



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

19 MAY 2020

**Notice and Agenda of meeting
to be held at the Mansfield Shire Council
33 Highett Street, Mansfield**

Commencing at 5.00pm

Our aspiration for our Shire and its community

We live, work and play in an inclusive, dynamic and prosperous place where community spirit is strong and people are empowered to engage in issues that affect their lives.

Councillors:

Tolmie Ward:	Cr Marg Attley (Mayor)
Mansfield Ward:	Cr Peter Olver (Deputy Mayor)
Bonnie Doon Ward:	Cr Paul Sladdin
Mansfield Ward:	Cr Paul Volkering
Jamieson Ward:	Cr Harry Westendorp

Officers:

<i>Chief Executive Officer:</i>	<i>Kaylene Conrick</i>
<i>Community Services Manager:</i>	<i>Melanie Hotton</i>
<i>Corporate and Organisational Development Manager:</i>	<i>Sharon Scott</i>
<i>Development Services Manager:</i>	<i>Ben McKay</i>
<i>Finance Manager:</i>	<i>Mandy Kynnersley</i>
<i>Infrastructure Manager (Interim):</i>	<i>Andre Kompler</i>



MANSFIELD SHIRE COUNCIL

Order of Business

1. OPENING OF THE MEETING

The Mayor, who chairs the meeting, will formally open the meeting and welcome all present.

2. PRESENT

Where a meeting is held virtually, Councillors will confirm that they can see and hear each other.

3. APOLOGIES

Where a Councillor is not present, his/her absence is noted in the Minutes of the meeting.

4. STATEMENT OF COMMITMENT

The Council affirms its commitment to ensuring its behaviour meets the standards set by the Mansfield Shire Councillor Code of Conduct and Councillor Charter.

5. ACKNOWLEDGEMENT OF COUNTRY

The Council affirms its recognition of the Taungurung people being traditional owners of this area, and pays respect to their Elders past and present.

6. DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with the *Local Government Act 1989*, a Councillor must declare any Conflict of Interest or Personal Interests pursuant to Sections 77A, 77B, 78, 79 and 79B of the Act in any items on this Agenda. (Note that Section 79(2)(a)(i) of the Act requires Councillors to disclose the nature of a Conflict of Interest or a Personal Interest immediately before the relevant consideration or discussion). Section 79B also requires that the Councillor declaring a Personal Interest must seek consent from Council to be exempt from voting on the item.

Council officers or contractors who have provided advice in relation to any items listed on this Agenda must declare a Conflict of Interest or Personal Interest regarding the specific item.

7. CONFIRMATION OF MINUTES

The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.

8. REPRESENTATIONS

Council receives or presents acknowledgements to the general public. Deputations may also be heard by members of the general public who have made submission on any matter or requested to address the Council. Council may also receive petitions from residents and ratepayers on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and the matter referred to the appropriate Council officer for consideration.

9. NOTICES OF MOTION

A Motion is a request (Notice of Motion) that may be made by a Councillor for an issue not listed on the Agenda to be discussed at a Council meeting and for a decision to be made.

10. MAYOR'S REPORT

The Mayor provides a report on his/her activities.

11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors appointed by Council to external committees will provide an update where relevant.

12. OFFICER REPORTS

12.1 Departmental Reports will be presented to the Council from each department as follows:

- Development Services
- Community Services
- Finance
- Infrastructure
- Corporate and Organisational Development



12.2-12.7 - Officer Reports presented by each Manager, where required.

Development Services

All planning and development applications and strategic planning items will be considered by the Council. Reports also considered will be Building, Environment, Environmental Health and Local Laws. A Council position is adopted on the matters considered.

Community Services

Detailed reports prepared by the Community Services Department reports and are considered by Councillors. A Council position is adopted on the matters considered.

Finance Department

Detailed reports prepared by officers from the Finance Department are considered by the Council. A Council position is adopted on the matters considered.

Infrastructure

Detailed reports prepared by officers from the Infrastructure Department are considered by the Council. A Council position is adopted on the matters considered.

Corporate and Organisational Development

Detailed reports prepared by officers from Corporate and Organisational Development Department will be considered by the Council. A Council position is adopted on the matters considered.

Executive Services

Detailed reports prepared by officers from Executive Services Department will be considered by the Council. A Council position is adopted on the matters considered.

13. ASSEMBLY OF COUNCILLORS

In accordance with section 80A of the *Local Government Act 1989*, Council must keep a written record of all assemblies of Councillors. An Assembly of Councillors is defined as a planned or scheduled meeting, comprising at least three Councillors and one member of Council staff, that consider matters that are intended or likely to be the subject of a decision of the Council or subject to the exercise of a function; duty or power of a Council that has been delegated to a person or committee [s.76AA].

14. ADVISORY AND SPECIAL COMMITTEE REPORTS

Council considers reports from Advisory Committees that Councillors represent Council on.

15. AUTHORISATION OF SEALING OF DOCUMENTS

Any documents that are required to be endorsed by the Chief Executive Officer under delegated authority and sealed by the Council are presented to the Council.

16. PUBLIC QUESTION TIME

Councillors will respond to questions from the community that have been received in writing prior to the Council meeting. A form is provided on Council's website.

17. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Whilst all Council meetings are open to members of the public, Council has the power under the *Local Government Act 2020* to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public are excluded from the meeting while the matter is being discussed.

18. PRESENTATION OF CONFIDENTIAL REPORTS

19. REOPEN MEETING TO MEMBERS OF THE PUBLIC

The Mayor will reopen the meeting to members of the public.

20. CLOSE OF MEETING

The Mayor will formally close the meeting and thank all present for attending.

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MANSFIELD SHIRE COUNCIL MEETING

19 MAY 2020

MANSFIELD SHIRE

AGENDA

MANSFIELD SHIRE COUNCIL
33 Hightt Street, Mansfield
5.00PM

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MANSFIELD SHIRE COUNCIL MEETING

19 MAY 2020

MANSFIELD SHIRE

AGENDA

MANSFIELD SHIRE COUNCIL
33 Highbury Street, Mansfield
5.00PM

1. OPENING OF THE MEETING

2. PRESENT

The Chair will call on each Councillor and ask them to confirm verbally that they can see all Councillors and hear the proceedings:

Councillor Olver
Councillor Sladdin
Councillor Volkering
Councillor Westendorp

Councillors will respond to their name with: *"I can hear the proceedings and see all councillors and council officers"*.

The Chair will ask each Councillor to confirm by raising their hand that they could all hear each statement of the councillors.

Councillors to raise hand to acknowledge they can hear each other.

3. APOLOGIES

The Chair will call on the CEO for any apologies.

4. STATEMENT OF COMMITMENT

The Chair will read the statement and call on each Councillor to confirm their commitment:

"As Councillors of Mansfield Shire we are committed to ensuring our behaviour meets the standards set by the Mansfield Shire Councillor Code of Conduct and Councillor Charter. We will, at all times, faithfully represent and uphold the trust placed in us by the community."



5. ACKNOWLEDGEMENT OF COUNTRY

To be recited by Cr Olver:

“Our meeting is being held on the lands of the Taungurung people and we wish to acknowledge them as Traditional Owners. We would also like to pay our respects to their Elders, past and present, and Aboriginal Elders of other communities who may be here today.”

6. DISCLOSURE OF CONFLICTS OF INTEREST

The Chair will call on each Councillor in turn and ask them to declare whether they have any conflicts of interest in relation to any agenda items:

Councillor Olver
Councillor Sladdin
Councillor Volkering
Councillor Westendorp

Councillors will response to their name with: *“I have no conflicts of interest to declare on items on today’s agenda”*.

7. CONFIRMATION OF MINUTES

Confirmation of the Minutes of the Mansfield Shire Council Meeting, held on 21 April 2020.

Recommendation:

THAT the Minutes of the Mansfield Shire Council Meeting, held on 21 April 2020, be confirmed as an accurate record.

8. REPRESENTATIONS

9. NOTICES OF MOTION



10. MAYOR'S REPORT

Cr Marg Attley will present the monthly Mayor's report from 21 April 2020 to 13 May 2020 to the Council as follows:

Our community is to be congratulated for the manner in which we have all worked together to keep each other healthy and safe. Looking after yourself, your family, friends and your neighbours has been the backbone of this. Our businesses which have been able to stay open, have been creative and considerate in their food services to Mansfield and our communities.

Hopefully this thoughtfulness may continue as we move out of our restrictions and into the future, however it is shaped.

Anzac Day

It was more important than ever to commemorate Anzac Day this year. It was over 100 years since communities were unable to physically be together, to show due respect to those who have given the ultimate sacrifice. It was touching to see the laying of wreaths at memorials across Mansfield Shire and residents paying respects at their gates, driveways or verandahs, many hearing the strains of a bugle through the dark! I feel that the Anzac spirit is alive in all our frontline workers who selflessly continue to support the health and safety of all of us. We are indebted to them!

Relief and Recovery

To move forward as much as we can, Council has established a dedicated local Relief phone number which operates 9am to 5pm seven days a week. Should you or someone you know need support, this phone line enables assistance with answers to questions and referrals to services.

Also, in partnership with the Mansfield Courier we have introduced #MyMansfield; a newspaper column that calls for residents to share their good news stories, activities and initiatives. This is to encourage people to stay positive and stay connected. It is important to hear about our amazing community and what they are doing as we move through this time!

Vale Richard White

It is with great sadness that we heard of the passing of Richard White, one of Australia's best-known landscape photographers and a long time Mansfield resident.

*As well as being known for his moody black and white photos, Richard was an author, taking the beauty of our alpine area to the world. In *The High Country of Australia* he show-cased more than 30 years of photographing this extremely beautiful and diverse region. He ran workshops, wrote articles for photography magazines and was an active member of community groups.*

On behalf of Council, I offer my condolences to Richard's wife Jan and family. Richard will be sorely missed.



Community Feedback

The opportunity for residents to make comment on the development of strategies and plans is extensive right now.

The Draft Budget has been released since 15 April. It is based on three themes:

Renew: community infrastructure including roads

Plan: Implementation of the new Local Government Act 2020, establishment of a Community Vision

Secure: Plan for future financial sustainability. We look forward to the community's feedback on what's been proposed.

Strong feedback has been received for the Draft Economic Development Strategy and the Lake Eildon Tourism Masterplan.

Additionally, the Waste Management Strategy and Road Management Plan are open for comment on the Council website. Community feedback is critical to move our planning forward.

Council meetings

State Parliament has enabled Council's to meet virtually. Guidelines have been developed by Local Government Victoria and Local Government peak bodies and Council staff to assist in the processes. You can join in our Council meetings via our Youtube account.

Media

The importance of keeping our community informed has resulted in the establishment of:

- *A weekly Mansfield Community Radio session*
- *Weekly Mayor's video on Facebook*
- *WIN TV stories following extensive media releases inc. on the Lake Eildon Tourism Masterplan and the Draft Budget.*

I look forward to a time when I can resume my 'Cafe Conversations' and come to your communities to catch up on the last few months for you all.

I'm proud of you all and thank you for your commitment to looking after yourselves and those around you.

Cr Marg Attley OAM

Mayor

Recommendation:

THAT Council receive the Mayor's report for the period 21 April 2020 to 13 May 2020.



11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors appointed by Council to external committees will provide a verbal update where relevant.

COMMITTEE	Responsible Councillor(s)
Australia Day Awards Committee	Mayor and Cr Paul Sladdin and Cr Paul Volkering
Goulburn Broken Greenhouse Alliance	Cr Marg Attley
Hume Regional Local Government Network (HRLGN)	Cr Marg Attley
Integrated Fire Management Planning Committee.	Cr Paul Volkering and Cr Marg Attley
Lake Eildon Land and On-Water Management Plan Implementation Committee	Cr Paul Sladdin
Mansfield Shire Audit and Risk Advisory Committee	Mayor and Cr Harry Westendorp
Mansfield Shire Environment Advisory Committee	Cr Marg Attley
Mansfield Sport and Recreation Advisory Committee	Cr Paul Sladdin
Municipal Association of Victoria (MAV)	Cr Marg Attley
Municipal Emergency Management Planning Committee (MEMPC)	Cr Paul Volkering and Cr Marg Attley
Municipal Fire Management Planning Committee (FMPC)	Cr Paul Volkering and Cr Marg Attley
North East Local Government Waste Forum	Cr Peter Olver
North East Tracks Local Learning and Employment Network	Cr Harry Westendorp
Rural Councils Victoria	Cr Harry Westendorp

Recommendation:

THAT Council note the verbal reports provided by Councillors in relation to their representation on external Committees.



12. OFFICER REPORTS

12.1 DEPARTMENTAL REPORTS

File Number: E103
Responsible Officer: Chief Executive Officer, Kaylene Conrick

Introduction

Departmental reporting allows a short briefing to be provided to Council on the current operations, tasks and projects undertaken within each Department over the past month.

The Interim Chief Executive Officer will present the monthly Departmental reports to Council, as follows:

- Development Services
- Community Services
- Finance
- Infrastructure
- Corporate and Organisational Development

Recommendation:

THAT Council receive and note the Departmental reports for the period 21 April 2020 to 13 May 2020.

Attachment

Departmental reports



12.2 DEVELOPMENT SERVICES

12.2.1 Request to waive statutory planning fees for planning permit

File Number: DA7289
Responsible Officer: Development Services Manager, Ben McKay

Recommendation	Waive the statutory planning fees
Applicant	Paul Valente on behalf of Mansfield Autism Statewide Services
Title/Covenant/S173 Agreement	Lot 1 (128) Ogilvies Road Mansfield
Date Application received	26 March 2020
Current statutory days	0
Zoning	Farming and Rural Living zone
Overlays	Nil
Site area	38 Hectares
Number of outstanding Objections	Nil

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

An application was submitted on behalf of Mansfield Autism Statewide Services (MASS) for a planning permit application No P026/2020 which relates to the use and development of land as an education centre, training facility, accommodation, camping and recreation facility, including subdivision of land at 128 Ogilvies Road Mansfield.

The application is being processed through Council's application process including referral to appropriate agencies and public advertisement.

Background

Accompanying the application was a request to Council for a planning permit fee waiver. The applicant has advised that the Mansfield Autism Statewide Service (MASS) is an independent not for profit organisation that supports young people living with autism including their families.

Demand for MASS facilities and services has far outgrown its physical capacity to meet the growing need, and as such they are having to decline enrolments and associated support.



12.2.1 Request to waive statutory planning fees for planning permit cont.

The applicant has advised that whilst the organisation is endeavouring to develop the new facility and attract grant funding to undertake the build, the applicable planning fees would create an additional pressure that would compound on the burdens already experienced due to the recent bushfires and the coronavirus.

Statutory Requirements

Pursuant to Regulation 20 of the *Planning and Environment Act 1987*, A responsible authority or the Minister may wholly or in part waive or rebate the payment of a fee, which the responsible authority or the Minister has received in connection with matters that do not relate to an amendment to a planning scheme, if:

- (a) An application is withdrawn and a new application is submitted in its place; or
- (b) In the opinion of the responsible authority or the Minister the payment of the fee is not warranted because:
 - (i) Of the minor nature of the consideration of the matter decided or to be decided; or
 - (ii) The requested service imposes on the responsible authority or the Minister (as the case may be) no appreciable burden or a lesser burden than usual for supplying that service; or
- (c) In the opinion of the responsible authority or the Minister (as the case may be) the application or determination assists-
 - (i) The proper development of the State, region or municipal district; or
 - (ii) The proper development of part of the State, regional or municipal district; or
 - (iii) The preservation of buildings or places in the State, regional or municipal district which are of historical or environmental interest or environmental interest; or
- (d) The application relates to land used exclusively for charitable purposes.

Regulation 21 stipulates that reasons for waiver or rebate of fee must be recorded, ie must take into account and which formed the basis of the decision to waive or rebate the fee to be recorded in writing.

Council Plan

The report reflects the Council Plan 2017-21 – Strategic Direction 4 – Enhanced liveability.

Strategic Objective 4.4 – We have strong policy and decision-making frameworks in place to protect and enhance the unique character of our Shire for future generations.

Community Engagement

The proposed request for a fee waiver has not been advertised as there is no statutory requirement to advertise to any parties.



12.2.1 Request to waive statutory planning fees for planning permit cont.

Officer's Comments

The Mansfield Autism Statement Services (MASS) is a private, not for profit independent school and allied health care facilitator. It is also a multi-level service provider of disability, education, residential, respite, crisis, outreach and allied health services that is predominantly funded by the NDIS, with contributions from the Education Department, DHHS and user pays system. Whilst the Services in based in Mansfield, MASS offer a statewide service to the whole of Victoria.

The planning application submitted identifies a Master Plan for the future expansion of the centre with the intention of the final Stage 3 being completed in 2030 and a total investment reaching \$25m.

The applicant advises that the project will provide a significant extension to the existing education sector for Mansfield township and surrounding region, complementing the economic performance and sustainability of the region. The project provides the opportunity to diversify the local economy. Importantly, it will also provide year round employment that will help to bolster the town against the highs and lows of reliance on the tourism dollar.

As outlined in Council's Fees and Charges Schedule 2019/20, the fees payable for a Development Application total \$26,976.40. This includes:

- \$25,658.30 application fee (Class 14 works between \$15m to \$50m); and
- \$659.05 for change of use (50% of fee in accordance with combined permit application requirements.
- \$659.05 to subdivide (Class 19)

Whilst it is acknowledged that the fee is quite substantial, Council needs to weigh up the waiver request and any burden it may place on MASS to continue the development. Council does not have a policy on the circumstances upon which standard fees and charges may be waived, however the draft economic development strategy discusses the need to advocate for investment in education. With a specific action to "Support development of Mansfield Autistic Statewide Services (MASS) 'Gamechanger' project".

With that in mind it is considered to be in the public interest to waive these fees and charges and so it is recommended that the request be approved.

Options

- 1 Refuse to approve the request for the fee waiver totalling \$26,976.40
- 2 Approve a partial waiver of the fee
- 3 Approve the request for the fee waiver



12.2.1 Request to waive statutory planning fees for planning permit cont.

Recommendation:

THAT COUNCIL approve the request to waive the planning permit application fee of \$26,976.40 for Mansfield Autism Statewide Services planning application No. P026/2020.

Attachment

Letter from Mansfield Autism Statewide Services requesting permit waiver.

12.3 COMMUNITY SERVICES

12.3.1 Botanic Park Playground Design

File Number: E6654

Responsible Officer: Community Services Manager, Melanie Hotton

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

The purpose of this report is to seek a Council resolution to endorse the final design for the Mansfield Botanic Park Playground.

Background

Improved play facilities has long been identified as a priority project for the Mansfield Botanic Park. In 2010, Mansfield Shire Council endorsed the Mansfield Shire Botanic Park Management Plan which identified that the play equipment is highly used but was ageing, an inadequate size for its usage and in need of a revamp. In 2012 used play equipment was introduced as a short term solution to cater for Mansfield's growing number of young people, however to date there have been no further upgrades.

Since the replacement in 2012 Council has received a number formal (through budget process) and informal submissions advocating for the upgrading the playground facilities at the Mansfield Botanic Park.

In early 2019 a routine safety audit raised that some play equipment within the Park did not meet current recommendations for children's play equipment. In response, Council made the decision to remove the non-compliant equipment and in its 2019-2020 Budget, committed a \$250,000 cash contribution toward an upgrade with an additional \$250,000 identified as required from external funding sources.

In July 2019, Council identified an appropriate funding stream delivered through the Department of Environment, Land, Water and Planning titled "Growing Victoria's Botanic Gardens Grants Program. The program provides grants of \$20,000 to \$300,000 to organisations including local government for projects that will enhance existing botanic gardens, including:

- Activities that support enhancements and accessibility to community assets such as plantings, gardens, picnic facilities, trails and **nature play areas**, catering to visitors including local, indigenous and culturally diverse communities.

The total program funding of \$4 million will be awarded in two rounds, available from June 2019 to October 2020. The first round closed on 7 August 2019 in which approximately \$1.5million was distributed. The second round is expected to open in mid-2020.



12.3.1 Botanic Park Playground Design cont.

Applications for larger projects (>\$50,000) must be supported by written quotes for major components and all funded projects must commence within six months of entering into an agreement with DELWP.

To meet these requirements, in August 2019 Council adopted a staged approach to the delivery of this project through the endorsement of the *Stakeholder Engagement and Communications Plan for the Botanic Park Playground Upgrade*, with Stage One (community engagement and construction-ready design) to take place in 2019-2020 and Stage Two to commence once the project is fully funded.

In November 2019, Council engaged Fitzgerald Frisby Landscape Architecture (FFLA) to provide the design, documentation and specification and community engagement following a competitive tender process.

In March 2020, following the completion of the draft concept design and initial costings, Council had the opportunity to apply for \$250,000 in funding from Sport and Recreation Victoria's Community Facilities Program. The outcome of this application is expected to be known in June 2020.

Statutory Requirements

Nil

Council Plan

Strategic Direction Two Financial sustainability

2.6 Our population continues to steadily grow, supported by the provision of sustainable community infrastructure and services.

Strategic Direction Four Enhanced liveability

4.1 We have long term strategies and capital works programs in place to respond to changing community needs.

Financial

Provision for \$250,000 for the construction of the playground was included in Council's 2019-2020 Budget with an additional \$250,000 identified as required through external funding sources. No budget allocation had been identified to deliver the planning and design component of the project.

FFLA were engaged to provide the design, documentation and specification for a total cost of \$39,480, with the remaining \$210,520 to be carried forward into the 2020-2021 budget to support project delivery.

An Opinion of Probable Costs (OPC) based upon general industry rates and past completed projects has been provided by FFLA. The OPC calculates delivery of the total design at \$667,079 including a contingency of 10%.

12.3.1 Botanic Park Playground Design cont.

A funding submission for \$250,000 has been made to Sport and Recreation Victoria to support delivery of the project with further funding opportunities available to Council such as up to \$300,000 through the Growing Victoria's Botanic Gardens grants program.

Should no external funding be received as per Councils Administration of Grants Policy, if funding is not obtained, the budgeted project will not be completed.

Social

Public play spaces act as an important hub for the community, attracting families and creating a focal point for activities.

A well-designed park fosters community engagement by creating a space for families to come together and encourages healthier lifestyle choices.

Environmental

The project falls within standard operational environmental parameters with enhancement of the location through increased landscaping and preservation of green space.

The design responds its local context and identifies a number of locally available materials in its design.

Economic

This project provides a thoughtfully designed and a regionally significant play space that will attract families to Mansfield, and make a positive economic and amenity impact to neighbouring businesses and residential properties.

Risk Management

The matter of risk pertaining to this project has formed part of the due diligence of the project management process prior to commencement and during construction at any given location. A full design risk assessment will be conducted on the approved design focusing on buildability, usability and maintainability.

Community Engagement

At the Ordinary Meeting of Council on 20 August, Council endorsed the *Stakeholder Engagement and Communications Plan for the Mansfield Botanic Park Playground upgrade*.

12.3.1 Botanic Park Playground Design cont.

Community engagement activities undertaken include:

- The engagement of a Project Reference Group including four community members who were appointed through a public Expression of Interest process and selected based upon their capacity to represent playground users of diverse ages and abilities.
- Initial community survey (receiving 92 submissions)
- Social media posts and engagements
- Interactive “dot democracy” display as part of Council’s stand at the Mansfield Bush Market.
- Collaboration with all year 7 students at Mansfield Secondary College who developed designs for their ultimate play space as part of a school led design activity.
- Consultation on the concept design including:
 - An online survey on Council’s Have Your Say portal from 27 February to 13 March.
 - Physical copies of the package and surveys available at Council Offices, Mansfield Library and Visitor Information Centre
 - A pop-up stall at the Mansfield Producers Twilight Market at the Botanic Park on Friday 6 March.
 - A drop-in consultation with landscape architect Mark Frisby at the Mansfield Library between 12 and 2pm on Thursday 12 March.

Community feedback on the Concept Design included:

- The upgrade is much needed
- The community supports the look/feel of the design and references to natural environment.
- There was a desire to further improve accessibility of the design through additional pathways such as a pathway to the “mountain top”
- There was a desire to further improve equipment choices that cater to more advanced ages and abilities.
- There was a desire for further increase play equipment in general.
- Shade and associated facilities for example, seating and line of site from BBQs needs to be further considered.
- Fencing / dog-off-leash areas needs to be further considered

Officer’s Comments

The final design responds to community feedback with the following amendments:

- Addition of a wheelchair accessible path to the top of the “mountain top”
- Addition of accessible path to the water tables
- Addition of accessible path to the creek with water running over an accessible rock
- Addition of post and wire/mesh fencing along Fords Creek to improve safety by restricting access to waterway.
- Additional trees to improve natural shading.
- Addition of double cableway “flying fox” (Stage 2) to improve play experiences for more advanced ages and abilities.

12.3.1 Botanic Park Playground Design cont.

In response to community concern around conflict between playground and dogs:

- Play Australia does not support the erecting of structures such as fences or gates intended to separate children from dogs for the following reasons:
 - Fences are not considered adequate protection as they can discourage supervision, and dogs can be brought into the play area regardless of the provision or not of fences.
 - Gates can be left open; provide a barrier to accessible access; and are prone to mechanical failure and increased maintenance costs.
 - Dogs are often tied up inside fences, a practice which is considered totally unacceptable.
 - Allocation of resources for additional fencing reduces expenditure on quality playspaces for children and families
- It is recommended Council consider adoption and enforcement of Play Australia's recommendation that all dogs must be on a lead, and under the supervision of the dog owner in public playspaces and/or within 50 metres of a public playspace.

In response to community feedback around desire for additional seating and associated barbeque/picnic facilities:

- While the design does not include provision of traditional seating, careful consideration has been given to ensure landscaping elements provide abundant natural seating options.
- While not included in the project scope, the design identifies locations for additional barbeque shelters.

In response to community feedback around concern around impeded line of site between existing barbeque shelter and playspace:

- Careful consideration has been given in the design to maximise sight lines across the playspace while balancing the desire to retain existing toilet block.
- A \$300,000 upgrade to the toilets is earmarked as a capital project in Council's 2020-2021 draft budget.

Following Council endorsement of the Final Concept Plan, FFLA will proceed with finalising the detailed design and issue of final tender package with options for construction to be staged in accordance with the available budgets.

It is anticipated this will work will be completed by the end of May with procurement to commence as soon as budget is confirmed.



12.3.1 Botanic Park Playground Design cont.

Recommendation:

That Council:

- 1. Endorse the Final Concept Design for the Mansfield Botanic Park Playground;**
- 2. Authorise further funding applications to be submitted on behalf of Council in relation to the delivery of this project.**
- 3. Commence procurement once sufficient funding has been secured.**

Attachments

- 1 Mansfield Botanic Park – Final Design
- 2 Mansfield Botanic Park Playground – Staging Plan
- 3 Opinion of Probably Cost



12.3 COMMUNITY SERVICES

12.3.2 Establishment of an Advisory Committee – Business and Community Recovery Advisory Committee

File Number: E6809
Responsible Officer: Community Services Manager, Melanie Hotton

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the Local Government Act 1989.

Introduction

This report seeks Council endorsement to establish a business and community recovery advisory committee to guide and plan Council's recovery activities over the next 12 months.

Background

The Mansfield Shire Economy and Communities have undergone significant and sustained loss and disruption since the beginning of 2020.

1 January 2020 saw the start of one of the most significant economic impacts from bushfires that this community has ever seen without any actual fire damage to infrastructure.

On the 2 January 2020 all State Parks and Forests were closed to camping and a State of Disaster was declared on the following day.

The impacts of these events on the economy were immediate. Many of the seasonal accommodation businesses and caravan parks had to cease trading and turn visitors away. The licensed tour operators no longer had access to the State Parks and Forest in which they conducted tours and bookings had to either be cancelled or rescheduled. A number of significant events also had to be cancelled.

This had flow on effects into the economy of the main street traders, restaurants and other related industry. Due to the State of Disaster all child care facilities were also required to close meaning many families were unable to go to work without child care provisions available.

The State of Disaster was lifted on 11 January 2020.

1 February and 2 February 2020 saw the Mansfield Shire without power for 24 hours, many thousands of dollars were lost in spoilt food and again many businesses had to close.

A State of Emergency was declared in Victoria on 16 March 2020 to manage coronavirus (COVID-19). This provides the Chief Health Officer with additional powers to issue directions to help contain the spread of coronavirus (COVID-19) and keep Victorians safe.

12.3.2 Establishment of an Advisory Committee – Business and Community Recovery Advisory Committee cont.

On 21 March 2020 social distancing restrictions were implemented restricting “non-essential” services and travel. “Non-essential” services include social gathering venues such as pubs and clubs and restaurants. The closure of caravan parks and accommodation venues, indoor personal training facilities, community gathering spaces and recreational facilities.

Stay at home directions have also been implemented that outline the limitations placed on Victorians regarding leaving their homes.

These events have placed an unrelenting strain on the Business sustainability of many small businesses with no lifting of restrictions confirmed in the near future. This is also having sustained impacts on the health and wellbeing of many members of the community with Social isolation having an impact of personal and familial interactions.

To ensure that Council effectively supports the communities in Mansfield to recover it is proposed that a business and community recovery committee is established comprising community and business representation, the Mayor and one Councillor with Council staff providing support.

The role of the Committee will be to provide oversight and guidance in the delivery of targeted recovery programs and activities to accelerate economic recovery and community wellbeing.

The Terms of Reference are provided in Attachment 1 for Council’s consideration.

Statutory Requirements

Consideration may be given to establishing this committee under Section 3(1) of the *Local Government Act 1989*.

Advisory committees do not have delegated authority and have an advisory or recommendatory role for Council, primarily on strategic issues. In other words, advisory committees do not have the power to make a determination; their role is to advise Council on a particular position, or course of action, which might be taken.

Council Plan

There are three strategic directions in the Council Plan relevant to this matter:

- Strategic Direction 1 – Participation and Partnerships
- Strategic Direction 3 – Community resilience and connectivity
- Strategic Direction 5 - Responsible Leadership



12.3.2 Establishment of an Advisory Committee – Business and Community Recovery Advisory Committee cont.

Financial

To date, Council has received advice of the following funding to be accessed to support recovery of the Mansfield Community.

1. Council Assistance Funding - Bushfire Recovery Victoria - \$660,000

This funding was received in response to a proposal developed by Council and will be rolled out once the current travel restrictions are lifted, in accordance with Council's agreement with Bush Fire Recovery Victoria.

Key Theme	Budget	Outline
Localised marketing Assistance	\$180,000	A campaign that individual local business operators can leverage – that works well across a variety of medium. To build on the No Better Time message.
Digital Imagery	\$130,000	Obtain new moving and still imagery for local business within the Shire. Many businesses don't have the skill, resources nor financial capacity to produce strong well styled images. This will enable businesses to have a fresh base to commence their individual promotions which will also provide further economic benefits to the region.
Business Workshops	\$70,000	Provide a variety of training and support opportunities for small business owners to build business resilience and sustainability. Provide a flexible calendar to facilitate additional training and support as identified by the sector.
Metro marketing	\$80,000	Locally run food, wine and family friendly events that have a broad appeal to metro markets that are developed with a limited budget can be supported through this funding. Increasing yield dispersal across multiple business by packaging products and encouraging return visitation. Mansfield demonstrates high levels of return visitation currently tracking at 77%.
Mobile Visitor Kiosk	\$200,000	A purpose built van or trailer that can be utilised to promote Mansfield as a destination at various trade shows and expos.



12.3.2 Establishment of an Advisory Committee – Business and Community Recovery Advisory Committee cont.

2. Exceptional Assistance and Immediate Support Package - Bushfire Recovery Victoria - \$200,000

Key Theme	Budget	Outline
Seed Funding for Major Events	\$100,000	The funding will help events based in Mansfield attract more visitors and boost local economies.
Recovery Program Officer	\$100,000	Engage a fixed term, Band 7 project officer for 12 months to deliver on all the funded projects to be delivered by Council. Participate on the Business Recovery Planning Committee and oversee the delivery of the Recovery funding and development of additional funding opportunities as they are presented.

3. Community Recovery and Assistance Grant – Community Events – Regional Development Victoria - \$200,000

Key Theme	Budget	Outline
Community Recovery and Resilience Event/s	\$200,000	The development and implementation of localised events program developed with the community that bring the community together, build resilience and raise awareness of bushfire support services.

4. No additional funding requirements to Council's budget other than existing staff time will be required.

Social

The importance of a collective impact approach to the delivery of this funding and program of events is integral to the success of the Mansfield Shire Business Recovery. Working closely with Industry experts and business owners to ensure the outcomes are in line with actual need and challenges experienced.



12.3.2 Establishment of an Advisory Committee – Business and Community Recovery Advisory Committee cont.

Environmental

There are no environmental implications relating to the establishment and endorsement of the Business Recovery Advisory Committee and the Terms of Reference.

Business

Urban Enterprise have been engaged to provide professional services to quantify the impacts of Covid19 and January bushfires and identify actions to aid with business recovery.

It will be important to have quantifiable data for to plan recovery activities and as a basis for seeking funding from governments.

Specifically;

- Understand and articulate the impact of the COVID-19 Pandemic and Bushfires on Mansfield Shire industry sectors and businesses;
- Work with Council and a Business Recovery Committee (Committee) to develop a Plan that promotes fast and sustainable recovery from the effects of the COVID-19 Pandemic and bushfires.

Risk Management

The establishment of a Business and Community Recovery Advisory Committee and the guiding Terms of Reference, will assist Council to identify the true need, challenges and experiences of the business sector and community so that this may be accurately reflected and that true benefit delivered from the funding received.

Community Engagement

The establishment of the Business and Community Recovery Advisory Committee is an external advisory committee to Council and will require an advertisement to engage independent membership and promotion of the committee.

Officer's Comments

The challenges experienced by the business sector and communities of the Mansfield Shire have been significant, sustained and unprecedented. The response needs to be the same. Working in partnership with stakeholders to effect significant change, lead the way to recovery and future sustainability and delivering the best outcomes for the entire community.



12.3.2 Establishment of an Advisory Committee – Business and Community Recovery Advisory Committee cont.

Recommendation:

That Council;

- 1. establishment the Mansfield Shire Council Business and Community Recovery Advisory Committee;**
- 2. endorse the Draft Terms of Reference for the Mansfield Shire Council Business and Community Recovery Advisory Committee;**
- 3. appoint the Mayor as Chair of the Mansfield Shire Council Business and Community Recovery Advisory Committee; and**
- 4. appoint Councillor _____ as the second Council representative**
- 5. Seek nominations to the Mansfield Shire Council Business and Community Recovery Advisory Committee**
- 6. Authorise the Chief Executive Officer to appoint members to the Mansfield Shire Council Business and Community Advisory Committee in order to facilitate timely establishment of the Committee**

Attachment

Draft Terms of Reference for the Mansfield Shire Council Business Recovery Advisory Committee

12.3 COMMUNITY SERVICES

12.3.3 Notice of Transfer of part Harbour Line Drive, Goughs Bay

File Number: E5915

Responsible Officer: Community Services Manager, Melanie Hotton

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

At its meeting of 18 December 2018, a Motion was carried to proceed with a Notice of Intention to Discontinue and Transfer part of Harbour Line Drive and commence a community consultation process to seek submissions in accordance with Sections 207A and 223 of the *Local Government Act 1989*.

Pursuant to Section 223 of the *Local Government Act 1989*, the public notice invited interested persons to make a submissions. No submissions were received.

The land is to be transferred (Sold) to the abutting property owner at 19 Harbour Line Drive, Goughs Bay, a valuation has been completed as is required under Section 189 of the *Local Government Act 1989*, and the land will be transferred at the valuation figure along with associated costs incurred required to facilitate the transfer.

Background

The request to discontinue and transfer part Harbour Line Drive, Goughs Bay was initiated by the abutting land owners, the owners of 19 Harbour Line Drive, Goughs Bay, to formalise their occupation of this part of the road reserve in Harbour Line Drive.

The land is not used as a road, cannot be accessed to thru traffic and has a number of built structures on it belonging to the owners of 19 Harbour Line Drive, Goughs Bay.

Statutory Requirements

Council has powers under Section 206 (1) and Schedule 10 of the *Local Government Act 1989* to discontinue roads or road reserves and call for submissions from the public under Sections 207A and 223.

Council Plan

The Notice of Intention to Sell, and the consultative process undertaken to date are consistent with the following objectives of the 2017-21 Council Plan:

Strategic Objective 1.1 Our community has a say in matters of interest to them

12.3.3 Notice of Transfer of part Harbour Line Drive, Goughs Bay cont.

Financial

There has only been administration costs associated with the review of this property.

Council have obtained a valuation for the parcel of land in accordance with Section 189 of the *Local Government Act 1989*.

All revenue received from the disposal of this land will be treated as general revenue in the year it is received and will be considered as part of Council's annual budget.

Once sold this property will become rateable under the *Local Government Act 1989*.

Environmental

There are no environmental implications arising from this report.

Consultation

The Public Notice was advertised in the Mansfield Courier and the 'Have your Say' portal on Council's website.

Surrounding property owners and service providers were notified in writing of the proposed discontinuance.

The discontinuance has been published in the Victorian Government Gazette.

Officer's Comments

It is proposed the Council use its powers under Section 206(1) and Schedule 10 of the *Local Government Act 1989* to transfer the road reserve to the adjoining property owners based on the completed land valuation.



12.3.3 Notice of Transfer of part Harbour Line Drive, Goughs Bay cont.

Recommendation:

That Council:

1. Determines that the portion of Harbour Line Drive, Goughs Bay identified on the plan in Attachment A to this Report is not reasonably required for general public use.
2. Directs that the portion of Harbour Line Drive, Goughs Bay identified on the plan in Attachment A to this Report is removed from Council's Road Register.
3. Notes that no submissions were received in response to the public Notice of Intention to Discontinue and Transfer part of Harbour Line Drive published on 13 February 2019 in accordance with Section 223 of the *Local Government Act 1989*.
4. Pursuant to Clause 3 of Schedule 10 to the *Local Government Act 1989*, discontinues the portion of Harbour Line Drive, Goughs Bay identified on the plan in Attachment A to this Report.
5. Sells the land comprising the portion of Harbour Line Drive, Goughs Bay identified on the plan in Attachment A to this Report to the owners of the land at 19 Harbour Line Drive, Goughs Bay for \$10,000 and the cost to Council of effecting the sale.
6. Authorises the Chief Executive Officer to:
 - a. publish notice of the discontinuance in the *Victoria Government Gazette*; and
 - b. prepare and execute such documents as are necessary to give effect to the discontinuance and sale in accordance with this Resolution.

Attachment A

Map



12.4 FINANCE

12.4.1 Finance Report: 1 July 2019 to 30 April 2020

File Number: E39
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

This report provides information on Council's financial performance against the 2019-20 budget.

This report is for noting only and no decision is required.

Background

Council adopted the budget for the 2019-20 financial year at its Special meeting of 25 June 2019. Subsequently Council approved carry forward projects from the 2018-19 year which have now been included and form part of the Revised Budget 2019-20.

This report explains material variances between the year to date actual financial results and the Revised Budget 2019-20. Favourable variances are reported as positive values, while unfavourable variances are shown as negative values.

Statutory Requirements

Section 138 of the *Local Government Act 1989*, requires a report comparing expenses and revenue to budget presented to the Council at least quarterly.

Council Plan

Strategic Direction Five: Responsible leadership

Financial

There is no direct financial impact in relation to this report. The financial reports attached provide the opportunity for regular monitoring of Council's financial position to ensure compliance with budgets.

Social

Nil.

Environmental

Nil.

12.4.1 Finance Report: 1 July 2019 to 30 April 2020 cont.

Economic

Nil.

Risk Management

Regular financial reporting is part of Council's financial strategy to ensure budgets are complied with and the short to medium term financial sustainability of Council is maintained.

Community Engagement

The 2019-20 budget engagement process facilitated opportunities for community feedback on Council's budget. There has been no community engagement around the actual results against the budget.

Officer's Comments

Dashboard				
Indicator	Result YTD	Budget YTD / Target	Favourable / Unfavourable	Variance
Operating surplus/(deficit)	7,683,739	8,899,265	U	(1,215,526)
Underlying surplus/(deficit)	6,536,285	5,566,513	F	969,772
Capital expenditure	1,055,106	8,369,906	U	(7,314,800)
Working capital ratio	6.42	1.00	F	5.42
Cash and financial assets	12,817,380	7,509,000	F	5,308,380

Operating Finance Report

Operating Income & Expenditure Actual against Budget

The year to date operating result is favourable (underspent) against the 2019-20 budget by \$1.3m (28%). Major variances are summarised below.

Favourable Variances (underspend)

- \$78k Community Development – mainly timing issues in relation to Community matching funds not yet distributed, Engage program & Youth Development activities.
- \$874k Emergency Management – Two grants totalling \$860k have been received in relation to disaster recovery as a result of the bushfires. This funding has not yet been expended.
- \$47k Family Services & Partnerships – Savings in wages due to integrated family services team currently being understaffed and additional funding received.
-



12.4.1 Finance Report: 1 July 2019 to 30 April 2020 cont.

- \$80k Information Technology – Timing of the IT strategy which has been contracted but not yet commenced.
- \$49k Development Services Management – savings in wages due to staff leave which was not backfilled for some time.
- \$443k Engineering Services - Wages under budget in both engineering and GIS areas due to various staff vacancies. Income from developer contributions and inspection and permit fees have also exceeded budget by \$104k YTD. GIS aerial photography has not yet commenced resulting in a timing variance of \$60k. Drainage study was budgeted and has not yet been completed (timing only)
- \$102k Parks & Gardens – Wages under budget YTD due to staff vacancy which has now been filled. Plant also under budget (however is an internal charge only). These are partly being offset by increased material and services costs which are over budget \$35k.
- \$62k Plant Operating – Plant recovery income is over budget YTD (internal charge only)
- \$132k Road Network Maintenance – Predominantly relates to wages as a result of significant periods of staff leave taken which have not been backfilled (2 FTE). Partly being offset by plant hire being over budget (internal charge only)
- \$139k Strategic Planning – Federal funding has been received in relation to Station Precinct Master Plan (\$37k budgeted in 2018/19). Also relates to timing of consulting for the Commercial Strategy & Open Space Strategy.

Unfavourable Variances (overspend)

- \$48k Emergency Management (Development Services) – predominantly relates to \$56k YTD unbudgeted cost associated with the Pandemic (COVID19).

\$61k Waste Management – Council brought back the management of the Resource Recovery Centre and is now operating it internally. Additional costs are currently being offset by additional income and reduced waste disposal costs. These increased costs are also currently being offset by timing issues in relation to some of the larger invoices that have not yet been received

- \$46k Emergency Management (Engineering & Works) – Unbudgeted natural disaster costs as a result of the January 2020 windstorm.
- \$902k Salaries & Wages Clearing – Internal charge only.

12.4.1 Finance Report: 1 July 2019 to 30 April 2020 cont.

Capital Works Report

Capital Income & Expenditure Actual against Budget

The net year to date capital works variance (net of capital income) is \$7.3m (87%) underspent compared to the 2019-20 budget. Major variances are summarised below.

Underspent projects

- \$120k Mansfield Wetland Rejuvenation (Drainage) – Currently reviewing options to desilt and inspect, although work unlikely to be completed in 2019-20
- \$47k Footpath Reconstruction Programme – timing only, project is expected to be delivered by June 2020.
- \$190k New Footpath Mt Buller Rd – timing only. Work is expected to commence shortly, and will be completed by June 2020.
- \$80k New Footpath Mt Buller Rd Income – Unbudgeted TAC funding was secured for this project.
- \$481k Botanic Park Playground – Design of playground has commenced and expected to cost approx. \$50k. Remaining funds will be carried forward to deliver the project in 2020-21.
- \$237k Plant Purchases – Timing only. Full plant budget is expected to be spent during 2019-20. A new water truck will be tendered shortly.
- \$590k Reseal Preparation Program – this project is not likely to be delivered this year due to limited resources.
- \$2.507m Heavy Vehicle Bypass Stage 3 &4 – these works have been put on hold until further review.
- \$71k Pavement Patching Program - this project has been delayed and will not be completed in the 2019-20 year.
- \$80k Malcolm Street Road Reconstruction – works are nearing completion and are expected to cost \$45k.
- \$76k Alpine Ridge Road Reconstruction – Works are currently in progress.
- \$120k Barwite Road Reconstruction – working with contractor on rectification works. Project will not be delivered this year.
- \$591k Roads to Recovery funding- no income was budgeted for this as it was originally budgeted against a large project in 2020-21. However funding requirements resulted in Council putting in an early claim to offset against current year expenditure.



12.4.1 Finance Report: 1 July 2019 to 30 April 2020 cont.

- \$240k Fixing Country Roads Income – Income received in advance for View Street reconstruction. Design will commence this financial year, however works will be completed in 2020-21.
- \$80k Kerb & Channel Reconstruction – Timing only. Works will be completed by June 2020.
- \$4.37m Dual Court Basketball Stadium – Contract for works has now been signed in conjunction with the VSBA. No payments have been made at this stage. \$1.7m expected to be paid this year, with remainder carried forward to 2020-21.

Overspent projects (or reductions of capital income)

- \$250k Playground Income – No grant has been sought yet as this project is only in design stages.
- \$1.264m Heavy Vehicle Bypass Stage 3 & 4 Income – No grant income has been received as project is currently on hold.
- \$56k View Street upgrade – this project was unbudgeted, however is funded from Fixing Country Roads.
- \$92k Heavy Vehicle Bypass (Withers Lane seal) – this project came in over budgeted due to budget being developed prior to design of the work.
- \$1.1m Dual Court Basketball Stadium Income - 1st instalment funding of \$680k has been received. Remainder of the federal funding is expected to be received in 2020-21.

Overall capital works is well underspent YTD as the full budgeted capital works program will not be delivered in entirety this year. Projects that have been put on hold and will not be delivered this year include Heavy Vehicle Bypass, Reseal Preparation Program, Barwite Road Reconstruction, Pavement Patching Program and Mansfield Wetland rejuvenation.

Overall Position

Operating Variance Favourable/(Unfavourable)	\$1,302,983
Capital Variance Favourable/(Unfavourable)	<u>\$7,314,798</u>
Total Variance Favourable/(Unfavourable)	\$8,617,781

Working Capital Ratio

The working capital ratio (WCR) compares current assets to current liabilities and is an indicator of Council’s capacity to meet its immediate debts when they fall due. A WCR of more than 1:1 (or 100%) is considered healthy.

WCR = 6.4:1 (640%)



12.4.1 Finance Report: 1 July 2019 to 30 April 2020 cont.

Recommendation:

THAT Council receive the Year to Date Finance Report for the period 1 July 2019 to 30 April 2020.

Attachment

April 2020 Year To Date Financial Report, comprising:

- 1 Income and Expenditure Summary
- 2 Operating Report – income and expenditure by business unit
- 3 Capital Works Report – income and expenditure
- 4 Balance Sheet
- 5 Statement of Cash Flows



12.4 FINANCE

12.4.2 Working For Victoria Fund

File Number: E6772
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

This reports seeks a resolution from Council to accept funding from the State Government under the Working for Victoria initiative.

Background

In response to COVID-19, the Victorian Government (the State) has launched the Working For Victoria program and invited local government entities to participate.

The \$500 million *Working for Victoria* initiative is part of the State's \$1.7 billion Economic Survival Package. It is designed to connect workers, including people who have lost their jobs due to the economic impacts of COVID-19, find new work opportunities that will help our community and contribute to Victoria's ability to respond to the pandemic.

Jobseekers in Victoria are encouraged to register on the Working for Victoria website to access new work opportunities. Council will be able to advertise job opportunities on the online platform, conduct an initial screening and select from the full list of applicants, or receive a short list of suitable applicants to choose from.

The roles advertised and eligible for funding must contribute to Victoria's ability to address the pandemic either directly (e.g. outreach and cleaning services) or indirectly (e.g. longer-term roles like maintenance).

There is more information on the Working for Victoria initiative available on the State's website at <https://www.vic.gov.au/workingforvictoria>

At the request of the State, Council submitted an application for \$1,647,342 funding under the initiative which has been approved by the Minister for Jobs, Innovation and Trade. The funding agreement now requires formal endorsement by Council. Further details are outlined in the Officers Comments section to this report.

Statutory Requirements

The program will be governed by a funding agreement between Council and the State. The funding agreement is provided to Council under separate cover.



12.4.2 Working For Victoria Fund cont.

The funding can only be applied to additional new roles, cannot be used to fund vacant roles within the existing organisational structure, and Council must not stand down any existing employees.

Council's Administration of Grant Funding Policy dictates that where funding arrangements have not been included in the annual budget, applications for operational amounts over \$50,000 require Council resolution, except where short lead times don't allow it. In this instance, applications should be endorsed by the CEO, and a report provided to Council for resolution prior to signing the funding agreement.

This report has been prepared to satisfy those policy requirements.

The State has expressed an urgency in rolling out the Working for Victoria initiative and funding submissions were informal and completed within a short time frame that did not allow for Council resolution prior to submission.

The final funding agreement has been provided to Council under separate cover.

Council Plan

The funding will assist the organisation to deliver on all areas of the Council Plan, while supporting community resilience through local employment.

Financial

The application is for 33.6 full time equivalent (FTE) new roles for a period of six months each, at a cost of \$1,647,342 including oncosts and allowances for training and equipment required. The funding is unbudgeted, and there is no requirement for a co-contribution from Council.

There is no guarantee that Council will be to fill each of the roles applied for, as it will be dependent on the skills available within the recruitment pool provided by the Working for Victoria fund. Where positions are unable to be satisfactorily filled, and therefore no employment costs incurred, the equivalent amount of funding unspent will be forgone or refunded where required.

Social

The funding provides Council with the opportunity to employ local people who may have lost their employment due to COVID-19 restrictions. If successful, this could improve the health and wellbeing of those affected, as employment provides a sense of belonging, self-worth, independence and financial stability.

Environmental

NA

12.4.2 Working For Victoria Fund cont.

Economic

Supporting and creating jobs in our local community will contribute to floating the local economy as it will reduce the likelihood that residents will have to move away from the district to find work. Further, it is hoped that the money earned by employees is reinvested back into the local economy (ie essential goods, rent, fuel etc).

Risk Management

The risk to Council is low and there is no requirement for a financial co-contribution to access the funding.

The following risks and mitigation strategies have been identified in the project workplan

#	Identified Risk	Mitigation Strategy
1	Suitable or appropriately qualified or experienced candidates not available in the pool	Appointments will not be made if applicants do not meet the required criteria. Projects will be delayed until existing resources can address them.
2	Lack of available temporary housing for applicants that do not reside within appropriate travel distance (on-site roles only)	Cannot be mitigated as Council has no control over housing supply in the Shire.
3	Grant funding terminated prior to end of employment contract	All related employment contracts will be formally tied to the grant funding.
4	Council unable to expend full grant amount	Milestone claims to be made based on actual expenditure, up to a maximum amount as determined by the funding agreement, monthly in arrears so no overpayment is claimed.

Community Engagement

There has been no community engagement in relation to this matter.

Officer's Comments

This funding provides the opportunity for Council to enhance critical services and improve the organisations capability to operate business as usual in an online / offsite / socially distanced work environment, while also supporting the local economy by offering short term local employment.

A broad range of new roles will be created across a variety of service areas. The grant funds will address the following key areas:

12.4.2 Working For Victoria Fund cont.

Community Health:

- Boost the workforce to increase efficiency and ease of community access to essential health services including:
 - o community and home care
 - o maternal and child health
 - o integrated family services
 - o financial counselling

Corporate Services:

- Backfill the governance administration support while Council's existing governance administration officer has been seconded into Human Resources.
- A grants officer to assess grant opportunities and manage the administration for all new grant funding coming into Council. The volume of funding opportunities has increased significantly during the COVID-19 response.
- Boost the HR team to cope with on-boarding of new staff, updating of HR and IT policies to address the impacts of COVID-19, manage additional reporting requirements, and support business continuity of the organisation
- An IT project manager to implement a digital strategy to improve Council's IT framework and our ability to respond to remote working and a digital environment
- Records staff to complete a digitisation project of hard copy files to improve online access to historical information and storage capacity.

Infrastructure management:

- Expedite maintenance and renewal projects (assets, infrastructure and parks & gardens)
- Improve digital records of Council's infrastructure assets through GIS mapping updates and data capture.

Development services:

- Enable business as usual in a socially distant environment for waste management
- Expedite planning services to reduce blockages in the development industry
- Enhance environmental health services

Organisational administrative support:

- Enhance the organisations agility by increasing the capacity of administrative support services within Council



12.4.2 Working For Victoria Fund cont.

In total the funding supports the creation of 33.6 full time equivalent new roles, at a cost of \$1,647,342. Each role will be for a six month period only, and tied to the funding agreement. The roles will not be extended or funded by Council, and will terminate at the end of the funded period under the agreement with the State.

The likelihood of appointments being made to each of the 33.6 full time equivalent positions is as yet unknown, and largely dependent on the skill set and volume of the recruitment pool registered with the State for re-employment.

Recommendation:

THAT Council authorises the Chief Executive Officer and Council's Finance Manager to sign the grant agreement for the Working For Victoria fund between the Department of Jobs, Precincts and Regions and Mansfield Shire Council.

Attachments

Nil.



12.5 CORPORATE AND ORGANISATIONAL DEVELOPMENT

12.5.1 Establishment of a Chief Executive Officer Performance and Remuneration Reference and Advisory Group

File Number: E6814
Responsible Officer: Corporate and Organisational Development Manager,
Sharon Scott

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

The purpose of this report is to establish a reference and advisory group to assess the performance and remuneration of Mansfield Shire Council's Chief Executive Officer (CEO). The role of this group will be to:

- Facilitate the setting of annual Key Performance Indicators (KPIs) for the Council's CEO
- Facilitate the CEO performance reviews, including all activities that are part of that review
- Provide the CEO with feedback through a written report and facilitating feedback sessions
- Make recommendations to Council on the CEO's performance targets
- Make recommendations to Council on the CEO's remuneration in accordance with the principles of the Victorian Government's policy on executive remuneration in public entities, together with any determination that is in effect under s21 of *the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* relating to remuneration bands for executives employed in public service bodies.

Background

Council is required provide for performance monitoring and an annual review of its CEO.

To ensure good governance and transparent decision making, a reference and advisory group will be established for the purpose of providing a forum for authentic dialogue with the CEO on her/his overall performance during a specified period.

Further, the group will have the authority to undertake discussions with the CEO in relation to remuneration within agreed limits, and make recommendation to the Council in relation to the CEO's remuneration review.

Statutory Requirements

There is no specific provision in the Act for a group of this nature, and it is open to Council to establish such groups intended to provide advice to Council on certain matters.

12.5.1 Establishment of a Chief Executive Officer Performance and Remuneration Reference and Advisory Group cont.

It is worth noting that from 1 July 2021, it is a requirement of the 2020 Act that Council adopt a Chief Executive Officer Employment and Remuneration Policy.

Development of this Policy is currently underway and will be presented to the Council at a future date.

Council Plan

Strategic Direction 5 – Responsible Leadership, specifically Strategic Objective 5.1 - *we achieve the highest standards of good governance.*

Financial

There are no financial implications.

Social

There are no social implications.

Environmental

There are no environmental implications

Economic

There are no financial implications.

Risk Management

Accountability for performance outcomes is a key principle of good governance. As the most senior executive in the organisation, it is important that the CEO is held to account by the Council. Formal meetings between the CEO and the reference and advisory group will ensure that the CEO's performance is objectively assessed to mitigate any potential risks to the organisation.

Community Engagement

Community engagement is not required.

Officer's Comments

Assessing the performance of and setting the remuneration for the CEO is the responsibility of the entire Council as the CEO is the link between the Council and the management team in the successful operation of the organisation.



12.5.1 Establishment of a Chief Executive Officer Performance and Remuneration Reference and Advisory Group cont.

Recommendation:

THAT Council:

- 1. establish a Chief Executive Officer Performance and Remuneration Reference and Advisory Group;**
- 2. appoint the Mayor and two Councillors to the Chief Executive Officer Performance and Remuneration Reference and Advisory Group; and**
- 3. develop the Group's Terms of Reference, for endorsement at the June 2020 Council meeting.**

Attachments

Nil.

13. ASSEMBLIES OF COUNCILLORS

Under sections 3 and 80A of the *Local Government Act 1989* an Assembly of Councillors (however titled) is defined as:

- a meeting of an advisory committee of the Council, if at least one Councillor is present, or
- a planned or scheduled meeting, comprising at least three Councillors and one member of Council staff, that consider matters that are intended or likely to be:
 - a) the subject of a decision of the Council; or
 - b) subject to the exercise of a function; duty or power of a Council that has been delegated to a person or committee.

An assembly of Councillors does not include a meeting of the Council, a special committee of the Council established under s139, a club, association, peak body, political party of other organisation.

A written record of each assembly is held by Council and is available for public inspection.

The following is a list for the past month of assemblies held and the issues discussed.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
17 March 2020	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Marg Attley • Cr Harry Westendorp • Cr. Paul Volkering • Cr Paul Sladdin • Cr Peter Olver <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • Community Services Manager, Melanie Hotton • Finance Manager, Mandy Kynnersley • Corporate and Organisational Development Manager, Sharon Scott • Community Development Officer, Keira McDonagh 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Barwite Road • Withers Lane Heavy Vehicle By-pass • Botanic Park Playground • Jamieson Recreation Reserve Asbestos Query • Goughs Bay Mowing • Goughs Bay Intersection Line Marking • Easter Visitation • Trucks on Ogilvies Road • Disabled Parking • Clean Up Australia - Free Waste Deposit
21 April 2020	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Marg Attley • Cr Harry Westendorp • Cr. Paul Volkering • Cr Paul Sladdin • Cr Peter Olver <p>External Attendees:</p> <ul style="list-style-type: none"> • Marcus Hann, Valuer <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • Community Services Manager, Melanie Hotton • Finance Manager, Mandy Kynnersley • Corporate and Organisational Development Manager, Sharon Scott • Infrastructure Manager (Interim), Andre Kompler • Governance Coordinator, Michelle Kain • Rates Coordinator, Bess Gillard 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Local Government Act 2020 • 2020-21 Revaluation • Meeting with Governor of Victoria, Linda Dessau AC Re: Bushfires • Indi Roundtable with Helen Haines and Andrew Colvin, National Bushfire Committee • Mayor's Message and Community Connections • VLGA Connect • LG Mayoral Advisory Panel • Economic Support to Business • State Relief Plan • 2019-20 Audit • Rating System Review • Consultation Re: 2020-21 Budget • Update on Community Engagement Re: Planning Review



DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
		<ul style="list-style-type: none"> • Kidston Pde/Stoneleigh Road Speed Reduction • Digital Transformation Strategy • Hume Regional Local Government Network – MAV membership fees • Support for 100 Regional Newspapers • Jamieson Community Group • Asbestos – Council Buildings • Rubbish Bins Outside Chicken Shop
5 May 2020	<p>Councillors' Briefing Session – virtual meeting</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Marg Attley • Cr Harry Westendorp • Cr. Paul Volkering • Cr Paul Sladdin • Cr Peter Olver <p>External Attendees:</p> <ul style="list-style-type: none"> • MMuDS Representatives, Karen Pirie, Alistair Pirie and Daryl Hung • MRCG Consultants, David Hale and Melissa Ludeman <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • Community Services Manager, Melanie Hotton • Finance Manager, Mandy Kynnersley from 12.30 pm • Infrastructure Manager (Interim), Andre Kompler from 1.00 pm • Development Services Manager, Ben McKay 10.45 am – 11.15 am • Waste Coordinator, Rebecca Kirley 10.45 am – 11.15 am • Community Development Officer, Keira McDonagh - 10.00 am – 10.30 am • Community Development Team Leader. Kirsten Lingard 10.00 am – 10.30 am 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Mansfield Performing Arts Centre Draft Plan • Waste Strategy • Working for Victoria • Virtual Meetings • Economic Recovery Plan • Flood Damage Update • CRMS – Digital Strategy Project • State Freeze on Fees and Charges • Snow Season Update • Jamieson Community Group Re: Infrastructure Upgrade • Helicopter Activity

Recommendation:

THAT Council receive and note the Assembly of Councillors report for the period 17 March – 5 May 2020.



14. ADVISORY AND SPECIAL COMMITTEE REPORTS

Nil.

15. AUTHORISATION OF SEALING OF DOCUMENTS

The following documentation has been signed and sealed by Council:

- Instrument of Delegation by Council to Members of Staff
- Instrument of Appointment & Authorisation (Planning & Environment Act 1987)

Recommendation:

THAT Council note the documents sealed by Council on 21 April 2020:

- Instrument of Delegation by Council to Members of Staff
- Instrument of Appointment & Authorisation (Planning & Environment Act 1987)

SUSPENSION OF STANDING ORDERS

Recommendation:

THAT Council suspend standing orders to facilitate public question time.

16. PUBLIC QUESTION TIME

RESUMPTION OF STANDING ORDERS

Recommendation:

THAT Council resume standing orders.



17. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Council has the power to close its meeting to the public in certain circumstances pursuant to the provisions of Section 66(2) of the *Local Government Act 2020*. The circumstances where a meeting can be closed the public are:

- (a) the meeting is to consider confidential information; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

The definition of confidential information is provided in Section 3(1) of the *Local Government Act 2020*.

Recommendation:

THAT the meeting be closed to members of the public under Section 66(2)(a) of the *Local Government Act 2020* to consider confidential information, as defined by section 3(1) of the *Local Government Act 2020* as:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released**



18. PRESENTATION OF CONFIDENTIAL REPORTS

18.1 CONFIDENTIAL: INFRASTRUCTURE

18.1.1 Confidential: James Excavation Contract Report

19. REOPEN MEETING TO MEMBERS OF THE PUBLIC

Recommendation:

THAT Council reopen the meeting to members of the public.

20. CLOSE OF MEETING