



MANSFIELD SHIRE

*High Country, Lakes and Rivers*

# COUNCIL MEETING

**TUESDAY, 21 JULY 2020**

**Notice and Agenda of meeting  
to be held via Zoom and livestreamed on  
the Mansfield Shire Council website**

**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>Finance Manager:</i>	<i>Mandy Kynnersley</i>
<i>Manager Operations and Capital Works (Interim):</i>	<i>Andre Kompler</i>
<i>Manager Planning and Environment:</i>	<i>Ben McKay</i>



# MANSFIELD SHIRE COUNCIL

## Order of Business

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### 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. PUBLIC QUESTION TIME

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

### 13. OFFICER REPORTS

13.1 Departmental Reports will be presented to the Council from each Department as follows:

- Community Services
- Corporate and Organisational Development



- Finance
- Operations and Capital Works
- Planning and Environment

**13.2-13.7** Officer Reports presented by each Manager, where required.

Detailed reports prepared by officers from the Infrastructure and Planning Directorate are considered by the Council. This includes reports from the following Departments:

- Planning and Environment
- Operations and Capital Works
- Community Safety
- Field Services.

A Council position is adopted on the matters considered.

Detailed reports prepared by officers from the following Departments will also be considered by the Council:

- Community Services
- Corporate and Organisational Development Department
- Executive Services Department
- Finance Department

A Council position is adopted on the matters considered.

#### **14. 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].

#### **15. COUNCIL RESOLUTIONS REPORT**

Council reviews the outstanding actions arising from resolutions from previous Council meetings.

#### **16. ADVISORY AND SPECIAL COMMITTEE REPORTS**

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

#### **17. 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.

#### **18. 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.

#### **19. PRESENTATION OF CONFIDENTIAL REPORTS**

#### **20. REOPEN MEETING TO MEMBERS OF THE PUBLIC**

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

#### **21. CLOSE OF MEETING**

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

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# AGENDA

MANSFIELD SHIRE COUNCIL  
Via Zoom and livestreamed on the  
Mansfield Shire Council website  
5.00pm

## CONTENTS

1.	<i>OPENING OF THE MEETING</i> .....	3
2.	<i>PRESENT</i> .....	3
3.	<i>APOLOGIES</i> .....	3
4.	<i>STATEMENT OF COMMITMENT</i> .....	3
5.	<i>ACKNOWLEDGEMENT OF COUNTRY</i> .....	4
6.	<i>DISCLOSURE OF CONFLICTS OF INTEREST</i> .....	4
7.	<i>CONFIRMATION OF MINUTES</i> .....	4
8.	<i>REPRESENTATIONS</i> .....	4
9.	<i>NOTICES OF MOTION</i> .....	4
10.	<i>MAYOR'S REPORT</i> .....	4
11.	<i>REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES</i> .....	7
12.	<i>PUBLIC QUESTION TIME</i> .....	7
13.	<i>OFFICER REPORTS</i> .....	8
	<i>13.1 DEPARTMENTAL REPORTS</i> .....	8
	<i>13.2 PLANNING AND ENVIRONMENT</i> .....	9
	<i>13.2.1 Kerbside Recycling Acceptance and Processing Contract</i> .....	9
	<i>13.3 FINANCE</i> .....	14
	<i>13.3.1 Local Government Community Satisfaction Survey Results 2020</i> .....	14
	<i>13.3.2 Mansfield Shire Council Draft Governance Rules 2020</i> .....	20
	<i>13.3.3 Mansfield Shire Audit and Risk Committee Charter</i> .....	23
	<i>13.3.4 Council Plan Performance Reporting Q4 2020</i> .....	29
14.	<i>ASSEMBLIES OF COUNCILLORS</i> .....	31
15.	<i>COUNCIL RESOLUTIONS REPORT</i> .....	32
16.	<i>ADVISORY AND SPECIAL COMMITTEE REPORTS</i> .....	32
17.	<i>AUTHORISATION OF SEALING OF DOCUMENTS</i> .....	33
18.	<i>CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC</i> .....	33



19. PRESENTATION OF CONFIDENTIAL REPORTS.....33

    19.1 Confidential: Operations and Capital Works .....33

        19.1.1 Confidential: Cleaning and Maintenance of Public Amenities and Cleaning....33

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC .....33

21. CLOSE OF MEETING.....33



MANSFIELD SHIRE

# MANSFIELD SHIRE COUNCIL MEETING TUESDAY, 21 JULY 2020

## AGENDA

MANSFIELD SHIRE COUNCIL  
Via Zoom and livestreamed on the  
Mansfield Shire Council website  
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 will raise their 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**

Deputy Mayor, Cr Peter Olver, will recite Council's Acknowledgement of Country:

*"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

**7. CONFIRMATION OF MINUTES**

**Recommendation:**

**THAT the Minutes of the Mansfield Shire Council Meeting, held on 23 June 2020, be confirmed as an accurate record.**

**8. REPRESENTATIONS**

Nil.

**9. NOTICES OF MOTION**

Nil.

**10. MAYOR'S REPORT**

Mayor Cr Marg Attley OAM will present the monthly Mayor's report from 17 June to 15 July 2020 to the Council as follows:

*These are indeed unprecedented times for all of us. Each month, I find it difficult to write my monthly report because of the continuing changes and their effects on our communities. It continues to be a time to come together; to do everything we can to stop the spread of COVID-19.*

*I am concerned for our families and friends in Melbourne and across the world, for our inability to come together, for our anxiety and of course for the increases in economic impacts on our residents and our businesses.*



## 10. MAYOR'S REPORT CONT.

*I thank everyone for working together through this time; especially our health care workers, our essential services and local businesses who serve us, and of course Council staff who have provided business as usual.*

*It places stresses on us all, but together, we will get through this.*

*My communications have continued with sessions on Mansfield Community Radio, ABC Goulburn Murray and my Mayor's messages. To coincide with NAIDOC week, I recorded an interview with Auntie Anne- Marie Fletcher to acknowledge our First Peoples and the work of Gadhaba.*

### **NAIDOC Week**

*Although events organised for NAIDOC week by Gadhaba Local Aboriginal Network and Mansfield Shire Council have had to be postponed until November, it doesn't prevent us from acknowledging, understanding and highlighting the strong indigenous connections to the land throughout the Shire.*

### **Council Election 2020**

*The Council election is to be held on the 24 October. A Candidate Information Session was held at the Mansfield Performing Arts Centre on 16 July 2020. It provided a comprehensive introduction about what is involved in becoming a Councillor.*

*I strongly encourage residents and ratepayers to consider nominating as a candidate for the election. The information session will be a comprehensive introduction about what is involved.*

*After four terms on Council, I will not be nominating again. I am extremely happy to speak to any potential candidates if they have questions. I look forward to hearing from all those considering it at this point, three months out.*

### **Local Government Mayoral Advisory Panel (LGMAP)**

*The Victorian LGMAP met virtually on 15 July 2020. Panel meetings provide me the opportunity to listen to others and highlight issues affecting councils and the sector, especially during this difficult time for all communities. New Local Government Minister, The Hon. Shaun Leane MP, was in attendance.*

### **Business and Community Recovery Advisory Committee**

*The first meeting of this committee was held in early July, with members committing to work toward a Recovery Plan for businesses and the community. The Plan will be important, but we also need to be mindful that this is a situation that is constantly changing. Discussion included how we can be flexible in supporting the community through the changes. I appreciate the skills, experience and dedication of all those selected to this committee. The Committee's work includes making recommendations on the spending of funds which have and will continue to be received by Council.*



**10. MAYOR'S REPORT CONT.**

***Positive Projects***

*I am pleased to highlight two exceptional developments which will have positive impacts on the future of our community. They are Rosehaven Hospice and Mansfield Autism Statewide Services 'Project Game Changer'.*

*These projects have been created by perceptive and visionary local residents. It is important for Council to advocate on behalf of the work of our community and for its future.*

*Finally, it with sadness that we remember Alex 'Chumpy' Pullin, following his tragic passing on Wednesday, 8 July 2020. Tributes have come from across the world for such a decorated athlete.*

*In 2011, Chumpy was bestowed the Key to the Shire. He'll also be remembered for his inspiration and mentoring of past and future athletes.  
VALE Alex 'Chumpy' Pullin.*

***Cr Marg Attley OAM  
Mayor***

**Recommendation:**

**THAT Council receive the Mayor's report for the period 17 June to 15 July 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
Business and Community Recovery Advisory Committee	Mayor and Cr Paul Sladdin
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. PUBLIC QUESTION TIME

Council welcomes questions from the community. A question must be submitted by midday on the Monday prior to the council meeting. The ['ask a question' form](#) is available from Council's website.

The Mayor will read out the question and answer at the meeting.



## 13. OFFICER REPORTS

### 13.1 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 Chief Executive Officer will present the monthly Departmental reports to Council as follows:

- Community Services
- Corporate and Organisational Development
- Finance
- Operations and Capital Works
- Planning and Environment

#### Attachment

1 Departmental reports

#### **Recommendation:**

**THAT Council receive and note the Departmental reports for the period 18 June to 15 July 2020.**

## 13.2 PLANNING AND ENVIRONMENT

### 13.2.1 Kerbside Recycling Acceptance and Processing Contract

**File Number:** E5289

**Responsible Officer:** Manager Planning and Environment, Ben McKay

#### 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 updates Council on the status of its current contract with JJ Richards for the receipt of recyclable materials and recommends that Council terminate this contract and enter into a new contractual arrangement to ensure that the materials are accepted and do not end up in landfill.

#### Background

Council currently holds a contract for the acceptance and processing of recyclable materials with JJ Richards with all kerbside recycling materials transported to Wangaratta. The contract arrangement is set to expire in June of 2024.

As Council is aware, in 2018 China introduced its Sword policy which saw the export of poor quality recyclable materials banned. This had a detrimental impact on councils' kerbside recycling contracts across the State, as local processors increased acceptance rates to cover additional costs associated with more stringent sorting regimes.

With the financial value of contracts set to increase, a statewide S186 Ministerial exemption was granted which provided councils with the ability to negotiate with any service provider in the industry for the acceptance and processing of kerbside recyclable materials through until 30 June 2021 without the need to enter a tender process.

To date, Council has negotiated an appropriate outcome with its current provider, JJ Richards. Recently however, JJ Richards has been reducing its recycling operations in the North East, and there has been a shift in the contractor's willingness to provide Council with any future commitments beyond October 2020, in terms of their ability to accept and process recyclable product in to the foreseeable future whilst also proposing increases of 35% to current gate rates. Also, JJ Richards cannot guarantee that future recycling would not be landfilled, with all costs to be borne by Council.

With the possibility that that the Mansfield collection trucks could be refused from the JJ Richards processing plant after October 2020, along with unsustainable increases to acceptance rates, Council enacted the S186 Ministerial exemption rights and commenced conversations with other recycling processing service providers.

### 13.2.1 Kerbside Recycling Acceptance and Processing Contract cont.

Positive discussions were held with Victoria Resource Recovery (VRR), a subsidiary company of Cleanaway, which is based in Coolaroo. VRR has provided a commitment to accept, process and recycle materials transported from Mansfield Shire for the duration of the next financial year and beyond if necessary, with a reasonable gate rate negotiated.

The Cleanaway operational structure consists of individual sectors, industrial collections, solid and liquid waste management, recyclable acceptance and processing and domestic waste and recyclable collections. Whilst VRR is part of the Cleanaway business, it operates as an independent entity to the kerbside collection element and is subject to its own business performance indicators.

Council currently holds a contract with Cleanaway Shepparton for the collection of domestic kerbside waste and recyclable materials. This contract includes the collection of household materials, street bins and special event bin services and is due to expire at 30 June 2024. For reasons outlined above, the kerbside collection contract arrangement between Council and Cleanaway would operate in isolation to that of an agreement for the acceptance and processing of recyclable product.

The proposed arrangement with VRR would see Council incur increased cartage rates due to additional distance travelled to Coolaroo, however this will be offset by a reduced gate rate and therefore will not have a significant impact to Council's budget.

It should also be noted that the gate rate imposed by JJ Richards would be subject to significant increases after October 2020 which would result in significant cost increase to Council.

#### Statutory Requirements

A Statewide Ministerial exemption was granted to Councils under Section 186 of the *Local Government Act 1989* to allow Councils to enter in to contracts at any time where the contract concerns the provision of kerbside recycling services (including collecting, sorting and processing of kerbside recycling) which are provided between 1 July 2019 and 30 June 2021 inclusive.

#### Council Plan

##### *Strategic Objective 4.2*

We are a community that is passionate about arts, culture, heritage and the environment.

##### *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.

### 13.2.1 Kerbside Recycling Acceptance and Processing Contract cont.

#### Financial

A cost analysis has been undertaken weighing up the following;

- Gate rate proposed by VRR.
- Increases to cartage rates due to additional distances travelled to cart to Coolaroo.
- JJ Richards proposed gate rates and associated risks posed by continuing under the current contractual arrangement.

<b>CURRENT</b>		<b>PROPOSED</b>	
<b>JJ Richards</b>		<b>Cleanaway</b>	
2020/21 gate rate (ex gst) (\$) 196.40/tonne	225,860.00	2020/21 gate rate (ex gst) (\$) 145.00/tonne	166,750.00
2020/21 annual transport rate (\$)	428,868.00	2020/21 annual transport rate (\$)	490,469.00
<b>Estimated total cost (\$)</b>	<b>654,728.00</b>	<b>Estimated total cost (\$)</b>	<b>657,219.00</b>

The analysis showed VRR to be the most preferable option moving forward demonstrating commitment to accept kerbside recyclable product in to the future along with implementing appropriate practices to source end markets for products and deal with localised contamination without the need for landfilling all materials.

Whilst Council will incur increased cartage rates under the new contract with VRR, these will be offset by a reduced gate rate and will be comparable to those rates proposed in the 2020-21 budget. Continuing under the current arrangements with JJ Richards is likely to see rates increased substantially beyond October 2020.

#### Social

Kerbside recyclable stream is an important part of the liveability of the Shire.

#### Environmental

JJ Richards are proposing that all kerbside recycling materials would be baled and processed according, however have indicated that changes in the market which preclude the sale of baled recyclable materials would see kerbside materials from Mansfield landfilled.

VRR have provided reassurance in terms of their ability to sustainably recycle product, introducing additional processes allowing them to end markets for loose, recyclable materials.

#### Economic

No other economic impact.

### **13.2.1 Kerbside Recycling Acceptance and Processing Contract cont.**

#### **Risk Management**

Council knowingly educates and promotes sustainable recycling practices which could lead to exposure to reputational risk if recyclable materials are landfilled.

Council could be forced to stock pile recyclable materials if collection trucks are turned away by JJ Richards. This could lead to regulatory risks associated with relevant state stockpiling guidelines.

#### **Community Engagement**

Council is currently undergoing the development of its Waste Management Strategy with the public consultation phase of the project showing an overwhelming community expectation that Council will commit to pursue avenues for the safe, cost effective and environmentally responsible ways of dealing with waste and recycling.

The community expectations will be reflected in the Strategy which will also ensure Council meets the targets outlined in the statewide Circular Economy Policy in terms of reducing contamination in recycling bins and reducing residual waste sent to landfill. Therefore Councils Waste Management Strategy should inform decisions relevant to the direction of future waste and recycling service arrangements.

#### **Officer's Comments**

Based on the locality of processing plants across the State and ability to transport product an appropriate distance without grossly increasing collection costs and subsequently impacting Councils waste budget, preliminary discussions have been held with Veolia, based in Echuca and VRR in Coolaroo.

The outcome of discussions with both service providers resulted in VRR Coolaroo the only processing company willing to offer Council with an option to accept and process kerbside recycling product.

Legal advice has confirmed Council has the ability to terminate the current contract arrangement with JJ Richards, as a result of the S186 Ministerial exemption, opening the way for a short term contract with Cleanaway until 30 June 2021.

JJ Richards has also confirmed it would be prepared to terminate the current contract arrangement given it is not in a position to offer Council commitment in terms of its ability to accept and process materials transported from Council's kerbside service.

#### **Attachments**

- 1 Deed of Termination and Release





### 13.2.1 Kerbside Recycling Acceptance and Processing Contract cont.

**Recommendation:**

**THAT Council:**

- 1. terminate Contract CM1415.019 with JJ Richards & Sons Pty Ltd from 1 August 2020 on the terms set out in the Deed of Termination and Release attached as Attachment 1 to this Report.**
- 2. enter into a new Contract for the acceptance and processing of recyclables with Cleanaway Pty Ltd.**
- 3. vary Contract CM1415.017 with Cleanaway Pty Ltd for the collection and transport of recyclables on the terms set out in the Amendment Deed; and**
- 4. authorise the Chief Executive Officer to finalise negotiations with each of the parties identified in this Resolution and execute such documents as are required to give effect to this Resolution.**

## 13.3 FINANCE

### 13.3.1 Local Government Community Satisfaction Survey Results 2020

**File Number:** E392  
**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

The purpose of this report is to present the Community Satisfaction Survey 2020 results to Council.

#### Background

Each year Local Government Victoria (LGV) commissions a Community Satisfaction Survey (CSS) across the local government sector. All Victorian councils are encouraged to participate, and Mansfield Shire Council continued to do so in 2020.

LGV contracted JWS Research to conduct the survey on behalf of councils. The format of the survey is consistent with the previous eight years, which provides a solid base for comparison and benchmarking.

The CSS asked core questions, optional questions and included the ability to add tailored, local issues of individual council's choice. This year Mansfield Shire Council decided to keep the optional questions consistent with the prior year.

Four hundred (400) participants were surveyed during the period 30 January to 22 March 2020.

The resulting CSS report is attached for Council's information.

#### Statutory Requirements

Participation in the CSS program is not mandatory, however section 131 (3)(a)(iii) and (iv) of the *Local Government Act 1989* requires Council to prepare an Annual Report at the end of each financial year which includes a Report on Operations that provides service performance indicators.

Further, the Local Government Performance Reporting Framework requires councils to report the Community Satisfaction Rating for three specific indicators, being:

- community consultation and engagement
- making decisions in the interest of the community; and
- the condition of sealed local roads



### **13.3.1 Local Government Community Satisfaction Survey Results 2020 cont.**

The annual CSS is the way in which the majority of councils collate this performance data.

#### **Council Plan**

The CSS is referenced in the Mansfield Shire Council Plan as one of the key performance measures to help assess whether Council is on track in terms of achieving its Strategic Directions:

- Strategic Direction One – Participation and Partnerships
- Strategic Direction Two – Financial Sustainability
- Strategic Direction Three – Community Resilience and Connectivity
- Strategic Direction Four – Enhanced Liveability
- Strategic Direction Five – Responsible Leadership

#### **Financial**

The completion of the CSS 2020 cost Council \$12,500.

#### **Social**

The Survey addresses social areas such as:

- family support services
- elderly support services
- recreational facilities
- decisions made in the interest of the community
- informing the community
- lobbying on behalf of the community
- appearance of public areas

#### **Environmental**

The Survey does not specifically cover environmental issues.

#### **Economic**

The Survey addresses economic areas such as:

- business and community development
- tourism development planning for population growth
- town planning

#### **Risk Management**

There are no inherent risks associated with this report.

### 13.3.1 Local Government Community Satisfaction Survey Results 2020 cont.

#### Community Engagement

The LGV consultants JWS Research surveyed 400 residents within Mansfield Shire aged over 18 years.

The report will be publically available on Council's website and also on the Know Your Council website ([www.knowyourcouncil.vic.gov.au](http://www.knowyourcouncil.vic.gov.au)).

#### Officer's Comments

The report compares the performance of Mansfield Shire Council against:

- previous years' survey results
- state-wide average
- small rural council's average

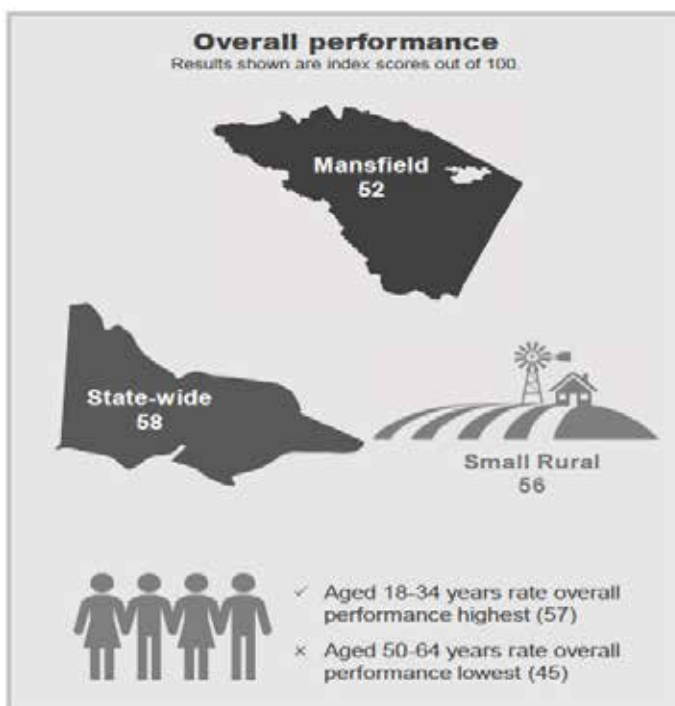
The report also provides a split of age and gender demographics compared against the whole Mansfield Shire Council result.

All scores in the survey are out of 100.

#### Overall performance

Overall performance at 52 has increased one point from the prior year. While only a slight improvement it provides an opportunity for Council to consolidate this result over the next 12 months and rebuild community sentiment back to previous levels.

Mansfield's score is six points lower than the state-wide average, and four points lower than the small rural council average. The 50-64 age bracket is the most dissatisfied with overall performance, and this is a consistent theme across the entire survey.



### 13.3.1 Local Government Community Satisfaction Survey Results 2020 cont.

A summary of each performance area is shown in the table below

Area	Score	Improved	Declined	Compared to state	Compared to small rural
<b>Overall performance</b>	<b>52</b>	P		▼	▼
Appearance of public areas	75		P	▲	▲
Art centres & libraries	73		P	▼	▼
Elderly support services	70	P		▲	▼
Emergency & disaster management	68		P	▼	▼
Recreational facilities	67		P	▼	▼
Family support services	67		P	▲	▲
Tourism development	65		P	▲	▲
Enforcement of local laws	62	P		▼	-
Business & community development	59	-	-	▲	▲
Waste management	57		P	▼	▼
Informing the community	55	-	-	▼	▼
Local streets & footpaths	54	P		▼	▼
Consultation & engagement	54	P		▼	-
Parking facilities	52	P		▼	▼
Sealed local roads	49		P	▼	▼
Lobbying	49		P	▼	▼
Community decisions	48	P		▼	▼
Population growth	44		P	▼	-
Town planning policy	44	-	-	▼	▼
Unsealed roads	44	P		▼	▲
Planning & building permits	40	P		▼	▼

#### ***Recommended areas of focus***

The CSS (p.11 and p.21) recommends Council should focus on maintaining and improving performance in the individual service areas that most influence perception of overall performance.

The individual service area that has the strongest influence on the overall performance rating is the maintenance of unsealed roads.



### 13.3.1 Local Government Community Satisfaction Survey Results 2020 cont.

Following on from that, other individual service areas with a moderate to strong influence on the overall performance rating are:

- Community consultation and engagement
- Decisions made in the interest of the community
- Town planning
- The appearance of public areas
- Planning for population growth

It is recommended that Council implement the following plan to address the ratings:

Performance Area	Score	Possible influences / comments	Actions
<b>Unsealed Roads</b>	44	<p>This score has increase 3 points from the prior year.</p> <p>What Council has been doing over the last 5 months is starting to be noticed including;</p> <ul style="list-style-type: none"> <li>• using best practice of creating a crown shape, reclaiming lost gravel, cleaning drains and focussing on what is needed most, is starting to be noticed;</li> <li>• Improved response to customer complaints.</li> <li>• Gravel road condition starting to improve.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to engage more with the community in personable “willing to listen”, ‘face to face’ follow-up of customer compliant/ query issues, which has worked well.</li> </ul> <p>Provide greater information to the community about what Council is doing on unsealed roads including frequency of grading work.</p>
<b>Community consultation &amp; engagement</b>	54	<p>This score has improved 2 points from the prior year.</p> <p>Since July 2019 Council has increased its community communications including print social media and radio.</p>	<ul style="list-style-type: none"> <li>• Improve and enhance the quality of online engagement projects through Council’s new Have Your Say engagement online platform (“live” on Council’s website from 12 June 2020).</li> <li>• Develop and implement a community engagement policy (pursuant to the requirements of the Local Government Act 2020).</li> <li>• Continue to improve communications print, social media and radio.</li> <li>• Review Council’s communications policies and procedures.</li> </ul>

**13.3.1 Local Government Community Satisfaction Survey Results 2020 cont.**

Performance Area	Score	Possible influences / comments	Actions
<b>Community Decisions</b>	48	<p>This score has improved 1 point from prior year. Decisions made in the interests of the community is subjective depending on the interests of the individual responding.</p> <p>Significant / controversial Council decisions made in the 12 months prior to the survey that may have influenced the score include:</p> <ul style="list-style-type: none"> <li>• Saleyards / emergency services precinct</li> <li>• Additional executive staff resource</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to focus on meaningful engagement with the community on key issues/projects to ensure Council are well informed of community sentiment as part of its decision making process.</li> </ul>
<b>Town Planning</b>	44	<p>This score has remained the same as the prior year.</p>	<ul style="list-style-type: none"> <li>• Implement recommendations from Statutory Planning service review (due for completion in August 2020)</li> <li>• Continue the Planning Strategy project to capture community vision on long term land use planning</li> </ul>
<b>Public Areas</b>	75	<p>The appearance of public areas has always been a strong performing area in the survey.</p>	<ul style="list-style-type: none"> <li>• Continue delivering the existing service levels (parks and gardens).</li> </ul>
<b>Population Growth</b>	44	<p>The score has decreased 1 point from prior year.</p>	<ul style="list-style-type: none"> <li>• Complete the early years feasibility study to determine facility and resource need to implement State Government's 3 year preschool requirements.</li> <li>• Complete the Planning Strategy</li> <li>• Complete the Open Space Strategy</li> </ul>

**Attachment**

1 2020 Local Government Community Satisfaction Survey report.

**Recommendation:**

**THAT Council receive the 2020 Local Government Community Satisfaction Survey report for Mansfield Shire Council, and make it publically available via Council's website.**

## 13.3 FINANCE CONT.

### 13.3.2 Mansfield Shire Council Draft Governance Rules 2020

**File Number:** E6994  
**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

The purpose of this report is to seek Council's endorsement for the Draft Governance Rules 2020 to be released for community engagement prior to their final adoption in September 2020.

#### Background

The *Local Government Act 2020* (the Act) received Royal Assent on 24 March 2020. The Act will be implemented in four stages:

- Stage 1 commencing 6 April 2020
- Stage 2 commencing 1 May 2020
- Stage 3 commencing 24 October 2020 and
- Stage 4 commencing 1 July 2021.

On 1 May 2020, section 60 of the Act commenced, requiring Council to develop and adopt Governance Rules by 1 September 2020.

The development of Governance Rules must consider the following:

- the conduct of Council meetings and delegated committees;
- the form and availability of meeting records;
- the election of the Mayor and the Deputy Mayor, and the appointment of an Acting Mayor; and
- procedures for disclosures of conflicts of interests by Councillors, members of delegated committees and members of Council staff.

The Governance Rules must provide for a Council to:

- consider and make decisions on any matter being considered by the Council fairly and on the merits; and
- institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

The Governance Rules will replace the current Local Law No.2 Meeting Procedures and Common Seal 2016.





### **13.3.2 Mansfield Shire Council Draft Governance Rules 2020 cont.**

The Act also requires that prior to adoption, Governance Rules must undergo a process of community engagement.

Council's Election Period Policy (which was endorsed in September 2019) also forms part of the Governance Rules and has been updated in line with the Act.

#### **Statutory Requirements**

Section 60 of the Act requires Council to adopt Governance Rules on or before 1 September 2020.

Section 69 of the Act requires Council to include an Election Period Policy in its Governance Rules.

#### **Council Plan**

Strategic Direction Five - *Responsible Leadership*.

Strategic Objective 5.1: We achieve the highest standards of good governance

#### **Financial**

A Governance Rules template developed by legal firm Maddocks, who are specialists in local government law, was utilised and tailored to Mansfield Shire Council. The template cost \$1,935 and ensures the draft Governance Rules contain everything required to meet compliance with the Act.

#### **Social**

The Governance Rules dictate how the community can interact with Council in the formal Council Meeting environment, and influence the decisions of Council. The rules ensure equity for all community member across all matters considered by Council.

#### **Environmental**

Nil.

#### **Economic**

Nil.

#### **Risk Management**

Nil.

### 13.3.2 Mansfield Shire Council Draft Governance Rules 2020 cont.

#### Community Engagement

It is proposed that the Draft Governance Rules will be released for community feedback on 22 July 2020 via the Have Your Say engagement portal on Council's website.

The 14 day period of consultation will be conducted between 22 July 2020 and 4 August 2020.

#### Officer's Comments

The Draft Governance Rules have been developed to meet the requirements of the Act, using the template created by legal firm Maddocks (local government law specialists). Consideration has also been given to the current *Community Local Law No.2 Meeting Procedures and Common Seal 2016*, which the new Governance Rules will replace.

Once Council endorse the Draft Governance Rules it will commence a process of community engagement via the Have Your Say portal on Council's website. All feedback received will be considered by Council prior to presenting the Governance Rules for adoption at a Council Meeting on 1 September 2020.

#### Attachments

- 1 Mansfield Shire Council Draft Governance Rules 2020

#### **Recommendation:**

#### **THAT Council:**

- 1. endorse the draft Governance Rules to be released for community engagement for a period of 14 days from 22 July 2020 to 4 August 2020;**
- 2. consider any community feedback that is received in writing during the engagement period;**
- 3. Receive a report on community feedback along with the proposed final Governance Rules be presented to Council at a Council meeting to be held on Tuesday 1 September 2020.**

## 13.3 FINANCE CONT.

### 13.3.3 Mansfield Shire Audit and Risk Committee Charter

**File Number:** E3627

**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

The charter of the Audit and Risk Advisory Committee is required to be revised in accordance with the new *Local Government Act 2020* and endorsed by Council.

#### Background

The *Local Government Act 2020* (the Act) was enacted in March 2020 and is being implemented using a staged approach over the next two years.

The new Act expands the legislative scope of audit committees, including support for the committee to assume a broader risk management role over and above financial auditing. Under the new arrangements, councils must adopt a charter for the Audit and Risk Committee that satisfies a number of requirements listed in the Act. Membership of the committee also varies from previous requirements for Audit Committees.

There are five new requirements that Audit and Risk Committees must meet:

1. Audit and Risk Charter

The Council must prepare and approve a committee charter and establish the committee (appoint members) by 1 September 2020.

2. Reporting to council

The committee must report to Council twice yearly, the report must include the committee's findings and recommendations.

3. Membership

A majority of committee members must be independent of Council; the Chair must not be a Councillor and members of Council staff must not be committee members. Collectively, the committee must have expertise in financial and risk management and experience in public sector management.

4. Self-assessment

The committee must undertake an annual assessment of its own performance against the charter and report on this to Council.

5. Workplan

The committee must adopt an annual workplan.

### 13.3.3 Mansfield Shire Audit and Risk Committee Charter cont.

A draft Charter was prepared and reviewed by the current Audit and Risk Advisory Committee and its feedback has been incorporated into the document presented to Council, attached to this report.

Subsequently Local Government Victoria implemented a sector-led implementation approach for the elements of the Act impacting the Charter.

The result of the sector consultation was the release of a template charter that could be utilised in the development of Council's Audit and Risk Advisory Committee charter. The proposed Mansfield Shire Audit and Risk Committee Charter has been benchmarked to this template and includes the same or similar information.

#### Statutory Requirements

The existing Audit and Risk Advisory Committee was established in accordance with section 139 of the *Local Government Act 1989*, and the 2018 charter was developed in accordance with the associated ministerial guidelines and the 2011 best practice guide.

The *Local Government Act 2020* is now being implemented in stages. Stage 2, proclaimed on 1 May 2020, effects the following:

- repeal of s139 of the *Local Government Act 1989*
- commencement of Part 2, Division 8 (s53 and s54) of the *Local Government Act 2020*.

*Note: While section 139 of the previous Act (1989) has already been repealed, the new Act (2020) specifically allows for the continued operation of an audit committee established under that section (prior to the repeal) until the new committee is established.*

Section 53 of the *Local Government Act 2020* stipulates that Council must establish an Audit and Risk Committee, and how that Committee should be constituted.

Section 54 of the *Local Government Act 2020* stipulates that Council must approve an Audit and Risk Committee charter, and the elements required therein.

The committee charter must specify the functions and responsibilities of the committee, and must include the following functions (s54):

- monitor the compliance of council policies and procedures with the overarching governance principles and the Act and any regulations and Ministerial directions
- monitor council financial and performance reporting
- monitor and provide advice on risk management and fraud prevention systems and controls
- oversee internal and external audit functions.

Section 54 of the Act also describes the work an Audit and Risk Committee must undertake and administrative instructions.

For a summary of the key changes from the 2018 Audit and Risk Advisory Committee Charter, refer to the Officer Comments section of this report.

### **13.3.3 Mansfield Shire Audit and Risk Committee Charter cont.**

#### **Council Plan**

The review of the Audit and Risk Committee charter contributes to the Council Plan Strategic Direction of Responsible Leadership, including the strategic objectives listed below:

- 5.1: We achieve the highest standards of good governance
- 5.3: Our organisation transparently reports on its performance through a comprehensive reporting and audit framework
- 5.5: We have a strong framework in place to proactively mitigate risk.

#### **Financial**

There is no financial impact in relation this matter.

#### **Social**

Nil.

#### **Environmental**

Nil.

#### **Economic**

Nil

#### **Risk Management**

The revision of the Audit and Risk Committee charter to meet the requirements of the new legislation mitigates the risk of non-compliance, and ensures an effective functioning committee which is a key component of Council's risk management framework.

The Charter has been benchmarked to the Local Government Victoria template ensuring compliance with the Act.

#### **Community Engagement**

There is no community engagement required in relation to this matter.

#### **Officer's Comments**

While the 1989 legislation required an Audit Committee, the scope had been voluntarily broadened at Mansfield (in line with best practice) to incorporate risk and create an Audit and Risk Advisory Committee.

The 2020 legislation now broadens the statutory requirements to formally incorporate Risk. While a significant scope change at a legislative level, in practice there is not a significant change in the scope of Council's committee.

### 13.3.3 Mansfield Shire Audit and Risk Committee Charter cont.

The table below provides an overview of the key amendments proposed for the Committee charter, as reviewed and endorsed by the current Audit and Risk Advisory Committee.

Topic	Change	Reason for change / legislative reference
<b>Name of Committee</b>	Remove the word “advisory”	<p>Consistency with terminology within the legislation which refers to Audit and Risk Committees.</p> <p>The legislation also specifies that Audit and Risk Committees are not delegated Committees which removes the need to specify this in the title of the Committee.</p>
<b>Nomination of Membership</b>	Specify the interview and appointment process, particularly the appointment of an interview panel (previously silent)	<p>To provide clarity around the process (previously unguided).</p> <p>This is not a legislative requirement.</p>
<b>Chairperson</b>	Specify the Chairperson is responsible for facilitating: <ul style="list-style-type: none"> <li>- an annual assessment of performance</li> <li>- a biannual report to Council</li> </ul>	Wording has been revised specific to s54(5), and responsibility placed on Chairperson to facilitate.
<b>Meetings</b>	<p>References to the Local Law No.2 – Meeting Procedures have been removed.</p> <p>Instead, the meeting procedures have been incorporated into the charter.</p>	This Local Law will be replaced by the Governance Rules under s60, which will only apply to Council and delegated committees.
<b>Reporting</b>	<p>Removed requirement to submit reports to Council after each meeting (in practice this has only been the minutes).</p> <p>Removed requirement to submit a report for inclusion in the Annual Report. This has not been happening in practice.</p> <p>Specified the annual self assessment and the biannual audit and risk report.</p>	<p>Removed items not required by legislation and not occurring in practice.</p> <p>Included items specified in s54(5).</p>

**13.3.3 Mansfield Shire Audit and Risk Committee Charter cont.**

Topic	Change	Reason for change / legislative reference
<b>Charter Review</b>	Specify a review at least once in a Council term (previous terminology was “regularly” which is subject to interpretation)	To provide clarity and remove ambiguity.  This is not a legislative requirement.
<b>Pecuniary interests</b>	Ordinary and annual returns no longer required for independent members	Div 3 of Part 6 – does not apply to independent members of the Audit and Risk Committee since it is not a delegated committee.

The following table details further amendments made subsequently to align with the Local Government Victoria (LGV) template.

Topic	Change	Reason for change / legislative reference
<b>Authority</b>	Added a new section from the LGV template specifying the authority and powers the Committee has.	This is not a change in practice, but just specifying for clarity in the Charter, and best practice according to the LGV template.
<b>Duties and Responsibilities</b>	Re-worded to align with the LGV template.	No significant change to practice – just revised wording.  The exception is the Internal Control Environment and the requirement to assess it against the Governance Principles, which are new under the Act.  To meet this requirement the Committee will need to identify the key policies and controls that Council relies on to achieve compliance, and determine how best to monitor these. This will be best facilitated through the annual work program, similar to the current governance schedule.
<b>Performance Evaluation</b>	Enhanced for clarification.	Best practice as per the LGV template.



### 13.3.3 Mansfield Shire Audit and Risk Committee Charter cont.

Topic	Change	Reason for change / legislative reference
Committee member regulatory obligations	Added in.	Best practice as per the LGV template.

#### Attachments

- 1 Mansfield Shire Audit and Risk Committee Charter 2020

#### **Recommendation:**

#### **THAT Council:**

- 1. rescind the Audit and Risk Advisory Committee Charter 2018;**
- 2. endorse the Audit and Risk Committee Charter 2020.**
- 3. appoint the existing independent members of the Audit and Risk Advisory Committee to the new Audit and Risk Committee on the same remaining term of appointment; and**
- 4. appoint Cr Marg Attley and Cr Harry Westendorp to the new Audit and Risk Committee.**



## 13.3 FINANCE CONT.

### 13.3.4 Council Plan Performance Reporting Q4 2020

**File Number:** E4397  
**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 presents an update on performance against the Mansfield Shire Council Plan 2017-21.

#### Background

Item 5.3.2 of the Council Plan 2017-2021 requires management to provide quarterly updates on the delivery of the Council Plan and its performance measures.

#### Statutory Requirements

The Local Government Performance Reporting Framework requires Council to indicate publically (in the annual report) whether they have received:

- Council Plan reporting - A report reviewing the performance of Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year; and
- Performance reporting - six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 131 of the *Local Government Act 1989* (the LGPRF indicators).

The sections of the *Local Government Act 1989* that relate to performance reporting are still in force until 24 October 2020.

#### Council Plan

Strategic Direction Five: Responsible Leadership

Strategic Objective 5.3: Our organisation transparently reports on its performance through a comprehensive reporting and audit framework.

#### Financial

Financial and Human Resources are determined annually via the Budget (short term outlook – 12 months), Strategic Resource Plan (medium term outlook – 4 years) and Long Term Financial Plan (long term outlook – 10 years). These plans are designed around delivery of the Council Plan.



### 13.3.4 Council Plan Performance Reporting Q4 2020 cont.

#### Social

There are no direct social impacts.

#### Environmental

There are no direct environmental impacts.

#### Economic

There are no direct economic impacts.

#### Risk Management

There are no inherent risks in relation to this matter.

#### Community Engagement

The Council Plan is subject to community consultation under s223 of the *Local Government Act 1989*. The Plan must be reviewed annually and if changes are made the Plan must be made available for public submissions.

Mansfield Shire Council typically review the Council Plan each year, together with the Strategic Resource Plan and the Annual Budget. The Council Plan was made available for public engagement for the period 15 April 2020 – 12 May 2020. Two submissions were received regarding the Council Plan.

The revised Council Plan will be endorsed, along with the Strategic Resource Plan and the Annual Budget at a Council Meeting on 4 August 2020.

#### Officer's Comments

See the attached report for details of performance against the Mansfield Shire Council Plan as at 30 June 2020 (quarter four of the 2019-20 financial year).

#### Attachments

- 1 Council Plan Performance Report Q4 2020

#### **Recommendation:**

**THAT Council receive and note the Council Plan Performance Report as at 30 June 2020.**

## 14. 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
23 June 2020	<p><b>Councillors' Briefing Session – in Chamber</b></p> <p><b>Councillors:</b></p> <ul style="list-style-type: none"> <li>· Cr Marg Attley</li> <li>· Cr. Paul Volkering</li> <li>· Cr Peter Olver</li> </ul> <p><b>Apologies:</b></p> <ul style="list-style-type: none"> <li>· Cr Paul Sladdin</li> <li>· Cr Harry Westendorp</li> </ul> <p><b>External Attendees:</b></p> <ul style="list-style-type: none"> <li>· John Sales, JWS Research – via zoom</li> </ul> <p><b>Officers:</b></p> <ul style="list-style-type: none"> <li>· Chief Executive Officer, Kaylene Conrick</li> <li>· Infrastructure Manager Interim, Andre Kompler</li> </ul> <p><b>Via Zoom:</b></p> <ul style="list-style-type: none"> <li>· Community Services Manager, Melanie Hotton</li> <li>· Finance Manager, Mandy Kynnersley</li> <li>· Corporate and Organisational Development Manager, Sharon Scott</li> <li>· Development Services Manager, Ben McKay from 1pm</li> <li>· Governance Coordinator, Michelle Kain</li> </ul>	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> <li>· Community Satisfaction Survey</li> <li>· Town Approaches Scheme Amendment</li> <li>· Meeting with Jaclyn Symes, State Member for Northern Victoria</li> <li>· Roads and Community Infrastructure Funding</li> <li>· Planning Permit Conditions</li> <li>· Recycling</li> <li>· Commercial and Industrial Land Use Strategy</li> <li>· Business and Community Recovery Committee</li> </ul>

**14. ASSEMBLIES OF COUNCILLORS CONT.**

<b>DATE</b>	<b>TYPE OF ASSEMBLY</b>	<b>ISSUES DISCUSSED</b>
7 July 2020	<p><b>Councillors' Briefing Session – via zoom</b></p> <p><b>Councillors:</b></p> <ul style="list-style-type: none"> <li>· Cr Marg Attley</li> <li>· Cr Peter Olver</li> <li>· Cr Harry Westendorp</li> <li>· Cr. Paul Sladdin</li> </ul> <p><b>Apologies:</b></p> <ul style="list-style-type: none"> <li>· Cr Paul Volkering</li> </ul> <p><b>External Attendees:</b></p> <ul style="list-style-type: none"> <li>· Bess Nolan-Cook, CEO, Tourism North East</li> </ul> <p><b>Officers:</b></p> <ul style="list-style-type: none"> <li>· Chief Executive Officer, Kaylene Conrick</li> <li>· Infrastructure Manager Interim, Andre Kompler</li> <li>· Finance Manager, Mandy Kynnersley</li> <li>· Development Services Manager, Ben McKay</li> <li>· Governance Coordinator, Michelle Kain</li> </ul>	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> <li>· Public Amenities Service Levels</li> <li>· Governance Rules</li> <li>· Tourism North East Buy In</li> <li>· Local Roads and Community Infrastructure Program</li> <li>· Funding for Botanic Park Playground</li> <li>· Barwite Road Update</li> <li>· Section 173 Agreement on Subdivision Old Tolmie Road</li> <li>· Visitor Information Services Review</li> <li>· Barwite Road Maintenance</li> </ul>

**Recommendation:**

**THAT Council receive and note the Assembly of Councillors report for the period 23 June to 7 July 2020.**

**15. COUNCIL RESOLUTIONS REPORT**

This report presents to Council a schedule of outstanding actions from Council meetings held from 15 October 2019 to 23 June 2020.

**Attachment**

1 Council Resolutions report

**Recommendation:**

**THAT Council receive and note the Council Resolutions report as at 21 July 2020.**

**16. ADVISORY AND SPECIAL COMMITTEE REPORTS**

Nil.

## 17. AUTHORISATION OF SEALING OF DOCUMENTS

The following documentation has been signed and sealed by Council:

- Instrument of Delegation by Council to Chief Executive Officer, 23 June 2020

**Recommendation:**

**THAT Council note the Instrument of Delegation by Council to Chief Executive Officer sealed by Council on 23 June 2020.**

## 18. 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 to 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**



## 17. AUTHORISATION OF SEALING OF DOCUMENTS

The following documentation has been signed and sealed by Council:

- Instrument of Delegation by Council to Chief Executive Officer, 23 June 2020

**Recommendation:**

**THAT Council note the Instrument of Delegation by Council to Chief Executive Officer sealed by Council on 23 June 2020.**

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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 to the public are:

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- (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

## 19. PRESENTATION OF CONFIDENTIAL REPORTS

### 19.1 **Confidential:** Operations and Capital Works

#### 19.1.1 **Confidential:** Cleaning and Maintenance of Public Amenities and Cleaning

## 20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

**Recommendation:**

**THAT Council reopen the meeting to members of the public.**

## 21. CLOSE OF MEETING