establish a Special Committee as part of a series of Special Committees called LeadWest Committee pursuant to section 86 of the *Local Government Act 1989*, commencing operation from 1 July 2019. Council resolved that the committee would be delegated, by Instrument of Delegation, the powers, duties and functions relevant to the LeadWest governance arrangements. Terms of reference were adopted by Council and two Wyndham councillors and the CEO were appointed to the committee. Brimbank, Hobsons Bay, Maribyrnong, Melton and Moonee Valley Councils each established the same committee under the same provisions. The de-registration process of LeadWest as a company then began in June 2019 and was completed in June 2020.

On 1 May 2020 section 86 of the *Local Government Act 1989* was repealed removing the provision for Special Committees of the Council and section 64 of the *Local Government Act 2020* came into effect allowing two or more Councils to resolve to establish a Joint Delegated Committee. Member Councils are now considering the re-establishment of LeadWest as a Joint Delegated Committee under section 64 of the *Local Government Act 2020*.

### Key Issues & Opportunities

A delegated Committee is formed by a Council to which the Council delegates “any power, duty or function of a council under this Act or any other Act...” A delegated committee may exercise a power to undertake a duty or function as if it is the council. A Joint Delegated Committee is formed by resolution of two or more Councils and consists of a delegated committee from each Council, including at least one Councillor from each Council present at the meeting. This is not, in effect, a different committee as it is established by existing delegated committees.

A delegated committee exercises the powers, duties or functions of council. Therefore, these committees are subject to the same governance rules as council under section 60 of the *Local Government Act 2020*. The sections of the Act relating to delegated committees came into effect on 1 May 2020 however delegations made under the *Local Government Act 1989* remained in force until 1 September 2020, therefore the LeadWest Committee does not have the power to exercise these delegations after this date, until new committees are established and new instruments of delegation are made. (LeadWest has been operating as an advisory committee to council from 1 September to present.)

Delegated Committees have specific roles and powers (delegations) and therefore the new Act is concerned with ensuring public transparency in their operations and in recognising that members of delegated committees must declare interests. Members of delegated committees are subject to many of the same requirements as Councillors, such as conflict of interest, personal interest returns and standards of conduct. Of note is the

disclosure requirements for delegated committee members. These were not required under the 1989 Act; however, the requirements are now the same for members of delegated committees as for Councillors.

**Instruments of Delegation:**

Delegations are used to empower committees with the authority to make binding decisions on behalf of a Council or CEO. An instrument of delegation is a written document that specifies what powers are delegated and to whom. In the case of delegated committees, councils will delegate powers, functions or duties to the members of a committee.

**Indemnity**

The Act requires that Council must indemnify members of Delegated Committees, including in the conduct of the role as a member of a Joint Delegated Committee. Members are to be indemnified against actions and claims arising in “respect of anything necessarily done or omitted to be done in the good faith” (s43) in the performance of their role.

**Independent Member**

LeadWest is currently chaired by an independent member, however the new Act requires a Councillor to chair the meetings of a Joint Delegated Committee. Therefore, additional requirements have been included in the Terms of Reference to allow for the appointment of independent member/s to be appointed to the committee, including the skills required and appointment process.

**Summary of requirements:**

Following consultation with LeadWest, Wyndham City Council engaged Maddocks Lawyers on behalf of all LeadWest member councils to seek advice about the matters relevant to re-establishing LeadWest as a Joint Delegated Committee. This includes:

What must be done to ensure that the statutory requirements of section 64 of the *Local Government Act 2020* are met?

What are the requirements for the appointment of independent members to the Committee to be provided for in the Committee’s Terms of Reference?

Draft Documents:

Draft Terms of Reference – based on the existing Terms of Reference (attached)

Draft Instrument of Delegation – based on the existing Instrument of Delegation (attached)

The advice and documents need careful review to ensure they reflect the expectations of the Member Councils before being finalised by Maddocks and adopted by Council.

<p>Terms of Reference addressing the requirements of section 64 of the <i>Local Government Act 2020</i></p>	<p><i>Unlike the situation when establishing the special committees under section 86 of the Local Government Act 1989, each of the Member Councils will adopt the same Terms of Reference for the one committee.</i></p> <p>Section 64 of the <i>Local Government Act 2020</i> regulates the establishment and operation of Joint Delegated Committees including:</p>	<p><i>Draft terms of reference prepared based on the existing Terms of Reference - attached – prepared by Maddocks.</i></p>
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	<ul style="list-style-type: none"> <li>It provides for a Joint Delegated Committee to be established by two or more councils;</li> <li>It requires that a Joint Delegated Committee has as its membership at least one Councillor from each establishing council;</li> <li>It requires that a meeting of a Joint Delegated Committee is chaired by one of the Councillor members; and</li> <li>It provides that the procedures for meetings of a Joint Delegated Committee are to be: <ul style="list-style-type: none"> <li>(a) in accordance with the LGA 2020 (except ss 61(3),1(4)2 and (5)(d)3); and</li> <li>(b) otherwise determined by the establishing councils.</li> </ul> </li> </ul>	
Instrument of Delegation from each of the Member Councils to the members of the Joint Delegated Committee	<p><i>Each Member Council will need to adopt its own Instrument of Delegation, albeit in the same form as each of the others.</i></p> <p>Section 11 of the <i>Local Government Act 2020</i>, which provides, in part:</p> <p>(1) A Council may by instrument of delegation delegate to—</p> <p>(a) the members of a delegated committee; or</p> <p>...</p> <p>any power, duty or function of a Council under this Act or any other Act other than a power, duty or function specified in subsection (2).</p> <p>(6) A member of a delegated committee to whom a delegation is given under subsection (1)(a) can only exercise the delegation while acting as a member of the delegated committee at a meeting of the delegated committee.</p>	<i>Draft Instrument of Delegation document based on the existing Instrument of Delegation attached – prepared by Maddocks</i>
Prepare draft resolutions for each of the Member Councils establishing the Joint Delegated Committee	<i>Maddocks to action</i>	<i>To be completed</i>
Have each of the Member Councils adopt each of the necessary documents by resolution at a properly constituted Council meeting.	<i>Member Councils to action</i>	<i>To be completed</i>

<b>Membership</b>	<p>With respect to membership of the Committee, it:</p> <ul style="list-style-type: none"> <li>is at the discretion of the Member Councils; but</li> <li>must include at least one Councillor from each of the Member Councils; and</li> <li>must be chaired by a Councillor member.</li> </ul>	<i>Each of these matters has informed the preparation of the Terms of Reference</i>
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	<i>This means that the current membership of the special committees can be retained, with the exception that the Chairperson cannot be an independent member.</i>	
<p><b>Meeting Procedures</b></p> <p>The procedures for meetings of the Committee must be determined by the Member Councils.</p>	<p>This can be done either by:</p> <ul style="list-style-type: none"> <li>establishing a set of meeting procedures (i.e. something like Governance Rules) that is specific to the Committee; or</li> <li>requiring that the Committee conducts its meetings in accordance with the Governance Rules of <b>one of</b> the Member Councils.</li> </ul> <p><i>If the Member Councils adopt the former approach, they could establish the meeting procedures either in the Terms of Reference, or as a separate document compliance with which is required by the Terms of Reference.</i></p> <p><i>Adopting the latter approach would require the Member Councils to select the Governance Rules that will apply to the Committee and specify the parts of those Governance Rules that will apply to it. Again, this would be done by reference in the Terms of Reference.</i></p> <p><b>Meeting procedures subject to the LGA 2020</b></p> <p>The procedures for meetings of the Committee will also be subject to, and need to be consistent with, the procedures specified by the LGA 2020. This includes, for example:</p> <ul style="list-style-type: none"> <li>meetings of the Committee will need to be open to the public other than in specified circumstances (ss 66(1) and (2));</li> <li>keeping, and recording certain matters in, minutes of the Committee's meetings (s 66(5));</li> </ul>	<p><i>Each of these matters has informed the preparation of the Terms of Reference</i></p> <p><i>Member Councils are to consider how meeting procedures will be determined</i></p>
<p><b>Other matters</b></p> <p>There is a series of other provisions of <i>the Local Government Act 2020</i> which will apply to members of the Committee, <u>including those who are not Councillors,</u></p>	<ul style="list-style-type: none"> <li>entitlement to be reimbursed for expenses incurred in the performance of their role (ss 40 and 41);</li> <li>entitlement to be indemnified in respect of any claims and actions arising from the fulfilment of their functions and duties (s 43);</li> <li>obligation to observe the offence provisions, including the offences relating to misuse of position (s 123), disclosure of confidential information (s 125) and failure to disclose a conflict of interest (s 130); and</li> <li>obligation to submit personal interest returns (ss 133 and 134)</li> </ul>	<p><i>Each of these matters has informed the preparation of the Terms of Reference</i></p> <p><i>The Member Councils and the members of the Committee will need to be familiar with these</i></p>

<p><b>Requirements for the appointment of independent members to the Committee?</b></p>	<p>Membership of the Committee will be a matter for the Member Councils and can include independent members, although the Chairperson must be a Councillor member.</p>	<p><i>Provisions have been made in the Terms of Reference for these matters for</i></p>
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	<p>It will be for the Member Councils to determine the method by which independent members will be appointed. (A process for this is proposed at cl 7.5 of the draft Terms of Reference)</p> <p>The Member Councils will also need to determine the:</p> <ul style="list-style-type: none"> <li>• number of independent members (if any) to be appointed to the Committee;</li> <li>• expertise of independent members; and way in which prospective independent members will be identified – i.e. the application process.</li> </ul>	<p><i>consideration by Member Councils</i></p>
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### Financial Implications

The establishment of the LeadWest Joint Delegated Committee has required the engagement of Maddocks to provide advice on the new governance structure and preparation of the relevant documents. Legal Fees will be met by member councils under the LeadWest funding model.

### Community Engagement/Communication

Each member Council will be responsible for the required communication and engagement to notify the Community.

### Next Steps

Member Councils will meet to discuss the required information to finalise the Terms of Reference. The next draft of the Terms of Reference and Instrument of Delegation is due to be tabled at the Strategic Briefing on ..... for and a Council Meeting on ..... 2021..

Each Member Council will have the same Terms of Reference prepared by Maddocks to be adopted by their Council and will adopt their own individual Instrument of Delegation as prepared by Maddocks.

## LEADWEST JOINT DELEGATED COMMITTEE — TERMS OF REFERENCE .....2021

## LEADWEST COMMITTEE

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## 1. Committee

The LeadWest Joint Delegated Committee (**Committee**) is constituted as a joint delegated committee in accordance with section 64 of the *Local Government Act 2020 (Act)*.

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## 2. Preamble

- 2.1 The Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton, and Wyndham (**Member Councils**) have resolved to establish the Committee as a joint delegated committee in accordance with section 64 of the Act for the purposes set out in these Terms of Reference.
- 2.2 Each of the Member Councils will endeavour to ensure that its budget makes provision for the resources reasonably necessary to deliver on commitments agreed in the LeadWest Strategic Plan. The budget of each member Council would be specific to meeting the LeadWest Strategic Plan actions relevant to that respective municipality. The recommended budget allocation is to be based on the perceived benefits and/or capacity of each member Council.
- 2.3 Any of the Member Councils may resolve to withdraw from the Committee provided that a notice period of two years is given.
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## 3. Purpose and Objectives

The purpose and objectives of the Committee are to:

- 3.1 oversee the preparation and implementation of the LeadWest Strategic Plan;
- 3.2 oversee the preparation and implementation of any sub projects as determined by the Member Councils from time to time in accordance with these Terms of Reference;
- 3.3 identify and implement actions that support sustainable growth and development in the Western Region of Greater Melbourne (the **Region**) being the region covered by the municipalities which are the subject of this agreement; and
- 3.4 provide coordinated assessment and decision-making functions with respect to the Committee's purpose.
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## 4. Context

In fulfilling its purpose and objectives, the Committee will have regard to:

- 4.1 the overarching governance principles in section 9(2) of the Act;
- 4.2 legislative requirements generally;
- 4.3 available resources;

- 4.4 existing initiatives and programmes in the Region;
- 4.5 economic, social and environmental values; and
- 4.6 respecting individual differences between communities.

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## 5. Role and Functions

The Committee's role and functions are those specified in clauses 5.1 to 5.3 below.

### 5.1 Programming:

- 5.1.1 develop and approve a ten year LeadWest Strategic Plan which will underpin the activities of the Committee and is reviewed by the Committee in the first year of a new four year Council term;
- 5.1.2 develop and approve a rolling Four Year Implementation Program to implement actions stated in the LeadWest Strategic Plan and its subsequent reviews. This Program is to be updated and approved annually by the Committee;
- 5.1.3 approve individual "Project Briefs" developed to progress specific LeadWest Strategic Plan actions in accordance with the Four Year Implementation Program;
- 5.1.4 ensure the execution of the Four Year Implementation Program and monitor the progress of individual LeadWest Strategic Plan actions; and
- 5.1.5 establish the LeadWest Leadership Forums (Strategy and Implementation Committee and the Annual Forum) to provide input to the identification of regional priorities and development of the annualised Four Year Implementation Program.

### 5.2 Budgeting:

- 5.2.1 on or before 30 April each year, prepare an annual budget for the next financial year for submission to the Member Councils for approval, which budget will be approved by resolution of a majority of the Member Councils;
- 5.2.2 in consultation with the Member Councils, and by reference to the budget approved under clause **Error! Reference source not found.** on or before 31 May each year, determine the amount that each Member Council will contribute annually for the cost of the Committee's functions, coordination and administration;
- 5.2.3 in conjunction with the budgeting processes under clauses 5.2.1 and 5.2.2 and otherwise as required, make recommendations to the Member Councils of budget allocations required to effect the implementation of specific LeadWest Strategic Plan strategies and actions for consideration in each Member Council's annual budgeting process ; and
- 5.2.4 seek on behalf of the Member Councils funding from external sources for the LeadWest Strategic Plan actions; and

5.3 Procedures Protocol:

- 5.3.1 develop and adopt a protocol to provide the basis for the working relationships between the Member Councils in respect of matters within the scope of these Terms of Reference (including the role, relationships and operational processes of the Leadership Forums and the LeadWest Executive Officer) and for the resolution of any issues that arise between Member Councils in respect of the LeadWest Strategic Plan and its implementation; and
- 5.3.2 provide advice, from time to time, to the Member Councils on the governance arrangements for the Committee.

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## 6. Admission of New Members

Additional neighbouring Councils can be admitted as Member Councils (**New Council**) upon the recommendation of the Committee and following approval by resolution of all existing Member Councils, on the basis that:

- 6.1 the New Council agrees to adopt the LeadWest Strategic Plan and any future reviews;
- 6.2 the New Council agrees to provide annual funding through its budget process on the same basis as the other Member Councils (as outlined in clause 5.2 **Error! Reference source not found.**);
- 6.3 where possible, the New Council commences its membership at the start of a financial year with approved funding in place; and
- 6.4 unless resolved otherwise by a majority of the existing Member Councils, the New Council is entitled to the benefit of all actions and projects already undertaken, in progress and completed by LeadWest.

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## 7. Structure and Membership

7.1 At the time of establishment, the Committee consists of the following Member Councils:

- 7.1.1 Brimbank City Council;
- 7.1.2 Hobsons Bay City Council;
- 7.1.3 Maribyrnong City Council;
- 7.1.4 Melton City Council;
- 7.1.5 Wyndham City Council.

7.2 The governing body of the Committee will consist of the following voting members:

- 7.2.1 from each of the Member Councils:
  - (a) *one Councillor (or proxy), appointed in accordance with clause 7.4*
  - (b) *the Chief Executive Officer (or proxy) of the relevant Member Council;*

7.2.2 independent members as determined by the committee, if required, and appointed in accordance with clause 7.5.

7.3 The term of membership of each member will be:

7.3.1 Councillors (and proxies) appointed by Member Councils – 1 year and

7.3.2 independent members – 2 years.

7.4 Each Councillor member and their proxy will be appointed by resolution of their respective Member Councils.

7.5 The independent members will be appointed according to the following process:

7.5.1 the Committee will call for nominations of persons with appropriate expertise as independent members by public advertisement or invitation

7.5.2 the Committee will assess the nominations and prepare a short list of no more than 3 nominees for consideration by the Member Councils;

7.5.3 if a majority of the Member Councils accept, by resolution, the short list of nominees, those nominees will be appointed to the Committee for the next term;

7.5.4 if a majority of the Member Councils reject, by resolution, the short list of nominees, the:

(a) *Member Councils rejecting the short list will provide their reasons for doing so to the Committee; and*

(b) *process under clause 7.5.1, 7.5.2 and will be repeated until a majority of the Member Councils accept the short listed nominees as independent members of the Committee; and*

7.5.5 if, after two nomination processes a majority of the Member Councils has not agreed on the independent members to be appointed to the Committee, the Chief Executive Officers of the Member Councils will cooperate to provide a new short list for approval of the Member Councils.

7.6 The appointment of an independent member is automatically terminated on the date:

7.6.1 that the independent member is declared bankrupt or is disqualified to act as a Director of a company under the *Corporations Act 2001* (Cth);

7.6.2 that the independent member applies to take the benefit of any law for the relief of bankrupt or insolvent debtors;

7.6.3 that the independent member is convicted of an indictable offence;

7.6.4 of the third consecutive meeting of the Committee from which the independent member is absent without the leave of the Chairperson;

7.6.5 that the independent member fails, without reasonable excuse, to comply with an obligation imposed on him or her by the Act; or

7.6.6 that their term of appointment expires.

- 7.7 The appointment of an independent member may be terminated if a majority of the Member Councils resolves that the independent member:
- 7.7.1 has engaged in serious misconduct of any kind;
  - 7.7.2 is unable to perform the duties of his or her office for any reason; or
  - 7.7.3 is otherwise unfit for the role, taking into account any recommendation of the Committee.
- 7.8 A Councillor member of the Committee ceases to be a member upon:
- 7.8.1 their term of appointment expiring;
  - 7.8.2 ceasing to be a Councillor; or
  - 7.8.3 their Member Council resolving that they shall no longer be appointed to the Committee.
- 7.9 Any member of the governing body of the Committee will be eligible for reappointment at the expiry of their term under clause 7.2, but not after termination, unless determined otherwise by resolution of a majority of the Member Councils.

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## 8. Chairperson and Deputy Chairperson

- 8.1 The Chairperson of the Committee will be appointed:
- 8.1.1 annually;
  - 8.1.2 from the Councillor members appointed under clause 7.2;
  - 8.1.3 by resolution of the Committee.
- 8.2 The Chairperson will:
- 8.2.1 chair all meetings of the Committee;
  - 8.2.2 lead the preparation of the LeadWest Strategic Plan;
  - 8.2.3 assist the Committee to establish sound governance practices; and
  - 8.2.4 provide leadership to the Committee.
- 8.3 The Deputy Chairperson will:
- 8.3.1 be appointed annually;
  - 8.3.2 from the Councillor members appointed under clause 7.2;
  - 8.3.3 by resolution of the Committee; and
  - 8.3.4 act as the Chairperson when the:
    - (a) *position of Chairperson is vacant; or*

- (b) *Chairperson is absent or otherwise unable to perform the duties of the Chairperson for any reason.*

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## 9. Proceedings of the Committee

- 9.1 The proceedings of the Committee will be in accordance with:
- 9.1.1 the Act;
  - 9.1.2 these Terms of Reference; and
  - 9.1.3 the Governance Rules of [#####City Council?], as amended from time to time.
- 9.2 In the event of any inconsistency between the documents listed in clause 9.1, the inconsistency will be resolved according to the order in which those documents are listed.
- 9.3 A quorum for the Committee will be 6, which is the majority of the persons appointed to the Committee.
- 9.4 Each Committee member appointed under these Terms of Reference and present at a Committee meeting is entitled to one vote.
- 9.5 Voting will be by a show of hands.
- 9.6 For a motion to be successful, a majority of the Committee members present at a meeting, personally or by proxy, must vote in favour of the question.
- 9.7 If the Chairperson and Deputy Chairperson are both absent for all or part of a Committee meeting the Committee members present at the meeting will resolve by a majority vote who from the Councillor members present at the Committee meeting will be appointed as the temporary Chairperson.
- 9.8 The Committee will set the times and dates for its meetings, provided that the Committee shall meet at least quarterly.
- 9.9 The conflict of interest provisions for members of Delegated Committees prescribed by the Act and the Governance Rules apply to members of the Committee.
- 9.10 The Committee may resolve to invite representatives of stakeholders in the implementation of aspects of the LeadWest Strategic Plan to attend its meetings, which representatives will:
- 9.10.1 be entitled to participate in any discussion, subject to direction of the Chairperson; and
  - 9.10.2 not be entitled to vote.

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## 10. Reporting

- 10.1 The business of the Committee shall be recorded in minutes kept by the LeadWest Executive Officer.
- 10.2 The minutes shall be:
- 10.2.1 distributed to each of the Member Councils within two weeks of the meeting to which they relate; and
  - 10.2.2 included in Register of Minutes kept by the Committee and made available for public inspection through each of the Member Councils.

- 10.3 The Committee shall provide an annual report to the member Councils.
- 

## 11. Administration

- 11.1 A LeadWest Executive Officer will be appointed by the LeadWest committee to provide administrative support to the Committee.
- 11.2 The Executive Officer will undertake a Coordination/Project Management role to:
- 11.2.1 ensure timely and coordinated delivery of the overall annual LeadWest implementation plan; and
  - 11.2.2 provide the day to day oversight of the LeadWest program and specific actions.
- 11.3 The Executive Officer will provide to the Committee:
- 11.3.1 quarterly briefings at meetings; and
  - 11.3.2 six monthly progress reports,
- containing such information as determined by the Committee from time to time.
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## 12. Leadership Forums

- 12.1 The Committee will establish two Leadership Forums:
- 12.1.1 a Strategy and Implementation Forum consisting of the Chief Executive Officers of each of the Member Councils; and
  - 12.1.2 an Elected Representatives Forum consisting of all Councillors from the Member Councils.
- 12.2 The Leadership Forums will meet as often as is determined by the Committee from time to time, with the role of the Forums being to:
- 12.2.1 make recommendations to the Committee about the determination and driving of strategic regional priorities;
  - 12.2.2 provide advice to the Committee on annual priorities for the review of the Four Year Implementation Program;
  - 12.2.3 facilitate liaison, partnerships and coordination with stakeholders of the activities being undertaken by LeadWest, including identifying project synergies and opportunities arising from Federal, State and Local Government programs; and
  - 12.2.4 receive updates about the review of the LeadWest Strategic Plan, progress reports and an annual report from the Committee on Implementation Program.
- 12.3 Proceedings of Leadership Forum meetings will be recorded by minutes for formal tabling and consideration by the Committee.

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## 13. Project Task Groups

- 13.1 The Committee is able to establish Project Task Groups from time to time for the purpose of undertaking individual project actions.
- 13.2 The Project Task Groups would be formulated to deliver individual LeadWest Strategic Plan actions in response to the annual work program. The composition and funding of the groups would be needs based and determined by the:
- 13.2.1 Committee, consistent with its budget submitted under clause 5.2; or
- 13.2.2 where the Committee's budget has no allocation for the necessary funding:
- (a) *Member Council which will, at the determination of a majority of the Member Councils' Chief Executive Officers, lead the relevant project; or*
- (b) *majority decision of the Member Councils to share the cost of funding among their number.*
- 13.3 The method of budget administration will be determined on an individual project needs basis.
- 13.4 Day to day coordination and integration of the Project Task Groups would be managed by the LeadWest Executive Officer.
- 13.5 Individual 'Project Briefs' must be approved by the Committee before any funding under clause **Error! Reference source not found.** is determined.

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## Overview of the LeadWest Strategic Plan

To achieve its Purpose and Objectives LeadWest will, in accordance with the Terms of Reference and in reliance on the Instrument of Delegation, adopt a:

LeadWest Strategic Plan covering a 10-year period; and

rolling Four Year Implementation Program,

both designed to foster and undertake actions that will support sustainable growth and development of the Western Region of Greater Melbourne (the **Region**).

The LeadWest Strategic Plan will focus on:

jobs and skills;

transport infrastructure and connectivity;

health and wellbeing; and

continuing environmental rehabilitation and sustainable development.

In summary these areas of focus will include:

### *Jobs and skills*

LeadWest will work in partnership with State and Federal Governments, the private sector, other regional bodies and stakeholders to pursue initiatives which target the needs of the Region regarding the generation and retention of jobs and continuing to build the necessary skills that are required now and in the future. The focus will include developing and utilising an evidence base to capitalise on the significant investment in the west and leverage opportunities for communities across the region.

### *Transport infrastructure and connectivity*

With the rapid rate of growth and development occurring (and projected to continue for many years) in the Region, transport infrastructure and connectivity remains a critical priority for LeadWest. Capitalising on and facilitating best value outcomes resulting from the major transport initiatives occurring in and outside the Region will be a key focus.

LeadWest will actively contribute as a strategic stakeholder to the delivery of such initiatives. In addition, LeadWest will be future focused by commissioning research to inform business cases for priority transport infrastructure and connectivity improvements that are required in the Region in the longer term.

### *Health and wellbeing*

LeadWest considers health and wellbeing initiatives to be crucial to the future of the Region. Social impact investment activity is required and LeadWest will be an active participant in piloting innovative approaches in this area. LeadWest will research topics to provide an evidence base prior to addressing identified and prioritised preventative health and wellbeing indicators.

### *Continuing environmental rehabilitation and sustainable development*

The Region, while similar in many ways to the rest of Greater Melbourne, also has its own environmental and development issues that need to be addressed. LeadWest will include environmental rehabilitation and sustainable development in its Strategic Plan and will encourage the piloting of innovative approaches to renewable/community energy and capitalise on the natural open space features in the Region by improving connectivity.

In progressing the above regard will be given to:

legislative requirements;

available resources;

existing initiatives and programmes;

economic, social and environmental values; and

respecting individual differences between communities.

..... City Council

**Instrument of Delegation LEADWEST**

**COMMITTEE**

..... City Council(“Council”) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on ## and known as the “LeadWest Committee” (“the Committee”), the powers, duties and functions set out in the Schedule and declares that:

- 1. this Instrument of Delegation is authorised by a resolution of Council passed on ##;
- 2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
- 3. this delegation:
  - 3.1. comes into force on ##;
  - 3.2. remains in force until Council resolves to vary or revoke it; and
  - 3.3. is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
- 4. all members of the Committee will have voting rights on the Committee.

The **COMMON SEAL** of the ..... )  
**CITY COUNCIL** was affixed hereto )  
 In the presence of: )  
 )

Councillor  
 Chief Executive Officer

## Schedule LEADWEST COMMITTEE

### Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the fulfilment of the Committee's purpose and objectives as stated in the LeadWest Joint Delegated Committee – Terms of Reference ("Terms of Reference") adopted by Council on ##, and for those purposes:

1. to enter into contracts, and to incur expenditure;
2. to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers, including:
  - 2.1. develop a strategic ten year plan to foster and undertake actions that will support sustainable growth and development of the Western Region of Melbourne, including the local government areas of Wyndham, Brimbank, Hobsons Bay, Maribyrnong and Melton ("LeadWest Strategic Plan");
  - 2.2. develop and prioritise a rolling Four Year Implementation Program of the actions in the LeadWest Strategic Plan to be updated and approved annually ("Four Year Implementation Program");
  - 2.3. oversee implementation of LeadWest Strategic Plan in accordance with the agreed Four Year Implementation Program;
  - 2.4. make recommendations to Council and other LeadWest member Councils on budget allocations (refer Terms of Reference) to effect the implementation of the LeadWest Strategic Plan;
  - 2.5. progress individual initiatives in accordance with the annualised Four Year Implementation Program;
  - 2.6. review and recommend adjustments to the Four Year Implementation Program as required;
  - 2.7. monitor and report annually to LeadWest member Councils on the progress of the implementation of the LeadWest Strategic Plan; and
  - 2.8. perform all other functions that are set out in the Terms of Reference that are not otherwise listed above.

### Exceptions, conditions and limitations

3. the Committee is not authorised by this Instrument to:
  - 3.1. enter into any contracts, or incur any expenditure, for an amount which exceeds the Committee's Budget as approved by Council and the other LeadWest member Councils in accordance with the Terms of Reference; and
  - 3.2. exercise the powers which, under section 11(2) of the *Local Government Act 2020* or otherwise, cannot be delegated, including:
    - 3.2.1. this power of delegation;
    - 3.2.2. to declare a rate or change;
    - 3.2.3. to borrow money;
    - 3.2.4. to enter into contracts for, or incur expenditure in, an amount exceeding that which has previously determined by the Council; and
    - 3.2.5. any prescribed power.

## **LeadWest Strategic Plan – Four Year Implementation Action Plan 2021 -2025**

The following is the LeadWest four year rolling implementation plan based on the LeadWest Strategic Plan 2020-2040 for the purpose of forward planning of the work program and project budget.

Year one, 2020/21, has eight projects, year two, 2021/22 has 13 projects and years three and four have five projects each. There are five projects that cover all strategic goals and each individual goal has either two or four projects (two projects for goal two and four projects for all other goals).

The implementation plan is optimistic, given limited resources, but in many cases, is a matter of working with and supporting individual councils. Assuming that LeadWest will enter into an MOU with WoMEDA in 2020/21, and possibly each year, for specific research and advocacy projects, this will cost approximately \$50,000 each year and is considered good value for money given the high quality and quantity of work produced by WoMEDA to date and what is planned for 2020/21 and 2021/22.

The LeadWest reserve fund currently sits at \$301,000 (as at 30 April 2021) and is intended to cover project work and any deficit in the operational budget. Project expenditure this year has amounted to \$70,000 so far. Given the withdrawal of Moonee Valley City Council from LeadWest on 1 September 2020, reduced income and increased project work will mean that the reserve fund will last for the next one and half to two years so member contributions will need to be considered within that timeframe.

## LeadWest Strategic Plan – Four Year Implementation Action Plan 2021 -2025

Vision: A globally engaged, connected, enterprising and dynamic region, delivering sustainable prosperity, health and wellbeing

Goal 1 – An enterprising region – high quality jobs, skill, services and products (100,000 PLUS jobs by 2030)

Goal 2 – A vibrant social economy – sports, leisure, arts, culture and tourism

Goal 3 – A better connected West – transport and communications

Goal 4 – A healthy and resilient West

Goal 5 – A liveable and sustainable West

Strategy Action	Strategic Goal	Measure	Priority	Key Partners	Timeline	Estimated Cost	Progress
Continue advocacy with Commonwealth and State Governments on the North & West Melbourne City Deal.	ALL	A commitment to a North and West Melbourne City Deal achieved by mid-2021	High	All councils WoMEDA, NCA, Victoria University, La Trobe University, NORHLink	2020-21 & 2021-22	\$10,000	Completed - City Deal launched in August 2020 Further negotiations with Commonwealth Government on a revised plan progressing well.
Develop a communications and branding strategy including a new logo and website plus social media.	ALL	New website, re-brand & logo, and style guide developed. Increased awareness of LW and its work.	Medium	All councils	2020-21 Ongoing	\$6,000 (WfV)	Completed
Stakeholder engagement and coordination.	ALL	Develop and maintain a comprehensive database of stakeholders that aligns with strategic goals	High	All councils	2020-21 Ongoing	Existing resources (WfV)	In progress
Commission baseline data research to track actual job trends in the west, including industry type, age profile, public and private and research benefits of the social economy and how to develop further.	Goals 1 & 2	Comprehensive economic and social demographics database for the region to use for advocacy. Updated annually	High	All councils	2020-21 & 21-22	\$20,000	In progress
Advocate key regional business precincts with Dept of Jobs, Precincts and Regions and for associated local infrastructure: <ul style="list-style-type: none"> <li>Sunshine (includes MARL, Sunshine Super hub)</li> <li>Footscray (Footscray hospital, University town)</li> <li>Cobblebank (WIFP, Melton Hospital, BACE)</li> <li>Werribee* (East Werribee Employment Precinct)</li> <li>Scienceworks – Hobsons Bay*.</li> </ul>	Goal 1	Set up project working groups Liaise with key officers at DJPR Develop advocacy program	High	All councils WoMEDA	2020-21 & 21-22	Included in the MOU for research by WoMEDA \$50,000	In progress

Delegation to Canberra	ALL	Meetings with identified ministers and shadow ministers	High	All councils	2021-22	\$15,000	Not started
Advocacy Strategy – <ul style="list-style-type: none"> <li>Federal</li> <li>State</li> </ul>	ALL	Meetings with identified ministers and shadow ministers	High	All councils	2021-22	\$10,000 \$10,000	Not started
Advocate construction of major rail projects: <ul style="list-style-type: none"> <li>MARL</li> <li>Western Rail Plan</li> <li>Metro 2 Tunnel]</li> <li>Suburban Rail Loop.</li> </ul>	Goal 3	Establish project working group Develop and implement advocacy program	High	All councils NWMCD Working Group WoMEDA	2021-22 Ongoing	\$10,000	In progress
Campaign for specific financial allocations for local council and community benefit from large scale infrastructure projects.	Goal 3	Set up project working group Lead advocacy program	Medium	All councils	2020-21 & 21-22	\$20,000	Not started
Advocate for progress in developing / construction of the WIFP.	Goal 3	Set up project working group Support and assist advocacy program	High	Melton and Wyndham Councils, WoMEDA and North West City Deal Working Group	2020-21 & 21-22	\$10,000	In progress
Quantify economic benefits of outer metro ring (OMR).	Goal 3	Set up project working group Develop and lead advocacy program	High	All councils NMCD Working Group	2021-22	\$10,000	
Advocate for improved sports and recreation facilities and services to lift participation rates:  St Albans Health & Wellbeing Hub Energy Park Sunshine Western Aquatic and Leisure Centre Footscray Health and Sports Hub Whitten Oval redevelopment (received \$34 million Vic Gov) West Footscray Rec West Redevelopment Wyndham A League Sports Stadium.	Goal 2	Set up project working group Develop an advocacy plan and marketing collateral. Lead advocacy and promote	Medium	All councils	2021-22	\$10,000	Not started
Liaise with the key stakeholders in the health sector to determine regional needs.	Goal 4	Set up project working group Develop report with recommendations	Low	All councils Regional health organisations	2021-22	Existing resources	Not started
Support rapid progress design and construct for Footscray and Melton Hospitals.	Goal 4	Set up working group Support and assist through advocacy and promotion	High	Maribyrnong and Melton WoMEDA	2020-21 & 21-22	Existing resources	Completed
Assist increased regional cooperation on preventative health.	Goal 4	Set up working group Support and assist through advocacy and promotion	Medium	All councils Regional health organisations	2022-23	\$20,000	Not started
Support efforts for improved regional health data and report service gaps.	Goal 4	Support and assist through advocacy and promotion	Medium	All councils	2022-23	Existing resources	

Support action to build new energy efficient housing (eg. Maribyrnong Defence Site and other locations).	Goal 5	Understand current legislation and advocate for changes (state level). Encourage the use of energy efficient design (local level)	Medium	All councils State Government	2022-23	\$20,000	
Support further development of Wyndham Refuse Facility and Complex.	Goal 5	Support and assist with advocacy	Medium	Wyndham NWMC Working Group	2022-22	\$15,000	
Improve and protect foreshores and wetlands: <ul style="list-style-type: none"> <li>Hobsons Bay Foreshore Infrastructure Plan</li> <li>Hobsons Bay Wetlands and Biodiversity Centre.</li> </ul>	Goal 5	Support and assist with advocacy	High	Hobsons Bay NWMCD Working Group	2021-22	\$15,000	
Close gap on tree canopy between west and other parts of Melbourne through work with Greening The West.	Goal 5	LW representation on Greening the West. Support continuation of program, and promote through LW communications	Medium	All councils	2022-23	Existing resources	
Seek representation in discussion on second port.	Goal 3	Lead discussions with relevant authorities	Medium	Wyndham State Government	2023-24	\$20,000	
Assist clarification and action on priority improvements within the region public transport connectivity and innovation.	Goal 3	Liaison to better understand the key issues for internal public transport	Medium	All councils	2023-24	\$20,000	
Commission estimated combined economic impact and value of local government spend across the region, including income and job multiplier effects towards recovery.	Goal 3	Develop a project brief and appoint consultant to undertake research	Medium	All councils	2023-24	\$10,000	
Commission initial economic assessment of business contribution to export earnings from the western region by industry.	Goal 1	Develop a project brief and appoint consultant to undertake research	Medium	All councils	2023-24	\$10,000	
Better understand key trends, obstacles and needs in improving post school to study and or work transition.	Goal 1	Liaise with stakeholders to identify needs. Support and assist with advocacy.	High	All councils LLEN	2023-24	\$10,000	

**Recommendation:**

*That progress on the implementation plan be noted*

# Project Proposal

## Subject: LeadWest Delegations to Commonwealth and Victorian Governments and Oppositions - 2021

### Purpose

In the lead up to the Commonwealth and Victorian Government elections, to plan and implement LeadWest delegations to the Commonwealth Government and opposition as well as the Victorian Government and opposition to advocate for increased commitment and investment in the development of Melbourne's West in line with the LeadWest Strategic Plan 2020 – 2030.

### Objectives

- To advocate on behalf of Melbourne's West, being the Councils of Brimbank, Hobsons Bay, Maribyrnong, Melton and Wyndham for a commitment to funding the continuing development of the region to ensure the necessary infrastructure is available to meet the needs of one of the fastest growing regions in Australia.
- To gain a commitment from government to acknowledge and invest in the key projects and infrastructure necessary to support the growing population of Melbourne's West

### Background

- LeadWest has developed its Strategic Plan for 2020 – 2030 and a Four Year Rolling Implementation Plan designed to focus on the following goals:
  - a) an enterprising region with high quality jobs, skills, services and products
  - b) a vibrant social economy with sports, leisure, arts, culture and tourism
  - c) connectivity with improved transport and communications
  - d) health and resilience
  - e) liveability and sustainability
- In line with these strategic goals, a number of major projects have been identified that require commitment and funding from all levels of government
- Many of these projects have been identified in the North and West Melbourne City Deal Proposal 2020 – 2040 and there will be separate advocacy for the City Deal as a whole and also for projects individually.
- The main projects for Melbourne's West that require continued advocacy for development over the next one to four years include:
  - Melbourne Airport Rail Link
  - Sunshine Transport Super Hub
  - Western Rail Plan
  - Western Highway Upgrade
  - Fix the Calder
  - Footscray University Town
  - Footscray Hospital
  - Footscray Community and Cultural Hub
  - Redevelopment of Scienceworks
  - Hobsons Bay Foreshore Infrastructure
  - East Werribee Employment Precinct and the Ison Road Bridge
  - Wyndham Refuse Disposal Facility
  - Melton Hospital
  - Western Intermodal Freight Precinct (WIFP)
  - Outer Metropolitan Ring (OMR)

- This list of projects is not exclusive and the main purpose of the delegations is to not just advocate for a list of individual projects but to also advocate generally for Melbourne's West as a major growth region that needs supporting infrastructure to both catch up to other regions and to support the rapidly growing population.
- While some projects have already received funding or a commitment to funding, it's important to maintain communication with government to ensure that momentum is maintained and that value capture opportunities are realised regionally and locally.
- While the covid-19 pandemic has slowed population growth, this is viewed as a temporary trend, with the population of Melbourne's West forecast to increase from its current level of approximately 900,000 to 1.5 million by 2051.
- It is important that Melbourne's West is top of mind for the current and incoming Governments at both commonwealth and state level.

## Outputs

- An advocacy strategy for Melbourne's West for presentation to and discussion with key Commonwealth Ministers, key Commonwealth shadow minister, key Victorian Ministers and key Victorian shadow ministers.
- A proposed schedule of meetings with the above over late August / early September – dates to be confirmed. (Parliamentary sitting dates are best as ministers and shadow ministers are generally available to meet at parliament house).

## Cost

- Costs will be covered from the LeadWest reserve fund and will include travel and accommodation in Canberra and assistance from an advocacy consultant.
- Estimated expenditure is \$15,000 for a delegation to Canberra and \$20,000 for development of an advocacy strategy.

## Recommendation

That the LeadWest committee approve this project proposal for the Executive Officer to progress with organising pre-election delegations to Commonwealth and State Governments and Commonwealth and State oppositions.