



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

TUESDAY, 24 NOVEMBER 2020

**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
Cr Steve Rabie
Cr Paul Sladdin
Cr James Tehan
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 MEETING

The Acting Chair will open the meeting at 5.00pm.

2. ACTING CHAIRPERSON

In accordance with the Mansfield Shire Council Governance Rules 2020, the Chief Executive Officer will be appointed as a temporary Chair with no voting rights to deal with the receipt of nominations for the election of the Mayor; and the election of the Mayor.

2.1 ACKNOWLEDGEMENT OF COUNTRY

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

3. CHIEF EXECUTIVE OFFICER'S REPORT

The Chief Executive Officer will outline the purpose of this meeting and facilitate the election of the Mayor.

4. DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with the *Local Government Act 2020*, a Councillor must declare any Conflict of Interest pursuant to Sections 127 and 128 of the Act in any items on this Agenda. Section 130 also requires that the Councillor declaring a conflict of interest must exclude themselves from the decision making process in relation to that matter.

5. DETERMINATION OF MAYORAL TERM

Before a Mayor is elected, the Council must determine the term of the Mayor, which may be for a term of 2 years.

6. ELECTION OF MAYOR

In accordance with section 25 of the *Local Government Act 2020*, the Councillors must elect a Councillor to be the Mayor of the Council.

7. ELECTION OF DEPUTY MAYOR

In accordance with section 27 of the *Local Government Act 2020*, the Councillors may elect a Councillor to be the Deputy Mayor of the Council.

8. COUNCILLOR APPOINTED REPRESENTATION ON COMMITTEES

Council will determine membership on the various committees.

9. SCHEDULE OF COUNCIL MEETINGS

Council is required to establish the time and date of its Council meetings. The fundamental purpose of Council meetings is to facilitate the good governance of the municipal district through the transaction of business relating to legislation, legal, procedural and policy requirements.

10. COUNCIL REPORT ON CHRISTMAS/NEW YEAR OFFICE CLOSURE

11. SUCH OTHER BUSINESS ADMITTED BY THE UNANIMOUS RESOLUTION OF THE COUNCIL

The Council will consider any additional business not listed on the Agenda, by a unanimous resolution of the Council.

12. CLOSE OF MEETING

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



MANSFIELD SHIRE

COUNCIL MEETING

TUESDAY, 24 NOVEMBER 2020

AGENDA

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

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AGENDA

MANSFIELD SHIRE COUNCIL
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[Mansfield Shire Council website](#)
5.00pm

1. OPENING OF MEETING

2. ACTING CHAIRPERSON

Pursuant to the provisions of Section 61 of *the Local Government Act 2020* and Chapter 2 of the Mansfield Shire Council Governance Rules 2020, the Chief Executive Officer shall act as Chairperson until the election of the Mayor is concluded.

2.1 Acknowledgement of Country

The Chief Executive Officer shall affirm the “Acknowledgement of Country” for the Mansfield Shire Council:

“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.”

3. CHIEF EXECUTIVE OFFICER’S REPORT

3.1 Introduction and Explanation of Purpose

File Number: E502
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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

In accordance with the Mansfield Shire Council Governance Rules 2020, the Chief Executive Officer will be appointed as a temporary Chair with no voting rights to deal with:

- the receipt of nominations for the election of the Mayor; and
- the election of the Mayor



3.1 Introduction and Explanation of Purpose cont.

Background

As a result of the Victorian Electoral Commission's local Council elections, held on 24 October 2020, a new Council has now been sworn in to represent the interests of the community.

It is a requirement under *Local Government Act 2020* (the Act) and Council's Governance Rules that a meeting be held to:

- elect the Mayor;
- consider the election of a Deputy Mayor;
- appoint Councillors to internal committees of Council and determine Councillor representation on external committees;
- establish a schedule of Council meetings;
- consider any other business.

Policy and Legislative Implications

Nil.

Council Plan

This scheduled meeting of the Council is consistent with the following objective in the 2017-21 Council Plan:

5. *Responsible Leadership*

5.1 *We achieve the highest standards of good governance.*

Financial

Nil.

Social

The fundamental purpose of this Council meeting is to facilitate the good governance of the municipal district in accordance with legislative and procedural requirements.

Environmental

Nil.

Economic

Nil.

Risk Management

Nil.

Community Engagement

Nil.



3.1 Introduction and Explanation of Purpose cont.

Key Issues

The CEO will act as temporary Chair with no voting rights and will facilitate the receipt of nominations for the election of the Mayor and the election of the Mayor.

Attachments

Nil.

4. DISCLOSURE OF CONFLICTS OF INTEREST

5. DETERMINATION OF MAYORAL TERM

File Number: E502
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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 determine the term of office for the Mayor of Mansfield Shire Council.

Background

In accordance with section 25 of the *Local Government Act 2020* (the Act), the Councillors must elect a Councillor to be the Mayor of the Council.

Before a Mayor is elected, the Council must determine the term of the Mayor. Historically, Council has elected a Mayor for a term of one year, however the term of office may be for one or two years.

Under the Act, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the term. Should Council continue to hold its scheduled meetings on the third Tuesday of the month, the next Mayoral election would be held by 16 November 2021 or 15 November 2022, depending on the length of the term of office.

Policy and Legislative Implications

Section 26(3) of the Act requires that before a Mayor is elected, the Council must resolve whether the Mayoral term is a period of one or two years.

Section 26(4) and 26(5) of the Act governs when the next election of the Mayor is to be held.



5. DETERMINATION OF MAYORAL TERM CONT.

Council Plan

Determination of the Mayoral term prior to the election of Mayor demonstrates good governance, and is consistent with the following objective in the 2017-21 Council Plan:

5. *Responsible Leadership*

5.1 *We achieve the highest standards of good governance.*

Financial

Nil.

Social

Nil.

Environmental

Nil.

Economic

Nil.

Risk Management

Nil.

Community Engagement

Due to the legislative nature of this report, community engagement is not required.

Key Issues

Council may resolve to set the Mayoral term as a period of one or two years, and determine when the next Mayoral election should subsequently be held.

Council is required to determine the length of the Mayor term before the Mayor is elected. The term of office for the Mayor may be one or two years. The term decided will also apply to the Deputy Mayor, if one is also elected.

Under the Act, the next election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the term, which may be at the scheduled meeting of Council in November 2021 or 2022, depending on the length of the Mayoral term of office.

Attachments

Nil.



5. DETERMINATION OF MAYORAL TERM CONT.

Recommendation:

THAT COUNCIL:

- 1. determines the length of the Mayoral term to be a period of ____ year(s).**
- 2. determines the next Mayoral election be held at the scheduled meeting of Council in November ____.**



6. ELECTION OF MAYOR

File Number: E502
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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 advice on the process for the election of the Mayor of Mansfield Shire.

Background

The *Local Government Act 2020* (the Act) requires Council to elect a Councillor to be Mayor, at a meeting open to the public, by an absolute majority of all Councillors elected to the Council. The Act also requires the Chief Executive Officer to Chair the election of the Mayor.

The role of the Mayor and the specific powers of the Mayor are set out in the Act and includes:

- Chairing all meetings of the Mansfield Shire Council.
- Being the principal spokesperson of the Council.
- Leading engagement with the community on the development of the Mansfield Shire Council Plan, and reporting annually on the implementation of the Plan.
- Promoting behaviour amongst Councillors that meet the standards of the Councillors' Code of Conduct and Charter.
- Assisting Councillors to understand their role.
- Leading the regular review of the Chief Executive Officer's performance.

In accordance with Council's Governance Rules, the election of Mayor must be carried out by a show of hands at a meeting open to the public.

Nominations are to be in writing in a form prescribed by the Chief Executive Officer and seconded by another Councillor. The nominee is to be provided with an opportunity to accept or decline the nomination.

Once nominations for the office of Mayor have been received, the following provisions will govern the election of the Mayor:

1. if there is only one nomination, the candidate nominated must be declared to be duly elected;
2. if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;
3. in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;
4. in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

6. ELECTION OF MAYOR CONT.

5. if one of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;
6. in the event of two or more candidates having an equality of votes and one of them having to be declared: (a) a defeated candidate; and (b) duly elected the declaration will be determined by lot.
7. if a lot is conducted, the Chief Executive Officer will have the conduct of the lot and the following provisions will apply:
 - (a) each candidate will draw one lot;
 - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
 - (c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).

Policy and Legislative Implications

Sections 25 and 26 of the Act governs the election of the Mayor and when the Mayor is to be elected. Section 20 of the Act provides for when the office of the Mayor becomes vacant.

The process for electing the Mayor is to be conducted in accordance with the Mansfield Shire Governance Rules.

Council Plan

The election of the Mansfield Shire Mayor demonstrates good governance, and is consistent with the following objective in the 2017-21 Council Plan:

5. *Responsible Leadership*
 - 5.1 *We achieve the highest standards of good governance.*

Financial

In accordance with section 39 of the Act, a Mayor is entitled to receive from the Council an allowance as a Mayor.

The allowance payable to the Mayor was set by an Order in Council published in the Victorian Government Gazette, effective from 1 December 2019, and is based on the Council's population, size and its revenue. Mansfield Shire Council is in Category 1.



6. ELECTION OF MAYOR CONT.

As prescribed by the Minister for Local Government, the allowance payable to the Mayor is as follows:

	Part A Annual Allowance	Part B Annual Allowance Superannuation Guarantee equivalent (at 9.5%)
Mayor	\$62,884	\$5,974

Social

Nil.

Environmental

Nil.

Economic

Nil.

Risk Management

Nil.

Community Engagement

No consultation is required for the election of the Mayor.

Key Issues

Council is required to elect a Mayor at a meeting open to the public. The successful Councillor will be Mayor of Mansfield Shire until the conclusion of the term of office, as previously determined by Council. After the Mayor is elected, he will assume the Chair for the remainder of the meeting, including the election of the Deputy Mayor.

Attachments

Nil.

Recommendation:

THAT pursuant to the provisions of sections 25 and 26 of the *Local Government Act 2020*, the Council appoints Cr _____ as Mayor of Mansfield Shire for a term no later than the first scheduled meeting of November 202__.

The Mayor will assume the Chair.



7. ELECTION OF DEPUTY MAYOR

File Number: E502
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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 advice on the process for the election of the Deputy Mayor of Mansfield Shire.

Background

The *Local Government Act 2020* (the Act) states Council may establish an office of Deputy Mayor. Council's Governance Rules outlines the process for the election of a Deputy Mayor.

Under the Act, the Deputy Mayor must perform the role of Mayor and may exercise any powers of the Mayor if the Mayor is unable to attend a meeting (or part thereof), or if the Mayor is incapable of performing the duties of the office of Mayor for any reason (including illness), or if the office of the Mayor is vacant. The Deputy Mayor does not hold any other additional powers or functions.

In accordance with the Mansfield Shire Governance Rules, the election of the Deputy Mayor must be by a show of hands at a meeting open to the public.

The process for the election of a Deputy Mayor is the same as the process for the election of Mayor, ie, in accordance with Council's Governance Rules.

The successful Councillor will hold the position of Deputy Mayor until the term of office for the Mayor concludes, as previously determined by Council.

Policy and Legislative Implications

Section 20A of the Act provides for an office of Deputy Mayor. Section 21 outlines the role and powers of the Deputy Mayor (as previously outlined in this report). Section 22 provides for when the position becomes vacant. The election of the Deputy Mayor is governed by section 27 of the Act and Council's Governance Rules.

Council Plan

The election of the Mansfield Shire Deputy Mayor demonstrates good governance, and is consistent with the following objective in the 2017-21 Council Plan:

5. *Responsible Leadership*
 - 5.1 *We achieve the highest standards of good governance.*



7. ELECTION OF DEPUTY MAYOR CONT.

Financial

In accordance with section 39 of the Act, a Deputy Mayor receives a Councillor allowance the same as other Councillors.

The allowance payable to a Councillor was set by an Order in Council published in the Victorian Government Gazette, effective from 1 December 2019, and is based on the Council's population, size and its revenue. Mansfield Shire Council is in Category 1.

As prescribed by the Minister for Local Government, the allowance payable to a Councillor is as follows:

	Part A Annual Allowance	Part B Annual Allowance Superannuation Guarantee equivalent (at 9.5%)
Councillors	\$21,049	\$1,999

Social

Nil.

Environmental

Nil.

Economic

Nil.

Risk Management

Nil.

Community Engagement

No consultation is required for the election of the Deputy Mayor.

Key Issues

The Act and Council's Governance Rules provide for the position of Deputy Mayor and govern the process for the election. At its meeting of 26 October 2016, Council resolved to establish the office of a Deputy Mayor. Should Council proceed to elect a Deputy Mayor, the successful Councillor would hold the position of Deputy Mayor until the Mayoral term of office concludes, as previously determined by Council.

Attachments

Nil.

Recommendation:

THAT COUNCIL appoints Cr _____ as Deputy Mayor of Mansfield Shire for a term no later than the first scheduled meeting of November 202__.



8. COUNCILLOR APPOINTED REPRESENTATION ON COMMITTEES

File Number: E111
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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 determines Councillor representation on internal Committees of Council, and outlines external committees that require the appointment of Councillor representatives.

Background

In accordance with the *Local Government Act 2020* (the Act), Council may establish Delegated Committees by resolution. Similarly, Council can appoint Joint Delegated Committees under s64 of the Act. Delegated Committees, with the exception of a Community Asset Committee, can exercise any power of a Council under the Act, or any other Act delegated to the committee.

Mansfield Shire Council does not currently have any Delegated or Joint Delegated Committees.

In accordance with s53 of the Act, it is a legislative requirement that Council establish an Audit and Risk Committee, comprising two Councillors and independent community representatives who are not Councillors.

In addition, and although not a statutory requirement, Council has established Advisory Committees to provide a conduit for public input and expertise into the decision making process. Advisory Committees do not have any delegated decision making powers from Council. They exist to provide advice and more structured public input into decisions made by Council. Minutes from Advisory Committee meetings are tabled at the next available Council meeting for review and noting.

Policy and Legislative Implications

With the exception of Delegated Committees, there are no legislative implications relating to Councillor representation on Committees.

Council Plan

Councillor representation on Committees provides a conduit for public input and expertise into the decision making process, and is consistent with the following objectives in the 2017-21 Council Plan:

1. *Participation and partnerships*
3. *Community resilience and connectivity*
5. *Responsible Leadership*



8. COUNCILLOR REPRESENTATION ON COMMITTEES CONT.

Financial

Financial implications and concerns are considered in accordance with the Mansfield Shire Audit and Risk Committee.

Social

Participation in internal and external committees can provide benefit and support to both Council and its community.

Environmental

Environmental considerations and concerns are considered in accordance with the Mansfield Shire Environment Advisory Committee.

Economic

Economic implications and concerns are considered in accordance with all internal and external committees.

Risk Management

Risk Management implications are considered in accordance with the Mansfield Shire Audit and Risk Committee.

Community Engagement

With representation across a range of diverse committees, the functions and outputs of each Committee will strengthen.

Key Issues

Nil.

Attachments

Nil.

Council's internal committees comprise:

1. Mansfield Shire Audit and Risk Committee

The Audit and Risk Committee is a statutory committee required by section 53 of the *Local Government Act 2020*, and was established by Council resolution on 21 July 2020.

The purpose of this Committee is to:

- a) monitor the compliance of Council policies and procedures with:
 - the overarching governance principles pursuant to s9 of the Act; and
 - the associated regulations and any Ministerial directions;
- b) monitor Council financial and performance reporting;
- c) monitor and provide advice on risk management and fraud prevention systems and controls; and
- d) oversee internal and external audit functions.



8. COUNCILLOR REPRESENTATION ON COMMITTEES CONT.

The Committee must include two Councillors and three or four independent skill based members who are not Councillors. The Chairperson must not be a Councillor of Mansfield Shire Council.

Recommendation:

THAT COUNCIL nominates the following Councillors to the Mansfield Shire Audit and Risk Committee:

1. Cr _____
2. Cr _____

2. Mansfield Shire Business and Community Recovery Advisory Committee

This Advisory Committee assists in the design and delivery of a Mansfield Shire Council Business and Community Recovery Plan. The Committee provides regular industry advice to the Council for the informed relief assistance and recovery activities of Mansfield Shire businesses while at the same time communicating its recovery activities to the business community. It currently meets on a monthly basis and requires representation from the Mansfield Shire Council Mayor and one additional Councillor.

Recommendation:

THAT COUNCIL nominates the following Councillors to the Mansfield Shire Business and Community Recovery Advisory Committee:

1. Mayor Cr _____
2. Cr _____

3. Chief Executive Officer Performance and Remuneration Reference and Advisory Group

At its meeting of 19 May 2020, Council resolved to establish the Chief Executive Officer Performance and Remuneration Reference and Advisory Group for the purpose of assessing the performance and remuneration of the Mansfield Shire Council Chief Executive Officer. The role of the Group is to:

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

The Advisory Group comprises the Mayor (Chair) and Councillors. Meetings of the Group are held annually, and a quorum of three Councillors is required for a meeting.



8. COUNCILLOR REPRESENTATION ON COMMITTEES CONT.

Recommendation:

THAT COUNCIL appoints the following Councillors to the Chief Executive Officer Performance and Remuneration Reference and Advisory Group:

- Mayor Cr _____
- Cr _____
- Cr _____
- Cr _____
- Cr _____

In addition to the above internal committees, Council participates in a broader network of councils, peak bodies and regional partnerships that focus on specific industry issues. Participation in external committees can provide benefit and support to both Council and its community.

Such committees are attended by a mixture of senior Council officers and Councillor representatives. Formal agreements or charters are often in place to define their roles and responsibilities.

The following external committees require the appointment of a Councillor representative:

i. Australia Day Awards Committee

This Committee assesses nominations and decides on the recommended award recipients for the Mansfield Citizen Awards.

This Committee requires representation from the Mansfield Shire Council Mayor and two additional Councillors.

Recommendation:

THAT COUNCIL nominates Mayor Cr _____ and Cr _____ to the Australia Day Awards Committee

ii. Goulburn Broken Greenhouse Alliance (GBGA)

The GBGA is a membership based alliance of 13 Councils and key environment agencies in the Goulburn Broken and North East regions of Victoria, working together on responses to the challenge of climate change.

This Alliance requires representation from one Mansfield Shire Councillor.

Recommendation:

THAT COUNCIL nominates Cr _____ to the Goulburn Broken Greenhouse Alliance (GBGA).



8. COUNCILLOR REPRESENTATION ON COMMITTEES CONT.

iii. Hume Regional Local Government Network (HRLGN)

The HRLGN is made up of 12 member councils from across the Hume Region covering over 40,000 sq kms of rural and regional Victoria. Participants consist of Mayors and CEO's of the member councils being Alpine, Benalla, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Shepparton, Strathbogie, Towong, Wangaratta, and Wodonga.

This Network requires representation from the Mansfield Shire Council Mayor.

Recommendation:

THAT COUNCIL nominates Mayor Cr _____ to the Hume Regional Local Government Network (HRLGN).

iv. Lake Eildon Land and On Water Management Plan Implementation Committee

The Committee, which has broad representation across councils, government agencies, business and community, was established to increase understanding about issues relating to the lake and guide the implementation of the plan.

This Committee requires representation from one Mansfield Shire Councillor.

Recommendation:

THAT COUNCIL nominates Cr _____ to the Lake Eildon Land and On Water Management Plan Implementation Committee.

v. Municipal Association of Victoria

The MAV is a membership association and the legislated peak body for local government in Victoria offering diverse business services to member councils including specialist policy and advocacy, governance and legislative advice, sector development, insurance and procurement services.

The MAV require representation from the Mansfield Shire Council Mayor, with the Deputy Mayor appointed as substitute.

Recommendation:

THAT COUNCIL:

- 1. appoints Mayor Cr _____ to the Municipal Association of Victoria (MAV).**
- 2. appoints Deputy Mayor Cr _____ as substitute Council representative to the MAV.**



8. COUNCILLOR REPRESENTATION ON COMMITTEES CONT.

vi. North East Local Government Waste Forum (a Committee of the North East Regional Waste and Resource Recovery Group – NEWRRG)

Established under the *Environment Protection Act 1970* (the Act) in 2014, the NEWRRG supports the effective operation of the North East Waste and Resource Recovery Group. The NEWRRG is one of seven waste and resource recovery groups in Victoria established under the Act.

This Group requires representation from one Mansfield Shire Councillor.

Recommendation:

THAT COUNCIL nominates Cr _____ to the North East Local Government Waste Forum (a Committee of the North East Regional Waste and Resource Recovery Group – NEWRRG).

vii. Rural Councils Victoria (RCV)

Rural Councils Victoria (RCV) is an organisation representing Victoria's rural councils. Representing 38 of the 79 Victorian councils, RCV supports and promotes sustainable, liveable and prosperous rural communities that are fundamental to the ongoing success of Victoria.

This Committee requires representation from the Mansfield Shire Council Mayor or one Councillor.

Recommendation:

THAT COUNCIL nominates Mayor Cr _____ or Cr _____ to Rural Councils Victoria (RCV).



9. SCHEDULE OF COUNCIL MEETINGS

File Number: E343
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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 determines the meeting schedule of Mansfield Shire Council meetings for the next 12 months.

Background

In accordance with Council’s Governance Rules, Council is required to establish the time and date of its Council meetings. The fundamental purpose of Council meetings is to facilitate the good governance of the municipal district through the transaction of business relating to legislation, legal, procedural and policy requirements.

In accordance with the notice requirements in the Rules, Council is also able to conduct additional Council meetings to deal with extraordinary items as required.

It has become practice over recent years to hold some Council meetings at different locations across the Shire on a rotating basis. Townships with a suitable venue to host a Council meeting are:

- Bonnie Doon
- Barjarg
- Goughs Bay
- Jamieson
- Merrijig
- Merton
- Tolmie
- Woods Point

As a result of COVID-19 restrictions during 2020, only one Council meeting was held in an outlying community (Bonnie Doon).

The following meeting schedule for the Mansfield Shire Council is proposed until November 2021:

<i>Location: Council Chambers - Mansfield Shire Office, 33 Highett Street, Mansfield, unless otherwise specified</i>		
<i>Usually held on the third Tuesday of each month</i>		
<i>DATE</i>	<i>Location</i>	<i>Time</i>
15 December 2020	Mansfield Shire Council Chambers	5.00pm
19 January 2021	Mansfield Shire Council Chambers	5.00pm
16 February 2021	Outlying Community (venue to be confirmed)	5.00pm
16 March 2021	Mansfield Shire Council Chambers	5.00pm
20 April 2021	Mansfield Shire Council Chambers	5.00pm

9. SCHEDULE OF COUNCIL MEETINGS CONT.

17 May 2021	Outlying Community (venue to be confirmed)	5.00pm
22 June 2021	Mansfield Shire Council Chambers	5.00pm
20 July 2021	Mansfield Shire Council Chambers	5.00pm
17 August 2021	Outlying Community (venue to be confirmed)	5.00pm
21 September 2021	Mansfield Shire Council Chambers	5.00pm
19 October 2021	Mansfield Shire Council Chambers	5.00pm
16 November 2021	Outlying Community (venue to be confirmed)	5.00pm

Policy and Legislative Implications

In accordance with the s60 of the *Local Government Act 2020* (the Act), Council's Governance Rules sets the conduct of Council meetings

Under section 66 of the Act, Council meetings must remain open to the public unless the Council considers it necessary to close the meeting to the public because of a specified circumstance such as:

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

Further, in accordance with the notice requirements in the Rules, Council is able to conduct additional Council meetings to deal with extraordinary items as required.

Council Plan

The establishment of a meeting schedule of the Mansfield Shire Council demonstrates good governance, and is consistent with the following objective in the 2017-21 Council Plan:

5. *Responsible Leadership*

5.1 *We achieve the highest standards of good governance.*

Financial

There are no financial implications relating to the establishment of Council's meeting schedule.

Social

As elected representatives in local government, Councillors are required to attend council meetings. It is in these meetings that elected members participate in discussion and debate on a wide variety of issues to make decisions representing the overall public interest of the municipality.

Environmental

Nil.

**9. SCHEDULE OF COUNCIL MEETINGS CONT.****Economic**

Nil.

Risk Management

Nil.

Community Engagement

Council meetings are open to the public and provide an understanding of how councils make decisions. While Mansfield Shire Council meetings are an opportunity to observe the Council at work, they are not the place for members of the public to address the Councillors unless invited to do so.

Key Issues

The fundamental purpose of Council meetings is to facilitate the good governance of the municipal district through the transaction of business relating to legislation, legal, procedural and policy requirements.

Attachments

Nil.

Recommendation:

THAT COUNCIL adopts the following meeting schedule from December 2020 to November 2021:

DATE	Location	Time
15 December 2020	Mansfield Shire Council Chambers	5.00pm
19 January 2021	Mansfield Shire Council Chambers	5.00pm
16 February 2021	Outlying Community location:	5.00pm
16 March 2021	Mansfield Shire Council Chambers	5.00pm
20 April 2021	Mansfield Shire Council Chambers	5.00pm
17 May 2021	Outlying Community location:	5.00pm
22 June 2021	Mansfield Shire Council Chambers	5.00pm
20 July 2021	Mansfield Shire Council Chambers	5.00pm
17 August 2021	Outlying Community location:	5.00pm
21 September 2021	Mansfield Shire Council Chambers	5.00pm
19 October 2021	Mansfield Shire Council Chambers	5.00pm
16 November 2021	Outlying Community location:	5.00pm



10. CHRISTMAS / NEW YEAR OFFICE CLOSURE

File Number: E5488
Responsible Officer: Chief Executive Officer, Kaylene Conrick

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 2020*.

Introduction

This report concerns the closure of the Mansfield Shire Council offices and works depot over the 2020-21 Christmas/New Year period.

Background

Similar to other years, it is proposed that Mansfield Shire offices and works depot be closed for the period from 2.00pm on Thursday, 24 December 2020 and reopen at 8.15am on Monday, 4 January 2021.

This period comprises six week days, and includes the following public holidays assigned under the *Public Holidays Act 1993*:

- Friday, 25 December 2020
- Monday, 28 December 2020
- Friday, 1 January 2021

The three intervening days (Tuesday, 29 December; Wednesday, 30 December; Thursday 31 December 2020) will be taken by staff as annual leave or rostered days off during this period.

The arrangement to close Council's offices and works depot has been in place off and on over the past 18 years with the majority of years closing for the three intervening days.

Policy and Legislative Implications

Whilst there are no statutory obligations in respect to closing the Mansfield Shire offices and works depot over the Christmas/New Year period, the Mansfield Shire Council Enterprise Agreement 2019 states that a Council resolution is required for a Christmas/New Year closure to take effect.

Council Plan

The closure of the Shire offices and works depot is in line with Council's 'Responsible Leadership' strategic direction.

Financial

There are minimal financial impacts associated with the closure of the Shire offices and works depot over the Christmas/New Year period.



10. CHRISTMAS / NEW YEAR OFFICE CLOSURE CONT.

Social

Essential and emergency services will be available during this period. Arrangements will be implemented to ensure that sufficient Council personnel are available for routine maintenance and essential and emergency services.

Environmental

There are no environmental implications in relation to this report.

Risk Management

On-call officers will be rostered to cover the office closure period. This will ensure that potential emergency situations will be monitored effectively.

Community Engagement

The Shire offices and works depot closures will be advertised in local media, on Council's website and via its Facebook page.

Further, public advertisements will indicate the arrangements for service provision and emergency response over the Christmas/New Year period.

Council's telephone voice message for the period of time concerned will be edited to advise of closure details and provide alternative emergency contacts if required.

Key Issues

The closure enables staff to take a break with very little impact on service delivery. Previous experience indicates that limited demand is placed on municipal services over this period and that the offices and Works Depot closure is generally accepted by the community.

2020 has been a particularly challenging year for the organisation with many staff working longer hours and deferring annual leave. The Christmas office closure will provide a much needed break for staff and the ability to reset and return fresh in 2021.

Further, the closure provides the organisation with the opportunity to decrease its annual leave and rostered days off liability.

Council's Resource Recovery Centre will remain open, with days and times advertised, and essential services will continue to be provided.

As this arrangement has been reviewed each year with the majority of years closing the offices and works depot, it is proposed that Council endorse that offices and the works depot close each year between Christmas and New Year as the default position and to provide certainty for staff and organisational planning.

Attachments

Nil.



10. CHRISTMAS / NEW YEAR OFFICE CLOSURE CONT.

Recommendation:

THAT COUNCIL:

- 1. closes its offices and works depot each year for the period between Christmas and New Year from 2.00pm Christmas eve and reopen on the first business day after 1 January.**
- 2. each year in advance of Christmas, places advertisements in the local media, on Council's website and Facebook page advising the public of the Christmas break closure indicating service delivery and emergency response arrangements during the Christmas/New Year period.**

11. SUCH OTHER BUSINESS ADMITTED BY THE UNANIMOUS RESOLUTION OF THE COUNCIL

12. MEETING CLOSE