



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

TUESDAY, 16 FEBRUARY 2021

Notice and Agenda of meeting
livestreamed via 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:

Cr Mark Holcombe (Mayor)
Cr James Tehan (Deputy Mayor)
Cr Steve Rabie
Cr Paul Sladdin
Cr Rohan Webb

Officers:

Chief Executive Officer:
General Manager Infrastructure and Planning
General Manager Community and Corporate Services

Kaylene Corrick
Kirsten Alexander
Chris Snook



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 2020*, a Councillor must declare any Conflicts of Interest pursuant to sections 126 and 127 Act in any items on this Agenda.

Council officers or contractors who have provided advice in relation to any items listed on this Agenda must declare a Conflict of 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 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 The Chief Executive Officer will provide a status update to the Council for each Department.

13.3-13.4 Officer reports are presented to the Council, where required.

Detailed reports prepared by officers from the Infrastructure and Planning Directorate are considered by the Council.

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.



MANSFIELD SHIRE

COUNCIL MEETING

TUESDAY, 16 FEBRUARY 2021

AGENDA

MANSFIELD SHIRE COUNCIL
Livestreamed to members of the public via the
[Mansfield Shire Council website](https://www.mansfieldshire.vic.gov.au)
5.00pm

CONTENTS

1. OPENING OF THE MEETING.....	3
2. PRESENT.....	3
3. APOLOGIES.....	3
4. STATEMENT OF COMMITMENT.....	3
5. ACKNOWLEDGEMENT OF COUNTRY.....	4
6. DISCLOSURE OF CONFLICTS OF INTEREST.....	4
7. CONFIRMATION OF MINUTES.....	4
8. REPRESENTATIONS.....	4
9. NOTICES OF MOTION.....	4
10. MAYOR'S REPORT.....	4
11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES.....	6
12. PUBLIC QUESTION TIME.....	6
13. OFFICER REPORTS.....	7
13.1 Chief Executive Officer's Report.....	7
13.2 Mansfield Shire Council Community Engagement Policy 2021.....	8
13.3 Mansfield Shire Council Councillor Code of Conduct.....	12
13.4 Council Plan Performance Reporting 2020-21 - Quarter 2.....	15
13.5 Finance Report: 1 July 2020 to 31 December 2020.....	17
14. ASSEMBLIES OF COUNCILLORS.....	24
15. COUNCIL RESOLUTIONS REGISTER.....	26
16. ADVISORY AND SPECIAL COMMITTEE REPORTS.....	26
17. AUTHORISATION OF SEALING OF DOCUMENTS.....	26
18. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC.....	26



19. **PRESENTATION OF CONFIDENTIAL REPORTS**..... 27

19.1 Confidential: Contract Award - Reseal and Line Marking Works 27

20. **REOPEN MEETING TO MEMBERS OF THE PUBLIC** 27

21. **CLOSE OF MEETING**..... 27



MANSFIELD SHIRE

COUNCIL MEETING

TUESDAY, 16 FEBRUARY 2021

AGENDA

MANSFIELD SHIRE COUNCIL
Livestreamed to members of the public via the
[Mansfield Shire Council website](#)
5.00pm

1. OPENING OF THE MEETING

2. PRESENT

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

- Councillor Rabie
- Councillor Sladdin
- Councillor Tehan
- Councillor Webb

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 James Tehan 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 Rabie
- Councillor Sladdin
- Councillor Tehan
- Councillor Webb

7. CONFIRMATION OF MINUTES

Recommendation:

THAT the Minutes of the Mansfield Shire Council meetings held on 19 January 2021 be confirmed as an accurate record.

8. REPRESENTATIONS

9. NOTICES OF MOTION

Nil.

10. MAYOR'S REPORT

Mayor Mark Holcombe will present the monthly Mayor's report from 20 January to 5 February to the Council as follows:

The past month continued to see an influx of visitors to our Shire with a noticeable change occurring after the recent Australia Day weekend.

We have been very lucky to have had a fairly mild fire season to date. Despite all the publicity and the disaster of last year's fires, it is an ongoing concern that CFA and Emergency Services teams are continuing to be called out to fires that have spread because of the failure to extinguish campfires.



10. MAYOR'S REPORT CONT.

I recently met with the new executive of the reinvigorated Mansfield District Business Association. A strong Business Association is of real benefit to all Shire businesses and will hopefully make it more efficient and effective for communication between the Council and the business sector.

Australia Day celebrations were held in the Mansfield Botanic Park and apart from rain interruptions, the day was an outstanding success. We were very lucky to hold citizenship ceremonies in both Mansfield and Jamieson, where we welcomed four new Australian citizens into our community.

Council met with Mondo/Renewable Energy Mansfield regarding the role that Council can play in developing community energy projects. Councillors have expressed interest in participating in the Local Power Plan that Federal Member for Indi, Helen Haines, is proposing.

Council's CEO and I participated in a roundtable meeting with Helen Haines and other CEOs and Mayors of the Indi electorate. The meeting focused on the funding priorities that the represented councils were seeking from this year's Federal Budget. These funding priorities, which include some significant projects from Council, will be presented to the Federal Treasurer. It has been the responsibility of Mansfield Shire Council to pull together the funding requests from across the Indi electorate.

I was very fortunate to visit Woods Point and Gaffneys Creek on a library "book run" recently. This service is provided to these communities by our Library, and provides a great insight to the work done by our Library and also an opportunity to meet the residents of both communities.

Councillors have also received external briefings from Tourism North East and Friends of Venilale, both of which have strong partnerships with our Council.

As a furthering of the Councillor induction process, we have received detailed briefings on Waste Management and Community Services.

Going forward, Councillors will be commencing the process of working through the 4 year Council Plan and, in conjunction with the Executive, starting the Budget process for the next Financial Year.

Cr Mark Holcombe
Mayor

Recommendation:

THAT Council receive the Mayor's report for the period 20 January to 5 February 2021.



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	<ul style="list-style-type: none">Mayor Mark HolcombeCr James TehanCr Steve Rabie
Mansfield Shire CEO Performance and Remuneration Review Reference and Advisory Group	All Councillors
Goulburn Broken Greenhouse Alliance (GBGA)	Cr Rohan Webb
Hume Regional Local Government Network (HRLGN)	Mayor Mark Holcombe
Lake Eildon Land & On-Water Management Plan Implementation Committee	Cr Paul Sladdin
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none">Mayor Mark HolcombeCr Rohan Webb
Mansfield Shire Business and Community Recovery Advisory Committee	<ul style="list-style-type: none">Mayor Mark HolcombeCr Paul Sladdin
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none">Mayor Mark HolcombeSubstitute - Deputy Mayor James Tehan
North East Local Government Waste Forum (a committee of the North East Regional Waste and Resource Recovery Group)	Cr Steve Rabie
Rural Councils Victoria (RCV)	Mayor Mark Holcombe (delegate)

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 Chief Executive Officer's Report

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

Introduction

The Chief Executive Officer's report allows a short briefing to be provided to the Council on the current operations, tasks and projects undertaken within each department over the past month.

The Chief Executive Officer report for the current month will provide information relation to:

1. Customer Service
2. Capital Works
3. New Initiatives
4. Statutory Planning
5. Building Services
6. Regulatory Services
7. Revenue Services
8. Governance
9. Community Health and Wellbeing

Attachment

- 1 CEO's report

Recommendation:

THAT Council receive and note the Chief Executive Officer's report for the period 20 January to 5 February 2021.



13.2 Mansfield Shire Council Community Engagement Policy 2021

File Number: E7367
Responsible Officer: General Manager Corporate and Community Services,
Chris Snook

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a conflict of interest to declare in this matter, in accordance with the *Local Government Act 2020*.

Introduction

The purpose of the report is to seek a Council resolution to endorse the Mansfield Shire Council Community Engagement Policy 2021.

Background

The *Local Government Act 2020* (section 55) introduces the need for a Council to adopt a Community Engagement Policy (the Policy).

Broadly, the Act introduces requirements for Victorian councils to adopt a framework of community and deliberative engagement into their strategic planning and decision making. The framework will address five key themes: improved service delivery, strong local democracies, improved conduct, increasing community confidence, and building a new relationship.

Councils are required to adopt the Policy by 1 March 2021.

The Act stipulates that the Policy must be applied to the development of the Community Vision, Council Plan, Financial Plan, Asset Plan and planning and financial management including revenue and rate planning. The Policy must also be able to be applied to the development of local laws and policy development. The increased expectation of community input into strategic planning is seeking to increase participatory democracy at a local level.

The Policy draws upon best practice examples from councils around the State and is informed by guiding documents developed by Municipal Association of Victoria (MAV), Rural Councils Victoria (RCV). The Policy aims to establish Council's commitment, its legislative obligations, its investment in and direction with meaningful community engagement.

Once adopted, the Policy will form a key part of a Community Engagement Framework which will also include:



13.2 Mansfield Shire Council Community Engagement Policy 2021 cont.

Community Engagement Guidelines Provides the context of Council's engagement, its governance, and guidance on delivering successful engagement processes.

Community Engagement Toolkit Provides step by step tools that provide instructional guidance for engagement planning, delivery and evaluation

The Community Engagement Guidelines and Community Engagement Toolkit will be informed by the outcomes from the community engagement undertaken with reference to the Policy.

Policy and Legislative Implications

Under the *Local Government Act 2020* (section 55.3), Council must adopt a Community Engagement Policy in consultation with the community prior to 1 March 2021.

There are no established Council policies currently relating to this matter.

Council Plan

Strategic objective 1.1 - Our Community has a say in matters of interest to them.

- Reflect community expectations for communication and collaboration by developing and implementing a Community Engagement Strategy.

Financial

This matter is within standard financial parameters.

Social

The Community Engagement Policy affirms Mansfield Shire Council's commitment to engaging its community, and relevant stakeholders, about matters that affect them.

The intent of the Policy is to improve the quality and effectiveness of Council's decision making and to strengthen trust and confidence in Council by undertaking the following:

- Ensuring transparency and accountability in Council decision making;
- Creating genuine opportunities for members of the Mansfield Shire community to participate in matters that interest and affect it;
- Ensuring the diverse needs of the local community are taken into account in decision making; and
- Encouraging and supporting the community to participate in civic life.

**13.2 Mansfield Shire Council Community Engagement Policy 2021 cont.****Environmental**

Nil.

Economic

Nil.

Risk Management

The matters that are the subject of this report are considered within normal operational risk parameters.

Community Engagement

A draft Community Engagement Policy was prepared and released for public comment from 17 December 2020 until 22 January 2021. Engagement methods included an online consultation via Council's Have Your Say web portal and publicly accessible documents displayed at Council reception and Mansfield Library.

The engagement opportunity was advertised Mansfield Matters, Council News, Council's Facebook page and online newsletters including Business, Community and Council subscriber databases.

Outcomes of the engagement included the following:

Method	# Deliveries	Open Rate / Engagements	Link Clicks
Email to Have Your Say subscribers	103 (99%)	57 (54.8%)	22 (21.2%)
Email to Council databases including: Community Directory, Rates, Planning Notices and Community Services	319 (99.07%)	143 (44.83%)	30 (9.4%)
Facebook	624	3 likes 2 shares	6
TOTAL	1,046	200	58

Have Your Say Project Page Analysis	Total Visits	Aware* Visitors	Informed* Visitors	Engaged* Visitors	Policy Downloads
	107	100	31	2	30

Three (3) submissions were received in response to the Draft Policy: Two (2) via the online Have Your Say platform; and one (1) via direct email.

13.2 Mansfield Shire Council Community Engagement Policy 2021 cont.

Feedback included:

- Appreciation of scope to work toward “empowerment” end of the engagement spectrum and recognition of the complexities and opportunities presented by such an aspiration.
- Concern that timing of engagement during holiday period will have negatively impacted opportunity for the community to participate.
- Concern that the Policy does not address practical application of community engagement and desire to see reference to non-digital engagement methods that will improve opportunities for two-way dialogue between Council and stakeholders.
- A submission from Friends of Great Victorian Rail Trail outlining the group’s challenges in engaging with Council and questioning how this Policy relates specifically to the group’s contribution to the Trail’s governance.

Key Issues

As acknowledged in all communications publicising this engagement opportunity, the timing of consultation on this Policy was not ideal, occurring as it did during the busy holiday period.

Unfortunately timing was dictated by the *Local Government Act 2020*, which requires the Policy to be adopted by 1 March 2021, and the Councillor Election period which prevented engagement activities commencing any earlier.

Despite the unfortunate timing, the analysis of engagement methods illustrates that the methods used to promote the opportunity were relatively effective, with over 100 visitors to the Have Your Say web portal and 30 Policy downloads. From the 30 people who downloaded the draft Policy, only 3 went on to make a submission, and all of these were on the whole, supportive.

Details around practical application of the Policy will be addressed in Community Engagement Guidelines and Toolkit currently under development.

As a result of the consultation, only minor grammatical errors have been corrected for the final Policy.

Attachments

- 1 Mansfield Shire Council Community Engagement Policy

Recommendation:

THAT Council endorse the Mansfield Shire Community Engagement Policy with a review date 12 months from endorsement.



13.3 Mansfield Shire Council Councillor Code of Conduct

File Number: E7613
Responsible Officer: General Manager Community and Corporate Services,
Chris Snook

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a conflict of interest to declare in this matter, in accordance with the *Local Government Act 2020*.

Introduction

The purpose of this report is to present the Mansfield Shire Council Councillor Code of Conduct for adoption.

Background

The Councillor Code of Conduct (the Code) reflects Councillors' commitment to working together in the best interests of the people of the Mansfield Shire while observing the highest standards of behaviour and discharging their responsibilities to the best of their skill and judgment.

The Code sets out expected standards of Councillor behaviour and provides guidance on how interpersonal issues and alleged breaches of the Code can be managed.

Section 139 of the *Local Government Act 2020* (the Act) requires a Council to develop and adopt a Code of Conduct which includes the standards of conduct expected to be observed by Councillors in the course of performing their duties and functions. The Standards of Conduct are set out in the Local Government (Governance and Integrity) Regulations 2020 (the regulations) as follows:

1. Treatment of others;
2. Performing the role of Councillor;
3. Compliance with good governance measures
4. Councillor must not discredit or mislead Council or public; and
5. Standard do not limit robust political debate.

The standards require Councillors to perform their role having regard to such matters including:

- treating other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect;
- taking positive action to eliminate discrimination and sexual harassment;
- achieving and promoting gender equality;
- not engaging in abusive, obscene or threatening behaviour;



13.3 Mansfield Shire Council Councillor Code of Conduct cont.

- perform their role effectively and responsibly ensuring to undertake training or professional development;
- being informed about matters which are subject to Council decisions;
- being fit to conscientiously perform the role of a Councillor;
- representing, and being responsive to, the diversity of interests and needs of the municipal community;
- complying with Council policies, procedures and protocols, including those related to Council expenses and the Council's Governance Rules;
- not bringing discredit upon the Council; and
- not deliberately misleading the Council or the public about any matter related to the performance of their public duties.

Policy and Legislative Implications

Section 139 of the Act requires a Council to develop and adopt a Code of Conduct by 23 February 2021.

Council Plan

Strategic Direction Five - Responsible Leadership.

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

Financial

Due to the short timeframe between the relevant legislative provisions coming into effect and the date for the adoption of the Code, Council engaged Maddocks Lawyers to draft the Councillor Code of Conduct to ensure that Council met all the requirements of the Act and regulations. Council paid \$3,894.00 for this service.

Social

N/A

Environmental

N/A

Economic

N/A

Risk Management

N/A



13.3 Mansfield Shire Council Councillor Code of Conduct cont.

Community Engagement

N/A

Key Issues

Councillors had an opportunity to review the draft and provide input into this final version. The Councillor Code of Conduct meets the requirements as set out in the Act.

Attachments

- 1 Councillor Code of Conduct

<p><u>Recommendation:</u></p>

<p>THAT Council adopt the Mansfield Shire Council Councillor Code of Conduct 2021.</p>



13.4 Council Plan Performance Reporting 2020-21 - Quarter 2

File Number: E4397
Responsible Officer: General Manager Community and Corporate Services,
Chris Snook

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a conflict of interest to declare in this matter, in accordance with the *Local Government Act 2020* (the Act).

Introduction

This report presents to Council an update on our 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.

Policy and Legislative Implications

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The Local Government (Planning and Reporting) Regulations 2020, which came into effect on 24 October 2020, require 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 98 of the *Local Government Act 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.



13.4 Council Plan Performance Reporting 2020-21 - Quarter 2 cont.

Financial

N/A

Social

N/A

Environmental

N/A

Economic

N/A

Risk Management

N/A

Community Engagement

N/A

Key Issues

See the attached report for details of performance against the Mansfield Shire Council Plan as at 31 December 2020 (quarter two of the 2020-21 financial year).

Of the seven key performance indicators that are shown as red in the report, six of those reflect results from the community satisfaction survey.

The final red indicator relates to the percentage of Council decisions made in meetings closed to the public. The percentage is high due to there being a number of confidential contractual items at the September Council Meeting, the first quarter of the year. It is worth noting however that the resolutions were made public in the minutes of the meeting, despite the decisions being made in confidential.

Attachments

- 1 Council Plan Performance Report Q2 20-21

Recommendation:

THAT Council receive and note the Council Plan Performance Report as at 31 December 2020.



13.5 Finance Report: 1 July 2020 to 31 December 2020

File Number: E39
Responsible Officer: General Manager Community and Corporate Services,
Chris Snook

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a conflict of interest to declare in this matter, in accordance with the *Local Government Act 2020*.

Introduction

This report provides information on Council's financial performance against the 2020-21 budget.

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

Background

Council adopted the budget for the 2020-21 financial year at its meeting of 4 August 2020. Subsequently Council approved carry forward projects from the 2019-20 year which have now been included and form part of the Updated Budget 2020-21.

This report explains material variances between the year to date actual financial results and the Updated Budget 2020-21. Favourable variances are reported as positive values, while unfavourable variances are shown as negative values.

Policy and Legislative Implications

Section 97 of the *Local Government Act 2020* requires quarterly reporting as soon as practicable after the end of each financial quarter, and in addition, a statement by the CEO in the second quarterly report of the financial year as to whether a revised budget is or may be required.

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.

**13.5 Finance Report: 1 July 2020 to 31 December 2020 cont.****Environmental**

Nil.

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 2020-21 budget engagement process facilitated opportunities for community input to and feedback on Council's budget. There has been no community engagement around the actual results against the budget.

Key Issues**YTD Dashboard**

Indicator	Result YTD	Budget YTD / Target	Favourable / Unfavourable	Variance
Operating surplus/(deficit)	11,832,731	8,914,639	F	2,918,092
Underlying surplus/(deficit)	10,501,587	7,818,456	F	2,683,131
Capital expenditure	737,663	3,776,471	U	(3,038,808)
Working capital ratio	7.90	1.00	F	6.90
Cash and financial assets	16,528,013	8,146,000	F	8,382,013

Operating Finance Report**Operating Income & Expenditure Actual against Updated Budget**

The year to date operating result is favourable (underspent) against the 2020-21 Updated Budget by \$3.1m (42%). Major variances are summarised below.

Favourable Variances (underspend)

- \$72k Salaries and Wages clearing account – Timing of leave and public holidays taken.
- \$47k Customer Service & Records – Timing issues only relating to software expenditure costs.



13.5 Finance Report: 1 July 2020 to 31 December 2020 cont.

- \$331k Economic Development – Business & Industry – \$250k Activating Outdoor Dining grant received, not yet fully expended. This grant was not budgeted, but will be fully spent and acquitted. \$180k grant received for Community Recovery & Resilience which was also not budgeted.
- \$57k Economic Development – Tourism & Events – Events postponed due to COVID19.
- \$50k Sport & Recreation – Timing only in relation the pool running costs.
- \$151k Aged & Disability Services – both Home Care and Planned Activities have had reduced or suspended services during COVID19 restrictions resulting in reduced expenditure. Income also over budget due to increased targets and new service agreement.
- \$148k Family Services & Partnerships – \$59k grant received for Community Activation & Social Isolation which has not yet been fully expended. Additional Integrated Family services income has been secured increasing income over budget \$20k YTD. Early Years review has not yet been completed resulting in underspend YTD of \$12k. Maternal & Child Health are currently under spent by \$61k YTD, due to carry forward funds from prior year not yet spent.
- \$59k Youth Services – Youth services were shut down over COVID19 restrictions resulting in reduced expenditure YTD. Timing issues in relation to expending grants funds for Freeza, L2P & Engage programs.
- \$831k Emergency Management – Recovery – Bushfire Recovery grant funds have not yet been fully expended.
- \$162k Road Network Maintenance – wages \$98k under budget due to vacant positions. Materials \$63k under budget (timing only) which is expected to increase as the grading season has recently commenced.
- \$162k Council - \$120k budgeted for VEC costs which have not been paid (timing only). Australia Day grants (unbudgeted) totalling \$21k have been received but not yet expended. Training costs also under budget YTD and will be spent later in year.
- \$113k Risk Management – Insurances came in under budget by \$86k. Risk Officer role has not yet been filled.
- \$143k Engineering Services – wages under budget due to vacancies not yet filled. Consultants under budget as the High Street West drainage study has not yet been completed.
- \$1.08m Working for Victoria – Timing only. Grant funding for this program has been received in advance. Various positions have not yet been filled. Any unspent funding will be returned upon acquittal.



13.5 Finance Report: 1 July 2020 to 31 December 2020 cont.

- \$113k Waste Management – Waste Officer role has not yet been filled. Waste income currently over budget due to supplementary rates and increased income resulting from the Resource Recovery Centre.

Unfavourable Variances (overspend)

- \$83k Financial Services – Interest on investments under budget \$30k YTD due to lower than budgeted interest rates. Timing issues in relation the Victorian Grants Commission payments (partly paid in June 2020).
- \$54k Information Technology – timing of payments made for software maintenance and support costs.
- \$57k Revenue Services – timing of the Fire Services Property Levy grant which has not yet been received.
- \$69k Arts, Culture & Library – Timing of grant funds which have not yet been received.
- \$53k Emergency Management – pandemic costs not budgeted.
- \$52k Governance – unbudgeted legal and training costs relating to the implementation of the new act and annual report costs. Advertising costs (Mansfield Matters) have also increased due to COVID19 and elections.
- \$84k Human Resources - over budget due to organisational restructure costs.
- \$55k Statutory Planning – overspent in legal expenses and training costs. Statutory planning services review was not budgeted.

Capital Works Report

Capital Income & Expenditure Actual against Budget

The net year to date capital works variance (net of capital income) is \$2.7m (118%) underspent compared to the 2020-21 year to date Updated Budget.

Favourable Variances (underspend)

- \$50k Footpaths Reconstruction Programme – Timing only. Works currently out for tender.
- \$48k Footpaths Renewal - Timing only. Works currently out for tender.
- \$50k Mansfield Streetscape – Timing – currently working on scope of the project.
- \$225k Playground Income – Timing only. Grant funding received earlier than budgeted.



13.5 Finance Report: 1 July 2020 to 31 December 2020 cont.

- \$74k Vehicle Purchases – Timing only.
- \$175k Reseal Preparation program – Tender has been awarded and work due to commence in January 2021.
- \$1.2m Heavy Vehicle Bypass – Timing. Project is to be re-scoped by designer.
- \$295k Resheets Income – Timing only. Grant funding received earlier than budgeted.
- \$56k Malcolm Street Road Reconstruction – Budget is for design work which has been completed, but not yet fully paid.
- \$59k Alpine Ridge Road Reconstruction - Budget is for design work which has been completed, but not yet fully paid.
- \$68k Barwite Road Reconstruction – Reconstruction work was carried forward from prior year, and is now planned to be spent on design works. This will come in under budget, and savings are planned to be spent on various culverts.
- \$423k Fixing Country Roads Income – Income carried forward from prior year under new accounting standards implemented.
- \$276k Kerb & Channel Renewal– Currently in scoping stages.
- \$61k Ghadaba Edible & Medicinal Garden Project Income – Income carried forward from prior year under new accounting standards implemented. Income was not budgeted.
- \$66k Swimming Pool Refurbishment – Timing only. Project has been completed, however not yet fully paid.
- \$800k Dual Court Indoor Sporting Stadium – Project has been delayed due to COVID19. Payment for next stages will likely fall due in the next few months.
- \$90k Plant Resource Recovery Centre – Request for tender is currently being developed for vertical baler and upgrade to solar. Finalisation of purchases likely to be March 2021.

Unfavourable Variances (overspend)

- \$73k View Street Upgrade – Timing only. Work commenced earlier than budgeted.
- \$295k Roads to Recovery Income – Timing only. Projects claimed through this program have not yet commenced.
- \$951k Dual Court Indoor Stadium Income - Project has been delayed due to COVID19 which has delayed milestone payment.

**13.5 Finance Report: 1 July 2020 to 31 December 2020 cont.****Overall Position YTD**

Operating Variance Favourable/(Unfavourable)	\$3,177,174
Capital Variance Favourable/(Unfavourable)	<u>\$2,778,826</u>
Total Variance Favourable/(Unfavourable)	\$5,956,000

Working Capital Ratio YTD

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 = 7.9 (790%)

Forecast Dashboard

Indicator	FY Budget	FY Forecast	Favourable / Unfavourable	Variance	
Operating surplus/(deficit)	7,783	7,902	U	(119)	-2%
Underlying surplus/(deficit)	430	550	U	(119)	-28%
Capital expenditure (net of income)	10,290	8,305	U	1,985	19%

Operating Finance Report**Operating Income & Expenditure Budget against Forecast**

The operating forecast reflects an anticipated increase in operating surplus of \$119k compared to the Updated Budget for 2020-21. Major variances are summarised below.

Favourable Variances (underspend or increased income)

- Community & Economic Development – savings from COVID closures at the library (\$44k) and cancelled events (\$95k)
- Community Health & Wellbeing – \$140k additional income received for Integrated Family Services and Maternal & Child Health programs

Unfavourable Variances (overspend or decreased income)

- Planning & Environment - \$130k increase in expenditure for legal and consultancy fees incurred for the three VCAT planning cases (MASS, Station Street convenience restaurant and Chenery Street service station).



13.5 Finance Report: 1 July 2020 to 31 December 2020 cont.

Capital Works Report

Capital Income & Expenditure Budget against Forecast

The capital forecast shows a \$1.9m anticipated decrease in capital expenditure, net of income. Major variances are summarised below.

Favourable Variances (underspend)

- \$908k savings in the Car Park and Bus Turnaround at the new Alex Pullin Stadium
- \$588k savings in the construction of the round-about at the View Street / Monkey Gully Rd intersection
- \$432k savings in the View Street upgrade
- \$123 savings in road re-sheets due to increased funding received

Unfavourable Variances (overspend)

- \$109k Botanic Park playground – unable to source full funding as per the budget (shortfall of \$192k), and although specifications were modified to reduce the total project costs from \$667k to \$584k there is still a net increase in spend.

CEO Statement

Based on the analysis and review of the budget, actual year to date result and other known financial factors as at 31 December 2020, it is considered that a revised budget for the purposes of s95 of the *Local Government Act 2020* is not required.

Attachments

December 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

Recommendation:

THAT Council:

1. receive the Year to Date Finance Report for the period 1 July 2020 to 31 December 2020; and
2. note the statement by the CEO that a revised budget will not be required for 2020-21.



14. ASSEMBLIES OF COUNCILLORS

An assembly of Councillors is referred to in Council's Governance Rules as a "meeting conducted under the auspices of Council" meaning a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a 'Councillor Briefing' or by some other name);

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, the issues discussed and any conflicts of interest declared.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
12 January 2021	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr James Tehan • Cr Rohan Webb <p>External Attendees:</p> <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate, Chris Snook • Manager Operations and Capital Works, Kristian Burchat • Coordinator Capital Works, James Phillips • Manager Planning and Environment, Ben McKay • Interim Manager Planning and Environment, Peter Hawkins • Coordinator Community Development, Keira McDonagh • Acting Senior Coordinator Community and Economic Development, Nicole Nye 	<p><i>Conflicts of Interest:</i></p> <p>NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Councillor Code of Conduct • Mansfield Community Vision Project Plan • Heavy Vehicle Bypass Project • Statutory Planning Service Review • LER Funding Applications • Visitor Information Centre Statistics • Visitor Information Service Review • Developer Contributions
2 February 2021	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr James Tehan • Cr Rohan Webb 	<p><i>Conflicts of Interest:</i></p> <p>NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Tourism North East • Waste Management • Community & Corporate Departmental Overview • Friends of Venilale • Early Years Infrastructure and Service Plan



14. ASSEMBLIES OF COUNCILLORS CONT.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
...cont 2 February 2021	<p>External Attendees:</p> <ul style="list-style-type: none"> • CEO, Tourism North East, Bess Nolan-Cook • Chair, Tourism North East, Ross Passalacqua • Friends of Venilale representatives, David Foster and Rachel Meadows • Rhonda Merritt and Cheryl Impink, Leverets Consulting Service <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate, Chris Snook • Coordinator, Governance and Risk, Michelle Kain • Interim Manager Planning and Environment, Peter Hawkins • Senior Coordinator Community & Economic Development, Nicole Nye • Senior Coordinator Community Health and Wellbeing, Jenny Lovick • Coordinator Waste Management, Rebecca Kirley • Environment Officer, Damien Gerrans 	<ul style="list-style-type: none"> • Town Approaches Planning Controls and Guidelines Scheme Amendment • Climate Action Plan • Statutory Planning Delegations • Commercial and Land Use Strategy • Local Recovery and Community Infrastructure LRCI Funds Projects
3 February 2021	<p>Council Plan Planning Workshop</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr James Tehan • Cr Rohan Webb <p>External Attendees:</p> <ul style="list-style-type: none"> • Andrew Hollo, Workwell consultants. <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate, Chris Snook • Coordinator Governance and Risk, Michelle Kain • Manager Business and Performance, Mandy Kynnersley 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Planning and Vision workshop for the 2021-25 Council Plan
4 February 2021	<p>Council Plan Planning Workshop</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr James Tehan • Cr Rohan Webb <p>External Attendees:</p> <ul style="list-style-type: none"> • Andrew Hollo, Workwell Consultants Pty Ltd <p>Officers:</p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate, Chris Snook 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Planning and Vision workshop for the 2021-25 Council Plan

Recommendation:

THAT Council receive and note the Assemblies of Councillors report for the period 12 January to 4 February 2021.



15. COUNCIL RESOLUTIONS REGISTER

This report presents to Council a schedule of outstanding actions from Council meetings held from 20 August 2019 to 19 January 2021.

Attachment

- 1 Council Resolutions Register

Recommendation:

THAT Council receive and note the Council Resolutions Register as at 19 February 2021.

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

Nil.

17. AUTHORISATION OF SEALING OF DOCUMENTS

Nil.

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**



19. PRESENTATION OF CONFIDENTIAL REPORTS

19.1 **Confidential:** Contract Award - Reseal and Line Marking Works

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

Recommendation:

THAT Council reopen the meeting to members of the public.

21. CLOSE OF MEETING