# Contents

- Introduction .................................................................................................................................................. 1
- About Indigo .................................................................................................................................................. 1
- Background ................................................................................................................................................... 3
- Authority ....................................................................................................................................................... 3
- Committee Functions .................................................................................................................................... 3
- Committee Composition ............................................................................................................................... 4
- EOI Process & Timeline .................................................................................................................................. 4
- About this EOI ............................................................................................................................................... 5
- Overview of the Role and Skills Requirements ............................................................................................. 6
- Committee Meetings ...................................................................................................................................... 6
- Term of Appointment ................................................................................................................................... 6
- Remuneration .................................................................................................................................................. 6
- Capability ....................................................................................................................................................... 6
- Code of Conduct .......................................................................................................................................... 7
- Misuse of Position ......................................................................................................................................... 8
- Confidential Information .............................................................................................................................. 8
- Conflict of Interest ....................................................................................................................................... 9
- Information to be provided ........................................................................................................................... 9
- Evaluation ................................................................................................................................................... 10
- Communication ........................................................................................................................................... 10
- Submission of Responses ............................................................................................................................ 11
- Next stage of the EOI process ...................................................................................................................... 12
- Definitions ................................................................................................................................................... 13
Introduction

Indigo Shire Council is seeking expressions of interest for the role of Independent Member of the Audit and Risk Committee. Council’s Audit and Risk Committee operates under Section 54 of the Local Government Act 2020. The Audit and Risk Advisory Committee (Audit Committee) plays an important role in providing oversight of Indigo Shire Council’s governance, risk management and internal control practices. The Committee meets quarterly at Council’s Beechworth Office.

About Indigo

The Shire

Indigo Shire is located in Victoria’s picturesque North East, an easy three-hour drive north of Melbourne.

The Shire is a rich blend of heritage architecture and pristine natural environment nestled between Murray River frontage in the north and the lush foothills of the Alps in the southeast. In between are productive agricultural enterprises, including award-winning wineries and chestnut farms. A celebrated box ironbark national park in the centre, the green rolling hills of dairy farming in the east and rugged, granite outcrops with stark reminders of the once lucrative goldfields in the south.

The Shire is home to a number of threatened species including Regent Honeyeaters, Barking Owls, Squirrel Gliders, Striped Legless Lizards, Swift Parrots, many spectacular endangered orchids and other native flora and fauna. Industry in Indigo is mainly rural in nature, including agriculture, viticulture and horticulture.

There are 1,100 separate businesses based in the Shire (excluding agribusinesses). Tourism plays a huge role in the economic, social and cultural life of the Shire, with thousands of visitors drawn to our region to sample our food and wine, learn more about our rich heritage, participate in our many well-known festivals and events and enjoy some of the best on and off road cycling destinations in the country.

Indigo Shire Council was established in 1994 with the amalgamation of parts of the former Shires of Rutherglen, Chiltern, Yackandandah and Beechworth. The Shire covers an area of 2,016 sq km and includes the townships of Wahgunyah, Rutherglen, Chiltern, Barnawartha, Yackandandah, Kiewa-Tangambalanga, Stanley and Beechworth, all unique in their own right.

Community members are highly engaged with many actively involved in their communities. More than 300 residents volunteer with Council services such as our libraries and Visitor Information Centres, and there is strong and passionate representation on Committees of Management, Advisory Committees and other Council committees.

Council

Indigo Shire Council serves a community of 16,220 and has approximately 200 full-time, part-time and casual employees. Our workforce is dispersed across the Shire with offices and depots located in the four main centres, Beechworth, Yackandandah, Chiltern, and Rutherglen.
**Our vision**

We will work with our communities to secure a healthy, sustainable and progressive future for all.

**Our purpose**

We are a Council that helps our many communities to grow and prosper sustainably and healthily. We will service and support them by being aligned with their unique needs and vibrant characteristics, while providing the central point that unites them as one, connected Shire.

We will lead the Shire in climate action, ensuring that policy-setting and decision-making are guided by the principles of sustainable development, which reduces our impact on the environment and improves our social and economic outcomes.

We will facilitate cultural diversity, connection and expression, beginning with a commitment to working closely with, and for, our Indigenous partners and populations. As a heritage Shire, we will continue to preserve our rich and unique history and ensure that our stories continue to be told. We will look to the learnings and challenges of the past, using them to inform our decision-making for a bright and sustainable future for all.

**Our guiding principles**

- **We champion sustainable action**
  We lead our community in sustainability, thorough planning, policy-setting and development that balances environmental, economic and social impact. We have declared a climate emergency, and we undertake all our activities through this lens.

- **We are community-centred**
  We exist to service our communities and support them to achieve their vision. We are active listeners who purposefully and thoughtfully engage with all of our diverse communities to deliver the infrastructure, services and facilities that will help them grow and prosper, as well as take care of the environment and each other.

- **We are strategic and proactive**
  We are responsive and adaptable, with a strong foundation of strategic planning and objective-setting, and proactive management and improvement of our region. We foster a culture of action and innovation, encouraging progressive ideas, collaborative approaches and new ways of working.

- **We are responsible and accountable**
  We act with integrity and intention, are customer focused and we do what we say we will do. We plan with an innovation mindset, and act with prudent responsibility. We are strong financial managers, using our budget to maintain, improve and enhance our region to the standards expected by our communities.

- **We are future-fit**
  We use our past to inform our future. We consider how our actions will impact our region today, tomorrow and in the years to come. We use our Council and Community Vision as the benchmark for all our activities - ensuring we are always striving towards our future state ambitions.
Background

Council is committed to proactively managing all risks inherent in its operations. To provide oversight of the risk management process Council has a risk framework in place as well as an Audit and Risk Committee.

Indigo Shire Council’s Audit and Risk Committee (the Committee) operates pursuant to section 53(2) of the Local Government Act 2020. The Committee is an advisory committee and does not have any delegated powers, including executive powers, management functions, or delegated financial responsibility. The role of the Committee is to provide independent oversight of Council’s governance, risk management and internal control practices, and to provide assurance to the Council.

Authority

The Council authorises the Committee, within its responsibilities, to:

- obtain any information it requires from any official or external party (subject to any legal obligation to protect information);
- discuss any matters with the Victorian Auditor General’s Office (VAGO), or other external parties (subject to confidentiality considerations);
- request the attendance of any official, including Councillors and Council Officers, at Committee meetings;
- obtain legal or other professional advice at the entity’s expense, as considered necessary to meet its responsibilities; and
- seek resolution on any disagreements between management and the external auditors on financial reporting.

Committee Functions

In accordance with section 54(2) of the Act, the functions and responsibilities of the Committee include:

1. Monitor the compliance of Council policies and procedures with the overarching governance principles and the Local Government Act 2020 and the regulations and any ministerial directions. (Section 54(2a)).
2. Monitor internal controls.
3. Monitor compliance with relevant laws and regulations.
4. Monitor Council financial and performance reporting (Section 54(2b)
5. Monitor and provide advice on risk management and fraud prevention systems and controls. (Section 54(2c))
6. Oversee internal audit function (Section 54(2d))
7. Oversee external audit function (Section 54(2d))
8. Related-party transactions

The Committee is not responsible for the executive management of these functions. The Committee will engage with management in a constructive and professional manner in discharging its responsibilities and formulating its advice to the Council.
The Council cannot abrogate or delegate its responsibilities to the Committee. The Committee can advise the Council on how best to fulfil its responsibilities and facilitate decision making by providing a forum for improving communication between the Council members and senior management, finance, risk and compliance managers, internal auditors and external auditors.

Committee Composition

The Committee comprises of six members:

- two Councillors; and
- four independent and external members, appointed by Council.

The Chair of the Committee must be an independent member.

The Local Government Act 2020 requires the Committee to have collective expertise in financial management and risk; and experience in public sector management. The independent members of the Committee are drawn from relevant sectors and industry professionals with expertise aligned to the Local Government Act 2020 requirements and Committee accountabilities.

EOI Process & Timeline

Please Note: this timeline provides applicants with an indication of the timing of the EOI process. The schedule is indicative only and may be changed by Council at any time.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 August</td>
<td>EOI Opens</td>
</tr>
<tr>
<td>3 September</td>
<td>EOI Closes – All expressions to be in by 5pm</td>
</tr>
<tr>
<td>6-10 September</td>
<td>Expressions Reviewed and shortlisted</td>
</tr>
<tr>
<td>13-24 September</td>
<td>Interviews Conducted*</td>
</tr>
<tr>
<td>26-27 October</td>
<td>Council resolves at an Ordinary meeting to appoint the preferred candidates, appointment to take effect after the September meeting of the Committee.</td>
</tr>
<tr>
<td></td>
<td>Successful Applicants notified, a contract sent and agreed, and returned to Council</td>
</tr>
<tr>
<td></td>
<td>Unsuccessful Applicants notified</td>
</tr>
<tr>
<td>8-12 November</td>
<td>Successful Candidate - Induction to Council and Audit &amp; Risk Committee</td>
</tr>
<tr>
<td>22 November</td>
<td>Attendance at first Audit &amp; Risk Committee Meeting</td>
</tr>
</tbody>
</table>

*Ideally Interviews will be undertaken in person and at Council's Beechworth Office. Council may at its discretion conduct interviews by Zoom
### About this EOI

#### Establishment details

<table>
<thead>
<tr>
<th>Organisation name:</th>
<th>Indigo Shire Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>EOI title:</td>
<td>Independent Member of the Audit and Risk Committee</td>
</tr>
</tbody>
</table>

#### Organisation contacts

<table>
<thead>
<tr>
<th>Contact Person</th>
<th>Name:</th>
<th>Dalene Voigt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td></td>
<td>Executive Manager People and Governance</td>
</tr>
<tr>
<td>Position title:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact details:</td>
<td>Phone: 1300 365 003</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:dvoigt@indigoshire.vic.gov.au">dvoigt@indigoshire.vic.gov.au</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact Person</th>
<th>Name:</th>
<th>Paula Crummy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td></td>
<td>Coordinator Risk</td>
</tr>
<tr>
<td>Position title:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact details:</td>
<td>Phone: 1300 365 003</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Email: <a href="mailto:paula.crummy@indigoshire.vic.gov.au">paula.crummy@indigoshire.vic.gov.au</a></td>
<td></td>
</tr>
</tbody>
</table>

#### Closing time

**Australian Eastern Standard Time**

**5 pm Friday, 3 September 2021**

#### Lodgement details

<table>
<thead>
<tr>
<th>Electronic Lodgement – preferred method</th>
<th><a href="mailto:info@indigoshire.vic.gov.au">info@indigoshire.vic.gov.au</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Information to be in the title of the email</td>
<td>Email applications should be marked in the Subject as &quot;EOI – Audit and Risk Committee Independent Member&quot; All emails will be acknowledged.</td>
</tr>
<tr>
<td>Other requirements</td>
<td>1. Emails must be less than 16MB. 2. Submission via file sharing, e.g. Dropbox, must be arranged in advance of the closing date.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Hardcopy lodgement</th>
<th>Indigo Shire Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal Address</td>
<td>PO Box 28</td>
</tr>
<tr>
<td></td>
<td>BEECHWORTH VIC 3683</td>
</tr>
<tr>
<td>Council must receive applications before the closing time and day.</td>
<td></td>
</tr>
</tbody>
</table>

| Information to be marked on the package containing the offer | Applications must be marked with "EOI – Audit and Risk Committee Independent Member." |
Overview of the Role and Skills Requirements

Committee Meetings

Meetings of the Committee are held four times a year, in March, July, September and November. Meetings are approximately three hours in duration, with the exception of the September meeting which incorporates the VAGO audit of the performance statement and report of operations. Meetings are held on a Monday afternoon at the Indigo Shire Council Chambers, Beechworth and/or via Zoom. Committee members are expected to attend each meeting, in person or via video conference.

Term of Appointment

Council is seeking expressions of interest to fill a current vacancy and is offering an appointment of up to 3 years. The Committees Charter details the full responsibilities of the Committee and is available on the Council’s website www.indigoshire.vic.gov.au.

Membership of the committee will be reviewed periodically (but at least every three years) by the Council with the aim of ensuring an appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of qualifications, knowledge, skills and experience.

Remuneration

Independent members of the Audit Committee will receive a set fee for each meeting attended per the Audit Committee Charter. The fee is currently $250 per meeting ($450 for the Chair). The fee is set by resolution of Council.

Capability

The suite of skills and experience sought for each Independent Member position are different and intended to ensure a balance in the collective expertise of the Committee. Successful applicants will have relevant experience, tertiary qualifications in a related field and able to provide specialist knowledge across a range a of the following skills:

<table>
<thead>
<tr>
<th>Capability/Skills</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic and Operational Risk Management - frameworks, processes and controls</td>
</tr>
<tr>
<td>Strategic financial skills with exceptional financial literacy and the ability to understand and interrogate financial statements</td>
</tr>
<tr>
<td>Local Government or Public Sector Management Experience</td>
</tr>
<tr>
<td>Data Governance (information technology systems and controls, including information security)</td>
</tr>
<tr>
<td>Knowledge of Fraud/Corruption prevention and controls</td>
</tr>
<tr>
<td>Knowledge of Audit Process (internal and external)</td>
</tr>
<tr>
<td>Compliance - Local Government Accountability Frameworks</td>
</tr>
<tr>
<td>The application of accounting, auditing and assurance standards</td>
</tr>
</tbody>
</table>
Planning and Strategic thinking

The operations of government and the public sector, including accountability frameworks

Executive Leadership and Management skills (CEO/CRO/CFO)

Legal / legislative awareness

Public integrity knowledge and awareness

Project and program management

Human resources and industrial relations

Audit and Risk Committee / Board membership

Understanding of governance in a government context regarding stakeholders etc.

Candidates must be able to demonstrate the following personal attributes:

<table>
<thead>
<tr>
<th>Personal Attributes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demonstrated motivation for the Voluntary role</td>
</tr>
<tr>
<td>Professional - Integrity/ethics and modelling organisational values</td>
</tr>
<tr>
<td>Effective listener</td>
</tr>
<tr>
<td>Strategic Questioning</td>
</tr>
<tr>
<td>Influencing / negotiation skills</td>
</tr>
<tr>
<td>Critical and innovative thinking capability</td>
</tr>
<tr>
<td>Willingness to constructively challenge management practices.</td>
</tr>
</tbody>
</table>

It is also highly desirable that applicants have

- AICD Training
- Association with Indigo Shire/ the north east regional Victoria

**Code of Conduct**

The principles of Council’s Code of Conduct for Councillors applies, requiring Committee Members to:

- Act in a respectful and constructive manner.
- Act with honesty and integrity.
- Act with the highest standards of governance.
- Act fairly and impartially.
- Comply with the established legislation.
- Use information appropriately.
- Act in a financially responsible manner.
• Exercise due care, diligence and skill.

Misuse of Position

Section 123 of the Local Government Act 2020 applies to Independent Members as well as Councillors, as if the member were a member of a delegated Committee. The requirements include:

1. The Independent Member or Councillor must not intentionally misuse their position—
   (a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
   (b) to cause, or attempt to cause, detriment to the Council or another person.

Penalty – up to 5 years imprisonment.

2. An offence against subsection (1) is an indictable offence.

3. Circumstances involving the misuse of position include—
   (a) making improper use of information acquired as a result of the position the Member held or holds; or
   (b) disclosing information that is confidential information; or
   (c) directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff; or
   (d) exercising or performing, or purporting to exercise or perform, a power, duty or function that the person is not authorised to exercise or perform; or
   (e) using public funds or resources in a manner that is improper or unauthorised; or
   (f) participating in a decision on a matter in which the person has a conflict of interest.

The full detail of this section of the Local Government Act 2020 should be read in advance of commencement in this position.

Confidential Information

Section 125 of the Local Government Act 2020 applies to Independent Members, as well as Councillors, as if the member were a member of a delegated Committee. The requirements include:

(1) Unless subsection (2) or (3) applies, a person who is, or has been, an Independent Member or Councillor must not intentionally or recklessly disclose information that the person knows, or should reasonably know, is confidential information.

(2) Subsection (1) does not apply if the information that is disclosed is information that the Council has determined should be publicly available.

(3) A person who is, or has been, an Independent Member or Councillor may disclose information that the person knows, or should reasonably know, is confidential information in the following circumstances—
   (a) for the purposes of any legal proceedings arising out of this Act;
   (b) to a court or tribunal in the course of legal proceedings;
   (c) pursuant to an order of a court or tribunal;
   (d) in the course of an internal arbitration and for the purposes of the internal arbitration process;
   (e) in the course of a Councillor Conduct Panel hearing and for the purposes of the hearing;
   (f) to a Municipal Monitor to the extent reasonably required by the Municipal Monitor;
   (g) to the Chief Municipal Inspector to the extent reasonably required by the Chief Municipal Inspector;
(h) to a Commission of Inquiry to the extent reasonably required by the Commission of Inquiry;
(i) to the extent reasonably required by a law enforcement agency.

The full detail of this section of the Local Government Act 2020 should be read in advance of commencement in this position.

**Conflict of Interest**

Committee recommendations must be transparent and accountable, to protect the public interest, maintain the integrity of the Committee and Council and enable the public to be confident that the Committee is performing its duties properly. If a conflict of interest exists, it must be declared and managed. Committee members are required to provide written declarations, through the Chair, to the Council declaring any material personal interests they may have in relation to their responsibilities.

Division 2 of Part 6 of the Local Government Act 2020 applies to Members, as if the member were a member of a delegated Committee. A member has a **conflict of interest** if they have:

(a) a general conflict of interest within the meaning of section 127 of the Act

“A relevant person has a **general conflict of interest** in a matter if an impartial, fair-minded person would consider that the person's private interests could result in that person acting in a manner that is contrary to their public duty.”

(b) a material conflict of interest within the meaning of section 128 of the Act.

“A relevant person has a **material conflict of interest** in respect of a matter if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred—

(a) directly or indirectly; or
(b) in a pecuniary or non-pecuniary form.”

The full detail of this section of the Local Government Act 2020 should be read in advance of commencement in this position.

**Information to be provided**

Council prefers all EOI submissions to be provided electronically. Applicants should provide the following as pdf documents as part of their Expression of Interest:

1. A Covering letter
2. Resume
3. A 1 to 2-page summary of the Applicant’s skills as they apply to, or address the listed Skills Requirements
4. A minimum of two referees with their contact details.

Please note that while applicants are not required to provide evidence of qualifications with the application, they will be required for verification if selected for appointment.
Evaluation

Evaluation Process
A panel incorporating the CEO, the Audit and Risk Committee Chair (or a delegated Independent Audit and Risk Committee Member), Executive Manager People and Governance and a Councillor will evaluate the EOI's as per the Council's Recruitment Policy and Audit and Risk Committee Charter. Submissions will be shortlisted, and suitable applicants will be invited for an interview.

Unsuccessful & Disqualified Responses
Unsuccessful applicants will be formally notified. Council may, in its absolute discretion:

- Reject any response that does not include all the information requested or is not in the format specified;
- After concluding a preliminary evaluation, reject any response that in its opinion is unacceptable;
- Disregard any content in an applicant’s response that is illegible and will be under no obligation whatsoever to seek clarification from the Applicant;
- Disqualify any incomplete response or evaluate it solely on the information contained within it;
- Alter the structure and/or the timing of the EOI process; and
- Vary or extend any time or date specified in this EOI.

Communication

Communication Protocol
Questions or inquiries relating to this invitation and the EOI process are to be directed to the contact person(s) specified in this document. Requests for clarification:

1. All requests for further information or clarification regarding this EOI are to be submitted before the closing date.
2. The organisation is not obliged to respond to any question or request for clarification or further information.
3. The organisation may make available to other prospective applicants details of such a request together with any response, in which event those details shall form part of this invitation.

Complaints about this EOI
An Applicant with a complaint about this EOI must notify the contact person to seek resolution of their complaint. If that contact does not resolve the issue, the Applicant must then follow the Council Complaints Handling Policy, a copy of which will be provided on request.
Submission of Responses

Providing a Submission

It is the Applicant's responsibility:

• to understand the requirements of this EOI, the EOI process and any reference documentation;
• to ensure that their submission contains the information requested;
• to ensure that their response is in the correct format complies with all requirements of this invitation and is accurate and complete;
• to make their enquiries regarding this EOI and the EOI process;
• to ensure that they comply with all applicable laws regarding the EOI process;
• for all costs and expenses related to the preparation and lodgement of their response, any subsequent negotiation, and any future process connected with or relating to the EOI process

Lodgement

• The Applicant's response must be received by the EOI closing time. Council may extend the closing time in its absolute discretion by providing public notice.
• All Applicant's responses lodged after the EOI closing time will be recorded by the organisation. The determination of the organisation as to the actual time that the response is submitted is final.
• EOI responses must be marked and lodged as detailed in, 'Lodgement details'.

Late Submission

• If an applicant's response received after the EOI closing time, it will be disqualified from the EOI process and will be ineligible for consideration unless:
  - the invitee can document to the satisfaction of Council that an event of exceptional circumstances resulted in the Applicant's being unable to have their application received by Council by EOI closing time; and
  - Council is satisfied that accepting a late submission would not compromise the integrity of the EOI process.
  - Council will inform an applicant whose response is received after the EOI closing time if their response is ineligible for consideration.

Obligation to Notify Errors

If an applicant identifies an error in their response (excluding clerical errors which would have no bearing on the evaluation), they must promptly notify the Council.
Use of a Response
By submission of their response, each Applicant grants to the Council a non-transferable licence to use and reproduce the whole or any portion of the Applicant’s response solely to evaluate the merits of the Applicant.

Withdrawal of a Response
An applicant who wishes to withdraw a previously submitted response must immediately notify Council in writing of their withdrawal. Upon receipt of such notification, Council will cease to consider the Applicant’s response.

Disclosure of EOI Contents and EOI Information
Applicant’s responses will be treated as confidential by the Council. Council will not disclose the information contained in the response, except:

- as required by law (including, for the avoidance of doubt, as required under the Freedom of Information Act 1982 (Vic))
- for investigations by the Australian Competition and Consumer Commission or other government authorities having relevant jurisdiction; or
- to external consultants and advisers of Council engaged to assist with the EOI process;

Next stage of the EOI process

Options Available to the Council
After evaluating all responses, Council may without limiting other options available to it, do any of the following:

- Prepare a short list of Applicant’s and invite them to interview;
- Conduct a subsequent EOI process calling for the services or any similar related services;
- Decide not to proceed further with the EOI process or any other procurement process for the services; or
- Commence a new process for calling for Applicant’s responses on a similar or different basis to that outlined in the original invitation.

- No Legally Binding Contract
Being shortlisted does not give rise to a contract (express or implied) between the preferred Applicant and Council. No legal relationship will exist between the Council and a preferred applicant relating to the supply of services unless and until both parties execute a binding contract.
Applicant Warranties

By submitting a response, an applicant warrants that:

- they have examined this EOI, and any other documents referenced or referred to herein, and any additional information made available in writing by Council to applicants to submit a response;
- they have sought and examined all necessary information which is obtainable by making reasonable enquiries relevant to the risks and other circumstances affecting its response;
- they otherwise accept and will comply with the rules set out in this EOI; and
- they will provide additional information promptly as requested by the Council to clarify any matters contained in the response.

Council Rights

Notwithstanding anything else in this EOI, and without limiting its rights at law or otherwise, Council reserves the right, in its absolute discretion at any time, to:

- vary or extend any time or date specified in this EOI for all or any applicants; or
- terminate the participation of any applicant or any other person in the EOI process.

Governing Law

This EOI process is governed by the laws applying in the State of Victoria. Each Applicant must comply with all relevant laws in preparing and lodging their response and in taking part in the EOI process.

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>means a person who submits an applicant’s response.</td>
</tr>
<tr>
<td>Applicant’s response or submission</td>
<td>means a document lodged by an applicant in response to this EOI containing a proposal to provide goods and/or services.</td>
</tr>
<tr>
<td>Council</td>
<td>means Indigo Shire Council</td>
</tr>
<tr>
<td>EOI closing time</td>
<td>indicates the time specified by which the Council must receive responses.</td>
</tr>
<tr>
<td>EOI process</td>
<td>means the process commenced by advertising an invitation for responses and concluding upon either early termination of the process or a subsequent procurement process.</td>
</tr>
<tr>
<td>EOI</td>
<td>means the Expression of Interest set out in each of the documents identified in the Introduction, the EOI process and any other materials so designated by Council.</td>
</tr>
<tr>
<td>Intellectual Property Rights</td>
<td>includes all present and future copyright and neighbouring rights, all proprietary rights in relation to inventions (including patents), registered and unregistered trademarks, confidential information (including trade secrets and know how), registered designs, circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Item</td>
<td>means an item of this EOI.</td>
</tr>
<tr>
<td>Overview of requirements</td>
<td>means the summary of requirements for completing this EOI</td>
</tr>
<tr>
<td>Representative</td>
<td>means a party and its agents, servants, employees, contractors, associates, invitees and anyone else for whom that party is responsible.</td>
</tr>
<tr>
<td>Services</td>
<td>means the services required by the organisation as stipulated in this EOI.</td>
</tr>
<tr>
<td>State</td>
<td>means the Crown in right of the State of Victoria.</td>
</tr>
<tr>
<td>Tender Box</td>
<td>a secure location within which the Applicant's responses are placed.</td>
</tr>
</tbody>
</table>

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This document was developed based on the Expression of Interest Template authored by the State of Victoria (Department of Treasury & Finance), 2015, and the requirements of Audit and Risk Committees as set out in the Local Government Act 2020.