



Mansfield Shire

Council Meeting

Tuesday 19 October 2021

Notice and Agenda of meeting livestreamed via the
[Mansfield Shire Council website](#)

Commencing at 5pm

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

Kaylene Conrick, Chief Executive Officer
Kirsten Alexander, General Manager Infrastructure and Planning
Kurt Heidecker, General Manager Community and Corporate Services

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.

13.2-13.7 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. 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 Community and Corporate Services Directorate will also be considered by the Council:

- ▶ Business and Performance
- ▶ Community Health and Wellbeing
- ▶ Community and Economic Development
- ▶ Governance and Risk

A Council position is adopted on the matters considered.

14. Assembly 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);

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

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 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:

- ▶ 21 September 2021
- ▶ 28 September 2021

be confirmed as an accurate record:

8. Representations

9. Notices of motion

10. Mayor's report

Mayor Mark Holcombe will present the monthly Mayor's report from 21 September 2021 to 8 October 2021 to the Council as follows:

The September 22nd earthquake that rumbled through our Shire was the latest challenge that has been thrown at our community over the last 2 years.

We were very lucky to have had zero lives lost, zero injuries and no major damage to any infrastructure across the Shire. It could be said we "dodged a bullet."

One outcome of the earthquake we could not dodge was the amount of media that descended on Mansfield from all over Australia, NZ and even BBC World News. Fortunately because there were no injuries and minimal damage the coverage ended up being a good news story for our Shire. We were very lucky.

On October 7 Council initiated a public Q&A webinar with earthquake expert Dr. Mark Quigley who explained the cause and effects of earthquakes and in particular the Mansfield earthquake. Ironically, while the webinar was underway one of our community listeners texted in that an aftershock was felt at Jamieson as Dr Quigley was speaking.

During the month I attended a meeting called by the Minister for Local Government and attended by Mayors from regional Victoria. The meeting focused on a study to be undertaken by the State Govt into the culture of Local Govt across Victoria. It would appear that many Councils in Victoria are dysfunctional and this study is an attempt to address this. Fortunately Mansfield is not one of those Shires.

10. Mayor's Report Continued

Myself, Deputy Mayor Tehan and Cr Rabie were privileged to officiate in the Citizenship Day ceremony for eleven Mansfield residents who became Australian citizens. This was the largest citizenship ceremony conducted in Mansfield and because of covid was conducted on line. It was highly successful and very emotional for many in attendance, including myself.

Council was pleased to announce the purchase of the Brown st (Police Paddock) in Jamieson for the Jamieson Community. This will be used by the Jamieson Community Group and Jamieson and District Historical Society.

Council has also reached agreement with Community groups in Bonnie Doon to take over the Committee of Management for the Bonnie Doon Recreation Reserve. This is subject to confirmation by DELWP but hopefully after many years of frustration this has been resolved and will provide a positive outcome for the Bonnie Doon community.

Council has asked MACE and Mens Shed to resolve their dispute between themselves without Council having to step in. Council has made it clear that it agrees with the Men's Shed in its interpretation of the Memorandum of Understanding which is at the core of the issue. Again this is something that has dragged on for far too long and is something that Council are keen to see resolved.

YAFM have been given the green light to lead the aquatic facility project and come up with a community led solution on council owned land. YAFM have raised significant funds to contribute and now they will use these funds to work with Council to conduct a feasibility study.

Finally, we are now very close to the opening of the Dual Court Stadium. We have had a handover and it is now Council's responsibility to manage and maintain.

Unfortunately, the Stadium doesn't have a name yet and Council is very disappointed that we were unable to get the community's preference across the line with naming the stadium the "Alex Pullin Memorial Stadium."

We were disappointed that Mansfield Secondary College took over six months to inform Council that they had the sole naming rights to the Stadium. We continue to stand behind the community preference to name the stadium after Alex Pullin.

*Cr Mark Holcombe
Mayor*

Recommendation

THAT Council receive the Mayor's report for the period 14 September 2021 to 8 October 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 Holcombe ▶ Cr James Tehan ▶ Cr Steve Rabie
Mansfield Shire CEO Performance and Remuneration Review Reference and Advisory Group	▶ All Councillors
Goulburn Murray Climate Alliance (GMCA)	▶ 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 Holcombe ▶ Cr Rohan Webb
Mansfield Shire Business and Community Recovery Advisory Committee	<ul style="list-style-type: none"> ▶ Mayor Mark Holcombe ▶ Cr Paul Sladdin
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none"> ▶ Mayor Mark Holcombe ▶ Substitute - 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 will provide information relation to:

- ▶ Customer Service
- ▶ Capital Works
- ▶ Statutory Planning
- ▶ Building Services
- ▶ Regulatory Services
- ▶ Revenue Services
- ▶ Business Performance
- ▶ Governance
- ▶ Library Services

Attachment

Recommendation
THAT Council receive and note the Chief Executive Officer’s report for the period 8 September 2021 to 6 October 2021.
Support Attachments
Attachment - CEO’s Monthly Report – September 2021

13.2. Infrastructure and Planning Directorate

13.2.1. Adoption of Planning Scheme Amendment C49, New Street Rezoning

File Number	E7981	Responsible Officer	Melissa Crane, Manager Planning and Environment
Purpose			
<p>The purpose of this report is to seek a Council resolution to adopt Amendment C49 to the Mansfield Planning Scheme, and recommend to the Minister for Planning that Planning Permit P014/21 is granted for Buildings and Works associated with the construction of a dwelling in the Floodway Overlay and Land Subject to Inundation Overlay, on the land being rezoned to General Residential 1 under this amendment.</p>			
Executive Summary			

- Amendment C49 is a proponent driven combined planning scheme amendment/planning permit application.
- The amendment was exhibited in accordance with the requirements of the *Planning and Environment Act 1987*.
- No objections were received to the amendment.
- The amendment can be adopted and incorporated into the Mansfield Planning Scheme with no changes to the exhibited documents.

Key Issues

At its meeting on 16 March 2021, Council resolved the following:

- Having considered all relevant matters in respect to the privately sponsored planning scheme amendment for the proposed partial rezoning of Nos 2 and 4 New Street, Mansfield and 25 Ailsa Street, Mansfield, and the concurrent development of 2 New Street, Mansfield with a single dwelling; believes that it represents an acceptable town planning outcome and is appropriate as a S96A application to the Mansfield Planning Scheme;
- Seek authorisation from the Minister for Planning to commence and exhibit the amendment to the Mansfield Planning Scheme to change the zone from UFZ to GRZ1 and apply the FO Overlay and to construct a single dwelling at 2 New Street, Mansfield.

13.2.1 Adoption of Planning Scheme Amendment C49, New Street Rezoning Continued

The amendment was prepared and submitted to the Minister for Planning for authorisation. Conditional authorisation to prepare and exhibit the amendment was granted by the Minister for Planning on 2 July 2021. The conditions were as follows:

- An instruction sheet must be prepared to accompany the amendment.
- The explanatory report must be revised to address each of the strategic considerations to DELWP's satisfaction.
- The draft planning permit must be prepared on the prescribed form under the *Planning and Environment Regulations 2015*.

Council officers addressed the conditions and submitted the amendment for exhibition on 11 August 2021, with approval for exhibition provided to Council on 16 August 2021. Exhibition of the amendment and planning permit was undertaken from 26 August 2021 until 30 September 2021. All adjoining owners were directly notified of the proposal, and a notice was placed in the Government Gazette and the Mansfield Courier. No objections or other submissions were received. As no objections were received, the amendment can be adopted without any changes, and submitted to the Minister for Planning for inclusion into the Mansfield Planning Scheme.

Recommendation
<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Adopt Amendment C49 to the Mansfield Planning Scheme in accordance with Section 29 of the <i>Planning and Environment Act 1987</i>. 2. Recommend to the Minister for Planning that Planning Permit No P014/21 be granted in accordance with Section 96G of the <i>Planning and Environment Act 1987</i>. 3. Submit Amendment C49 to the Mansfield Planning Scheme and Planning Permit No P014/21, together with the prescribed information, to the Minister for Planning in accordance with Section 31 of the <i>Planning and Environment Act 1987</i>.
Support Attachments
Mansfield Planning Scheme Amendment C49 Documents for adoption

Considerations and Implications of Recommendation

Sustainability Implications

The amendment does not raise any material social or economic effects. The proposal implements the objectives of planning by helping to provide for the orderly and sustainable use and development of land, while simultaneously providing for the continued protection of the Ford Creek floodplain. The amendment will ensure the facilitation of appropriate planning outcomes in accordance with best practice.

13.2.1 Adoption of Planning Scheme Amendment C49, New Street Rezoning Continued

From an environmental perspective, the amendment recognises the existing residential nature of 4 New Street and proposes the application of appropriate planning controls. For 2 New Street the proposal balances the historical development intentions of the land with the need for floodplain management to ensure an outcome that is environmentally appropriate.

The amendment does not raise any economic effects for Council while assumedly providing an economic benefit for the landowner.

Community Engagement

Exhibition of the amendment and planning permit was undertaken from 26 August 2021 until 30 September 2021. All adjoining owners were directly notified of the proposal, and a notice was placed in the Government Gazette and the Mansfield Courier. No objections or other submissions were received.

Collaboration

Not applicable.

Financial Impact

All costs associated with the amendment are borne by the proponent.

Legal and Risk Implications

While the Subject Land is within a designated Bushfire Prone Area, no material bushfire risk is raised considering no development of 25 Ailsa Street is proposed, 4 New Street is already developed with a single dwelling and the proposed dwelling on 2 New Street is within the identified township of Mansfield.

The amendment raises no bushfire risk with respect to 25 Ailsa Street and 4 New Street, while the limitation of development of 2 New Street to one dwelling will appropriately minimize any bushfire risk.

The amendment and permit application are in accordance with the relevant provisions of the Mansfield Planning Scheme and the *Planning and Environment Act 1987*. The amendment also complies with the requirements of the Ministerial Direction on the *Form and Content of Planning Schemes (section 7(5) of the Act)* and is accompanied by all information required.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

This proposal is in accordance with the following objectives in the Mansfield Shire Council Plan 2017-2021:

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

13.2.1 Adoption of Planning Scheme Amendment C49, New Street Rezoning Continued

- Strategic Objective 4.2 'We are a community that is passionate about arts, culture, heritage and the environment'.
- Strategic Objective 4.3 'Our community proactively manages its health and wellbeing'.
- 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'.

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate - Continued

13.2.2. P081/21 158 Malcolm Street Mansfield – Use and Development of Land for a Second Dwelling and Development of an Outbuilding ancillary to a Dwelling

File Number	DA6768 – P081/21	Responsible Officer	Tim Berger, Coordinator Statutory Planning
Purpose			
<p>The purpose of this report is to seek Council's determination of the application for Planning Permit P081/21, relating to use and development of land at 158 Malcolm Street Mansfield for a second dwelling, and development of an outbuilding ancillary to a dwelling.</p> <p>The application is being referred to Council for determination as Council officers do not have delegation to determine an application lodged by or on behalf of a Council employee.</p>			
Executive Summary			
<i>Background</i>			
<i>Application Details</i>			
APPLICANT	Kathryn Stone		
PROPOSAL	Use and development of land for second dwelling and development of an outbuilding ancillary to a dwelling.		
APPLICATION LODGED	09 August 2021		
NOTICE AND SUBMISSIONS	The application was advertised to adjoining and nearby property owners and occupiers. No objections were received.		
<i>Property Details</i>			
PROPERTY ADDRESS	158 Malcolm Street, Mansfield		
LAND DESCRIPTION	Lot 2 PS727882		
RESTRICTIVE COVENANTS	None		
LAND AREA	4217 m ²		
EXISTING USE	One existing dwelling		
<i>Planning Provisions</i>			
ZONE	Clause 32.03 Low Density Residential Zone		
OVERLAYS	None		
PLANNING POLICY FRAMEWORK	Clause 11.02-1S Settlement Clause 15.01-5S Neighbourhood character		
LOCAL PLANNING POLICY FRAMEWORK	Clause 21.03 Settlement and housing Clause 21.09 Mansfield township		
PARTICULAR PROVISIONS	Clause 52.06 – Car parking		
<i>Permit Triggers</i>			
CLAUSE 32.03 LDRZ	Clause 32.03-1 Use of land for second dwelling Clause 32.03-4 Building and works associated with Section 2 use.		
<i>Other</i>			
CULTURAL SENSITIVITY	No		
DWMP RISK RATING (IF RELEVANT)	Not relevant as connected to reticulated sewerage.		

13.2.2 P081/21 158 Malcolm Street Mansfield – Use and Development of Land for a Second Dwelling and Development of an Outbuilding ancillary to a Dwelling Continued

This application seeks Council approval for use and development of land at 158 Malcolm Street Mansfield for a second dwelling and an ancillary outbuilding (shed).

The subject land is approximately 4217 m² in area and is currently developed with a dwelling and an associated outbuilding.

On 8 January 2018, the land was granted a planning permit for a two lot subdivision, which will subdivide the existing dwelling onto one lot, and create a vacant lot from the balance with a 'battle-axe' access from Malcolm Street. This lot would contain the dwelling proposed in this application. As this subdivision is still under progress and new titles have not been issued, the subject land is still considered as a whole lot, with the proposed dwelling being a second dwelling on the subject land.

The proposal seeks to develop the land with a second dwelling by building a single storey gabled roof dwelling and an associated outbuilding (shed). Both the buildings will be clad with Colorbond Woodland Grey. The attached plans show the layout of these buildings on the site.

Pursuant to Section 52 of the *Planning and Environment Act 1987* ('the Act'), the proposal was advertised to adjoining and nearby property owners and occupiers. No objections were received.

The proposal is considered to satisfy the objectives and align with the strategies of the Planning Policy Framework. The proposal ensures the ongoing provision of urban land within Mansfield Township, where the subject land interfaces with the General Residential Zone across Malcolm Street.

Key Issues

- Neighbourhood character

The proposal corresponds to the local development and subdivision pattern of the surrounding land to the north and northeast, and provides a subtle transition between lot sizes between the two zones.

- Alignment with approved subdivision

The dwelling and the shed will fit within the boundaries of the new lot to be created under the approved subdivision.

13.2.2 P081/21 158 Malcolm Street Mansfield – Use and Development of Land for a Second Dwelling and Development of an Outbuilding ancillary to a Dwelling Continued

Recommendation

THAT COUNCIL, having caused notice of Planning Application P081/21 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all relevant matters under section 60 of the *Planning and Environment Act 1987*, determines to issue a Planning Permit for Planning Application [Abstract] for the Use and Development of land for second dwelling and development of an outbuilding ancillary to a dwelling on Lot 2 PS727882, commonly known as 158 Malcolm Street Mansfield, in accordance with the endorsed plans and subject to the following conditions:

Endorsed Plans

1. The use and development must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.

Material and Colour

2. The external materials of the building(s), including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used.

For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

Outbuilding

3. The outbuilding hereby approved must not be used for human habitation purposes at any time.

Property Access Requirements

4. Access to the property must be via the existing driveway and crossing - no other access shall be allowed without prior written approval from Council.

Drainage

5. Prior to commencement of any building and civil works, application must be made to Council to obtain a **Legal Point of Stormwater Discharge**.
6. All stormwater is to be contained to the pre-development runoff equivalent using detention water tanks or similar and then must be discharged to the legal point of stormwater discharge to the satisfaction of the Responsible Authority.
7. Interrupted overland flow from this development must not be allowed to impact on the adjacent lots to the satisfaction of the Responsible Authority.

13.2.2 P081/21 158 Malcolm Street Mansfield – Use and Development of Land for a Second Dwelling and Development of an Outbuilding ancillary to a Dwelling Continued

Recommendation continued

Permit Expiry

8. This permit as it relates to development will expire if one of the following circumstances applies:
 - (a) The development has not substantially commenced within two (2) years of the date of this permit.
 - (b) The development is not completed and the use commenced within four (4) years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Support Attachments

Delegation Report – P081-21 - 158 Malcolm Street Mansfield

13.2 Infrastructure and Planning Directorate - Continued

13.2.3. MACE/Men's Shed Lease Issue

File Number	E408	Responsible Officer	General Manager Infrastructure & Planning, Kirsten Alexander
Purpose			
To provide an update regarding the lease of 17 Erril Street, Mansfield and request of Council that MACE and the Mansfield Men's Shed Inc work together to resolve the lease issues, following consideration of the matter by Council at the September 2021 Council Meeting.			
Executive Summary			

- Since 2018 a dispute has existed between MACE and the Men's Shed Inc. in relation to the lease of the land at 17 Erril Street, Mansfield and the ownership of the building on that land.
- The Men's Shed Inc. would like to enter into a lease agreement directly with Council. MACE has objected to the Men's Shed Inc. position and sought to continue to lease the property from Council.
- The existing lease with MACE is in over-holding, on a month by month basis. Council is able to enter into a new lease as it sees fit.
- At the 21 September 2021 Council meeting it was resolved that Council receive a further report on this matter at its October 2021 Council meeting, and take no further action until receiving the report.
- As there has not been sufficient progress between the parties to enable a resolution of the matter at this time, it is proposed that a further report is provided to either the November or December 2021 meeting of Council.

Key Issues

In 2003, the Mansfield Men's Shed Committee wished to establish a Men's Shed and erect a structure upon the land at 17 Erril Street, Mansfield. The Men's Shed Committee sought to obtain funding for the structure with a grant, but were not eligible as they were not yet an incorporated body.

13.2.3 MACE/Men's Shed Lease Issue Continued

To enable the grant application to proceed, the “unincorporated body of men” and MACE signed an Auspice Memorandum of Understanding (MOU), in February 2003 for 12 months, or until the Men's Shed became incorporated, whichever was sooner. Mansfield Shire Council leased the land to MACE in their role as the auspice organisation. The lease agreement was entered into on 12 March 2003 for a term lease of 10 years, with a further 2 x 10 year options to extend. As a result of this, a Government Grant for a community shed was awarded and the building was erected and officially launched in 2005. The Men's Shed became “Incorporated” in 2013.

In 2018 The Mansfield Men's Shed gave MACE formal notice terminating the Auspice arrangement between the two organisations.

Overview of the Dispute

MACE wants to retain control of the building and the lease of the land, although the building was constructed and is maintained and upgraded by funds obtained by The Men's Shed. The Men's Shed Committee, now that they are incorporated, want to take over the control of the building and the land as it has intended to do since 2003.

Council officers have previously met with the two parties in an attempt to resolve the matter as both MACE and the Men's Shed provide important community services. To date a resolution has not been reached.

Previous Council Resolution

At the 21 September 2021 Council meeting it was resolved that Council:

1. Receive and note the status of the lease as legally being in over-holding.
2. Agrees with the Men's Shed Incorporated's interpretation of the original intent of the auspice agreement between MACE and Men's Shed Inc. signed in 2003. That being, upon the incorporation of The Men's Shed (or Community Shed) as an entity, the lease would be handed over to the Men's Shed Incorporated including the assets and that further lease agreements would be between Council and Men's Shed Inc.
3. Writes to MACE and Men's Shed Inc. advising Council's position on the intent of the original auspice agreement and urges MACE to honour the intent of the agreement which was to support the Men's Shed Inc. in the construction, upgrades and maintenance of the building and then to hand over the project to the Men's Shed Inc.
4. Receives a further report on this matter at its October 2021 Council meeting.
5. Takes no further action on the MACE-Council lease until Council receives the further report and leave the existing Lease in an over-holding arrangement until such time.

Current Status

Following the September Council meeting, MACE and the Men's Shed Inc. have resumed discussions to progress the matter, however to date there has not been sufficient progress to enable a further report to Council at this time. Staff will provide a further report to the November or December 2021 meeting of Council.

13.2.3 MACE/Men's Shed Lease Issue Continued

Recommendation
THAT COUNCIL notes that a further report on this matter will be provided at the November or December 2021 Council meeting, and that no further action on the MACE-Council lease will be taken until Council receives the further report.
Support Attachments
None.

Considerations and Implications of Recommendation

Sustainability Implications

This report does not propose any changes to the current situation. Therefore, no sustainability implications are identified.

Community Engagement

Council has unsuccessfully engaged both MACE and Mens Shed since 2019 to try and assist in resolving the dispute between the parties.

Collaboration

Not applicable.

Financial Impact

Not applicable.

Legal and Risk Implications

If Council is forced to intervene and make a decision on the lease there is potentially a reputational risk that Council would need to manage as both organisations are important to the Mansfield Shire community. Legal and/or financial risk implications may also arise in relation to termination of the lease, however this report does not propose any changes to the current situation, to enable the parties involved more time to progress discussions over the matter.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

This report is in line with the Mansfield Shire Council Plan 2017-2021, Strategic Objective 5.4, in that "We make transparent decisions facilitated by community participation at Council meetings". Both parties have been given the opportunity to address council on the matter and to work together prior to a decision being made.

Governance - 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*.

13.2 Infrastructure and Planning Directorate - Continued

13.2.4. Township Reserves Maintenance Policy (Non Council Land)

File Number	E582	Responsible Officer	Ari Croxford-Demasi, Senior Coordinator Field Services
Purpose			
The purpose of this report is to present the updated Township Reserves Maintenance Policy (Non Council Land) for Council endorsement.			
Executive Summary			

The policy was first implemented in 2018, with the aim of providing a fair and equitable system for Council’s contributions (both resource and financial) to the effective and efficient maintenance of identified reserves located in outlying rural townships.

The reserves identified in the policy are located on land that is not owned or managed by Council, and include Reserve land that has a split ownership, for example Jamieson Island. Council works in partnership with the respective community group or Committee of Management to support the maintenance of the open space and recreational facilities located on these reserves for use by the broader Mansfield Shire community, to an agreed standard and service level.

The policy has been reviewed and updated to address feedback received from community groups, Councillors and staff.

Key Issues

The following policy changes are proposed with the updated policy:

Reserve Identification

The policy has been updated to include the Reserve locations being identified with a Parcel identification for clarity. The description of the ‘Goughs Bay Reserve’ has been changed to ‘Goughs Bay Foreshore’, which better describes the nature of the area.

13.2.4 Township Reserves Maintenance Policy (Non Council Land) Continued

Reserve Categories

Reserve categories have been clarified to recognise that the reserves are generally 'recreational areas', not 'playing surfaces'. This change acknowledges that the majority are not used for formal seasonal use as playing fields, although they may contain ovals within the reserve grounds.

The policy has been updated to add the scheduled playing surface mowing at Merton, as the Merton Cricket Club has now reformed after a 4 year recess (based on advice received from the Merton Recreation Reserves Committee on 3 October 2021).

The Bonnie Doon Recreation Reserve has been removed from the policy, as Council resolved on 21 September 2021 to take on the Committee of Management responsibility for this reserve following a request from the current committee, and this is currently in the process of being transferred.

Maintenance Responsibilities and Contributions

The policy has been updated to identify the party responsible for maintenance (ie Council or community group) for each of the reserves, as shown in *Table 1: Reserve Maintenance Category and Responsibility* of the policy.

Council's resource contribution and the frequency of the maintenance activities will be determined in conjunction with the respective community group on a case by case basis, as outlined in individual Memorandum of Understanding (MOU) with the groups. Council's financial contributions will also be outlined in the MOU between Council and the community group, and will be included in Council's annual operating budget.

Recommendation
THAT COUNCIL endorse the updated Township Reserves Maintenance Policy (Non Council Land).
Support Attachments
DRAFT Township Reserves Maintenance Policy (Non Council Land)

Considerations and Implications of Recommendation

Sustainability Implications

Open space and recreational facilities play an essential role in the health and wellbeing of our community. The management and ownership of the facilities covered by this policy varies, and Council recognises that there is a high level of community involvement in the management of these recreation reserves.

In order to ensure that community needs are met and the facilities are managed sustainably in the best interests of the community, Council support towards the maintenance and up-keep of the reserves is committed through this policy. This ensures that resource and financial contributions towards the maintenance and up-keep of facilities are provided in an equitable and sustainable manner, in partnership with the respective community groups.

13.2.4 Township Reserves Maintenance Policy (Non Council Land) Continued

Community Engagement

Council obtained feedback from the community groups involved in maintenance of the reserves covered by this policy during the Councillor Bus Tour of outlying communities in March 2021. This feedback has been incorporated into the revised policy.

Collaboration

Not applicable.

Financial Impact

The reserves vary depending on reserve size, level and type of use, and the volunteer community group contributions. The creation of an individual Memorandum of Understanding (MOU) for each reserve allows for the case by case assessment and documentation of Council financial contributions and Council maintenance works, in addition to community group/Committee of Management financial contributions and maintenance responsibilities.

The updated Policy will not impact on Council's current resourcing or operational budget, as it maintains the existing budget allocations and the maintenance contributions already resourced by Council's Field Services team.

An annual CPI adjustment will be included in the MOUs, and the individual financial contributions to the community groups will be documented in their respective MOU's, and reviewed as part of the annual acquittal process. The notional allocations for the reserves (FY2021/22) are summarised below:

Table 2: Reserve Maintenance Budget Allocation

Reserve Category	Reserve Name	Budget Allocation
Category 1	Merton Recreation Reserve	\$2,000
Category 2	Gough's Bay Foreshore	\$2,000
Category 3	Jamieson Island Reserve	\$6,600
	Jamieson Recreation Reserve	\$2,000
	Tolmie Recreation Reserve	\$2,000

Legal and Risk Implications

Not applicable.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

13.2.4 Township Reserves Maintenance Policy (Non Council Land) Continued

Alignment to Council Plan

Strategic Objective 3.2: We support our communities in meeting their own needs.

Strategic Objective 3.5: Council supports the community in its efforts to lobby for the infrastructure it needs to be connected and progressive.

Strategic Objective 4.3: Our community proactively manages its health and wellbeing.

Governance - Disclosure of Conflicts of Interest

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

13.3. Community and Corporate Services Directorate

13.3.1. Outlying Community Infrastructure Fund

File Number	E4210	Responsible Officer	Community Development Coordinator Clare Berghofer
Purpose			
To obtain Council endorsement of changes to Council's Outlying Communities Infrastructure Fund guidelines.			
Executive Summary			

Council's 2020-21 budget included an allocation of \$100,000 for Council's Outlying Communities Infrastructure Fund to support community-led infrastructure projects. Following a rigorous assessment process, in 2020/21 only \$50,000 was allocated to three projects, namely:

- Refurbishment of Tolmie Reserve Shower Block and Disabled Facility,
- Development of tiered seating at the Bonnie Doon Recreational Reserve oval, and
- Community Play Park for Merton

Council has carried forward the remaining \$50,000 funds into the 2021-22 Budget and will now run this grants program again.

The Community Development Coordinator has reviewed the 2020-21 grant program guidelines and feedback and recommended three changes to the guidelines.

Once the updated guidelines have been approved, the grants program will go live opening on 20 October 2021 closing 23 December 2021.

After an assessment process and Council endorsement, successful projects are expected to be announced in late February 2022.

Key Issues

Based on a review of the guidelines and community feedback, the following changes are recommended:

- groups or organisations that were successful in the 2020/21 are not eligible grant for a grant in 2021/22,
- The projects must be 'shovel ready' with a completion date 12 months after the agreement signing date (COVID restrictions permitting), and

13.3.1 Outlying Community Infrastructure Fund Continued

- 100% of the grant will be paid to successful applicants after the funding agreement has been signed by both parties and an invoice has been received by Council.

Further, communications associated with Council’s Outlying Communities Infrastructure Fund will emphasise that:

- Council encourages multiple applications from each community;
- groups or organisations in a community in which another group or organisation was awarded a grant in 2020/21, are eligible for a grant in 2021/22; and
- Council will support the community with the grant application process.

Recommendation
It is recommended that the proposed changes to the guidelines for the 2021-22 Outlying Community Infrastructure Fund program be endorsed by Council.
Support Attachments
Draft Updated Outlying Communities Infrastructure Fund guidelines.

Considerations and Implications of Recommendation

Sustainability Implications

Prior to the projects being started, successful applicants will be required to enter into a funding agreement that states all legal requirements, permits and permissions necessary to undertake the project are the responsibility of the community organisation.

Community Engagement

This fund is an initiative of Council based on engagement with the community.

Once operational, the program’s community engagement will include:

- support to community groups in the application process, and
- information distribution through the media release, social channels and direct conversations with the community.

Collaboration

Not applicable

13.3.1 Outlying Community Infrastructure Fund Continued

Financial Impact

Provision for funding the proposed grants program is included in Council's 2021/2022 Budget.

This program will require staff time to complete but will be achieved within current resources.

Legal and Risk Implications

The delivery of this program is considered within Council's normal operational risk parameters. Successful applicants will be required to enter into a funding agreement that states:

- Council shall not be responsible for any liabilities incurred or entered into by the community organisation as a result of, or in connection with, any activities undertaken as a result of the funding being received.
- The community organisation agrees to indemnify Mansfield Shire Council and its staff, from and against any claim, demand, liability, suit, cost, expense or action arising out of or in any way connected with the project or the activities of the community organisation.

Regional, State and National Plans and Policies

Not applicable

Innovation and Continuous Improvement

Not applicable

Alignment to Council Plan

Strategic Objective 3.2: We support our communities in meeting their own needs.

Strategic Objective 3.3: Mansfield Shire is a welcoming, supportive and inclusive place to be

Strategic Objective 3.5: Council supports the community in its efforts to lobby for the infrastructure it needs to be connected and progressive

Strategic Objective 4.3: Our community proactively manages its health and wellbeing

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.2. Mansfield Community Vision 2040

File Number	E8222	Responsible Officer	General Manager Community and Corporate Services – Kurt Heidecker
Purpose			
The purpose of this report is to present for Council endorsement the final Mansfield Community Vision 2040.			
Executive Summary			

- The new Local Government Act requires Council to develop and adopt a Community Vision by 31 October 2021.
- Development of the Community Vision 2040 (the “Vision”) commenced in April 2021.
- The development process included community engagement through Council’s online “Engage Mansfield” portal, community workshops, community group representative workshop, bespoke workshops, conversation handbooks, emails to groups and individuals, a workshop with Council’s senior leadership team and the use of a deliberative panel comprising community members.
- A final round of community feedback commenced after the September Council meeting and concluded 8 October, 2021.
- The resulting final Vision has considered all comments received through the entire engagement process.

Key Issues

- The draft Vision has been developed in accordance with the provisions of the Local Government Act 2020.
- The vision has been developed by the community for the community and will be used to help guide Council planning and provide shared aspirational goals across the Shire.
- As a community owned document, Council, the community and key partners each have a role in realising the vision.
- The Vision development process reached 3,000 people with 25,000 words provided by community members, 45 community groups invited to participate and 120 community members responded to a written survey.
- All of the responses received during the development stage of the Vision were considered by a deliberative panel.

13.3.2 Mansfield Community Vision 2040 Continued

- The use of a deliberative panel is new for Mansfield Shire Council, as it is for many local governments across Victoria. Deliberative panels are intended to be as representative of the community as possible of all the Shire's major demographics. These panels are used as a mechanism for community to deeply understand a particular topic or issue, and to reach consensus on the advice it wants to provide to decision makers on that topic.
- Just as deliberative panels are new to local governments, they are also new to many communities. The development of the Vision was a good opportunity for Council to explore how a deliberative panel could work in Mansfield, to learn from the experience and to consider improvements to the process.
- During consultation on the draft vision, 18 comments were received. Of these, two were received during the initial consultation. One specifically supported the process and the Vision, and one made specific comments about the Vision's Environment and Place domain that was incorporated into the final draft considered by Council in September 2021.
- Following the release by Council of the amended draft Vision in September 2021, 16 further comments were received. One was received from the Victorian Farmers Federation and 15 comments referred to the need for an indoor aquatic facility. All comments received are documented in Attachment 1.
- The final Mansfield Shire Community Vision 2040 has five domains:
 - **Community and People**
 - **Health and Wellbeing**
 - **Environment and Place**
 - **Infrastructure and Services, and**
 - **Prosperity and Economy**
- The five domains are supported by a description of their desired state in 2040. Each of them are intrinsically linked and do not exist in isolation of each other
- Due to the long timeframe of the Vision and the rich details of the destination elements of the five domains, it is not proposed to develop an overarching vision statement as part of this current process. This is because this vision statement may go out of date during the long timeframe of the Community Vision 2040 and/or would not be able to reflect the fullness of the community's comprehensive vision as described in the five domains.
- Full detail of the process undertaken for the development of the draft Community Vision 2040 is included in Attachment 2 "Mansfield Shire Community Vision 2040 Report". The report includes all comments received throughout the process and a description of the process to form the Community Vision 2040.

13.3.2 Mansfield Community Vision 2040 Continued

- A flowchart of the process used to distil the community's wide array of comments to form the five domains is at Attachment 3.
- Comments received during the final consultation period have been included in Attachment 4.

Recommendation
THAT COUNCIL endorses the final Mansfield Shire Community Vision 2040.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield Shire Community Vision 2040 Statement 2. Mansfield Shire Community Vision 2040 Report 3. Process used to develop the Community Vision 2040. 4. Community Vision Community Response

Considerations and Implications of Recommendation

Sustainability Implications

There are no sustainability implications arising from the recommendation to Council.

Community Engagement

There has been significant community engagement during the development of the Community Vision 2040. All comments provided by community have been documented and included in Attachment 1.

The deliberative engagement process used to form the Community Vision 2040 builds clear linkages between these community comments and its five domains.

Collaboration

Not applicable.

Financial Impact

Not applicable

Legal and Risk Implications

The development of the draft Community Vision 2040 fulfils the requirements of the Local Government Act 2020.

Regional, State and National Plans and Policies

Not applicable

13.3.2 Mansfield Community Vision 2040 Continued

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

The draft 2021-2025 draft Council Plan is a four year strategic document that outlines how Council plans and delivers services to the community. It has been informed by the Community Vision 2040 and was developed concurrently with it.

The Community Vision domains are aligned with those in the draft Council Plan which are:

- ▶ Connected and Healthy Community
- ▶ Vibrant Liveability
- ▶ A Trusted, Effective and efficient Council

Governance - 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*.

13.3 Community and Corporate Services Directorate - Continued

13.3.3. Mansfield Emergency Services Precinct Funding and In Kind Budget Application - Final

File Number	E9441	Responsible Officer	Kurt Heidecker – General Manager Community & Corporate Services
Purpose			
The purpose of this paper is to seek Council endorsement of a submitted Black Summer Bushfire Recovery grant application to fund a feasibility study and production of tender ready design drawings for a Mansfield Emergency Services Precinct (MESP).			
Executive Summary			

Mansfield Emergency Services Precinct (MESP) project aims to deliver on the long standing community vision of an integrated emergency services precinct that will ensure sustainable emergency services in Mansfield. This project will progress this vision from its underway, partly community-funded scoping stage to an investment ready solution, providing the current Needs Analysis (Scoping Study) underway is favourable, to potentially collocate Mansfield's State Emergency Service (SES), Ambulance Victoria, Country Fire Authority (CFA) & the Mansfield Community Radio Station and possibly later Victoria Police.

On 8 September 2021 Council commenced a scoping study for the MESP project that was jointly funded by Council (external bushfire recovery funds) and the Mansfield Emergency Precinct Committee (MEPC). This scoping study report is due to be presented to Council in December 2021.

To ensure completeness, the scoping study will investigate two parcels of Council owned land for this project; the former saleyards site and Council's Lakins Road land.

To meet the funding deadline, on 6 October 2021 the Mansfield Shire Council Chief Executive Officer (CEO) submitted a Black Summer Bushfire Recovery grant application to fund a feasibility study and the production of tender ready, design drawings for the MESP, see attachment 1. This is essentially stage 2 and follows the scoping study. The application was for a total of \$795,600 and includes a \$30,000 in-kind Council contribution that recognises the project's need of Council staff to post, assess & award tenders, participate in the project's governance structures such as its Project Control Group and to manage escalated project issues.

13.3.3 Mansfield Emergency Services Precinct Funding and In Kind Budget Application – Final, Continued

The project's planned implementation window is from February 2022 to September 2023. While Council's Administration of Grant Income 2020 Policy requires Council endorsement for capital grant applications worth more than \$200,000 that are not included in the Annual Budget, to expedite the submission of a grant application, the policy empowers Council's CEO to submit a grant application pending Council's endorsement. Council's endorsement is sought here retrospectively.

Key Issues

- ▶ There is a longstanding community vision to replace the facilities of Mansfield's emergency services agencies.
- ▶ The project is an opportunity for Council to adopt leading guidelines and co-locate Mansfield's emergency services to maximise shared use of multi-purpose facilities and encourage familiarity, efficiency and interoperability of these agencies.
- ▶ As the Black Summer Bushfire Recovery grant does not require a Council co-contribution and Council has made no such commitment, no Council funds are committed to this project.
- ▶ In the event that this project is funded, Council will make an in kind contribution of \$30,000 for the Council officer project support and management needed by the MESP project. This will be drawn from existing Council resources.

Recommendation

THAT COUNCIL endorses the submission of a Black Summer Bushfire Recovery grant application for the Mansfield Emergency Services Precinct lodged on 6 October 2021.

Support Attachments

Black Summer Bushfire Recovery Grants Program application BSBR001515 for the Mansfield Emergency Services Precinct

Considerations and Implications of Recommendation

Sustainability Implications

The 2019/20 bushfires inundated the Mansfield Shire with smoke for weeks and our local emergency services, mostly manned by volunteers, were deployed to fire grounds. Our Shire community is still reeling from the impacts of this disaster particularly on our major employers in the tourism, hospitality and retail sectors.

13.3.3 Mansfield Emergency Services Precinct Funding and In Kind Budget Application – Final, Continued

The Mansfield Emergency Services Precinct (MESP) will:

- firstly focus upon facilities for the SES, Ambulance Vic, the Mansfield Community Radio Station and CFA as these facilities are either outdated and/or in poor condition.
- **Economic.** In the short term, the MESP will provide economic benefits through the provision of accommodation for consultants on site visits. The longer term economic benefits of this project, once built, will be to create opportunities for employment and training for our community members.
- **Social.** Once built, the MESP will strengthen the social fabric of the Mansfield community by raising the profile of Mansfield's emergency services and thus encourage volunteering and community service.
- **Climate change and environmental.** The impacts of climate change on the Shire have already been felt with more frequent and extreme floods, fire seasons & other natural disasters. The MESP will assist increase opportunities for cross-training and cooperation and therefore the mutual understanding, interoperability & effectiveness of Mansfield's combined emergency services responses to these threats.

Community Engagement

This project will deliver on the long standing community vision of an integrated emergency services precinct that will ensure sustainable emergency services in Mansfield.

The MESP grant writing team have closely liaised with the Mansfield Emergency Precinct Committee (MEPC) and have:

- two MEPC members of the MESP Project Control Group,
- accepted a \$7,200 contribution from the MEPC to fund the MESP scoping study.

Collaboration

Not applicable.

Financial Impact

As the Black Summer Bushfire Recovery grant does not require a Council co-contribution and Council has made no such commitment, no Council funds are committed to this project.

In the event that this project is funded, Council will make an in-kind contribution of \$30,000 for Council officer project support and management that will be drawn from existing Council resources.

Each emergency services agency will be responsible for funding the build of their standalone collocated facilities.

13.3.3 Mansfield Emergency Services Precinct Funding and In Kind Budget Application – Final, Continued

As each emergency services agency will be responsible for the maintenance of their facilities once built, there are no operational budgetary implications for Council.

Legal and Risk Implications

The draft MESP project management plan has considered likely project risks and, after the application of mitigation measures, there are no undue risks associated with this project.

Regional, State and National Plans and Policies

Multiple Victoria Government departmental strategies emphasize the importance of the collocation of infrastructure, especially for emergency services agencies in regional areas. The MESP could provide an example of how to deliver collocated emergency services infrastructure.

Innovation and Continuous Improvement

By providing contemporary integrated facilities for our Shires' emergency services responders and recognising their professionalism and our community's pride in their many achievements, once built, the MESP will provide a template for other regional communities to replicate.

Alignment to Council Plan

The draft Council Plan 2021 – 2025 states, "Determine the need and scope for a Mansfield Emergency Services Precinct" with a Council role of partner.

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.4. Council Plan

File Number	E9390	Responsible Officer	General Manager, Community and Corporate Services Kurt Heidecker
Purpose			
This report presents the draft Council Plan 2021-2025 for Council endorsement.			
Executive Summary			

- The Local Government Act 2020 (the Act) requires that Council develops and adopts a new Council Plan (the 'Plan') by 31 October of the year following a general election.
- The draft Plan is the key strategic document to guide Council's decision-making over the next four years and articulates the role Council will play in leading, supporting and advocating for the best possible outcomes for the Mansfield Shire.
- The development of the draft Plan commenced in early 2021. Ideas and priorities were discussed and gathered through various platforms including a Councillor survey, Councillor workshops and sessions with senior staff across Council.
- One of the overarching principles of the new Act is that "the community is to be engaged in strategic planning and strategic decision making" (s 9(2)(d)) and furthermore that, "...Council must develop or review the Council Plan in accordance with its deliberative engagement practices ..." (s90(1)). Council officers met this requirement through community engagement via the Engage Mansfield site.
- Council's Public Health and Wellbeing Plan (PHWP) is included as part of the draft Plan for the first time.
- The PHWP focuses on the key factors that contribute to better health and wellbeing outcomes through the promotion of healthy living and lifestyles. Hence, one of the three themes in the draft Council Plan outlines the role Council will play in the health and wellbeing of the Mansfield Shire's community.
- A PHWP Action Plan that supports the implementation of the PHWP related components of the Council Plan and is to be presented separately to Council at today's meeting.
- The draft Council Plan 2021-2025 is presented for Council endorsement.

13.3.4 Council Plan Continued

Key Issues

- ▶ The majority of community feedback included comments that were strongly supportive of the Plan although there were some suggestions to strengthen Council support for some of the Plan's initiatives.
- ▶ Councillor feedback has been incorporated into the draft Council Plan 2021-2025, concerns raised about draft Plan's Key Performance Indicators are addressed in the body of this report.
- ▶ The design process for the Council Plan 2021-2025 – Plan-on-a- Page identifies two audiences for this publication: distribution and display to community members and a reference for Councillors and Council staff. The two versions of the draft Council Plan 2021-2025 – Plan-on-a-Page are publications that will continue to be developed and issued as appropriate, over the four year term.

Recommendation

THAT Council:

1. adopts the draft Council Plan 2021-2025;
2. endorses the publications Council Plan 2021-2025 Plan-on-a-Page, understanding that these are dynamic publications that will be developed ongoing fit for purpose (audience); and
3. authorises the Chief Executive Officer to make any editorial corrections as required to the draft Council Plan 2021-2025 and the Plan-on-a-Page publications.

Support Attachments

1. Community Comments on the Draft Council Plan 2021-2025
2. Draft Council Plan 2021-2025
3. Draft Council Plan 2021-2025 – Plan-on-a-Page Publication - Community
4. Draft Council Plan 2021-2025 – Plan-on-a-Page Publication - Staff

Considerations and Implications of Recommendation

Sustainability Implications

The draft Council Plan articulates Council's vision for the next four years as *21st Century regional liveability for a healthy and connected community*.

13.3.4 Council Plan Continued

This vision statement has three supporting themes:

Theme 1: Connected and Healthy Community

Theme 2: Vibrant Liveability

Theme 3: A Trusted, Effective and Efficient Council

Each theme has:

- Strategic Objectives – what Council will focus on to achieve its vision, and
- Initiatives – what steps Council will take to achieve the strategic objectives.

Community Engagement

The Act states that “the community is to be engaged in strategic planning and strategic decision making” (s 9(2)(d)) and, “ ...Council must develop or review the Council Plan in accordance with its deliberative engagement practices ...” (s90(1)).

To assist do this, in December 2020 Council engaged Andrew Hollo from Workwell Consulting to workshop with Councillors on an agreed vision, themes and priorities for a Council Plan 2021-2025. From the workshops themes were synthesised and an architecture and structure for the Council Plan was produced in April and May 2021.

At its meeting 17 August 2021 Council released the draft Council Plan 2021-2025 for community feedback on Council’s Engage Mansfield page. The feedback’s comments were generally very positive and supportive of the Plan, for instance:

“I commend Council and staff on the plan with its fresh language and focus on community wellbeing as well as the protection of liveability and the sustainability of the natural beauty and amenity of the district. I am very reassured to read that Council sees its role, in partnership, to protect, improve and promote the health and wellbeing of the community.”

and

“Congratulations to staff and Council for a very clear and forward-thinking document.”

Council received four pieces of community feedback on the draft Council Plan the strategic objectives and initiatives the themes of which were:

- Council’s role to “Partner” to “Determine the need and scope for a Mansfield Emergency Services Precinct” should be “strengthened to advocate for the delivery of” or “confirm the need for” the Mansfield Emergency Services Precinct (3 comments). As the draft Council Plan defines partner as “we will work with other organisations on shared goals” and the Precinct’s infrastructure will be funded by the Victoria Government, Council officers regard partner as the appropriate role for Council for this initiative;
- the Plan should include references to education and/or a “smarter Mansfield” (2 comments);
- the Plan should include a “happiness index” as a Key Performance Indicator (2 comments);

13.3.4 Council Plan Continued

- Council's support for Local Power should be stronger than foster (2 comments);
- the Plan should include references to water management, availability and recycling (1 comment); and
- the Plan should include development of a Tourism Management Plan to reduce the impact of tourism on the Shire (1 comment).

As these comments are generally consistent with the strategic objectives and initiatives of the draft Council Plan 2021-2025, this feedback did not prompt significant changes to the draft Council Plan.

The de-identified community feedback on the draft Council Plan 2021-2025 is attached to this report.

One of the more difficult challenges in the development of the Plan has been the identification of the best key performance indicators (KPIs) to support the monitoring and success of the Plan. With this new Council Plan work has been undertaken to identify KPIs that:

- can be quantified using currently available information,
- are broadly indicative of Council's performance,
- consistent with KPIs of best practice councils with available council plans.

One of the concerns raised with the previous Council Plan was the appropriateness and reliance on the annual community satisfaction survey undertaken by the Victorian Government.

A review of the council plans for the City of Melbourne, Manningham, Darebin, Bayside, Golden Plains, Maribyrnong and Murrindindi councils found that they generally:

- were often based upon community satisfaction surveys (Bayside, Manningham, Darebin, Golden Plains and Murrindindi);
- did not have numeric targets but rather used improvement or maintenance for a solid performance range in their community satisfaction surveys as the metric of success (Bayside, City of Melbourne, Golden Plains and Murrindindi);
- had three to five KPIs for most strategic objectives (Maribyrnong, Manningham and Golden Plains - contained no KPIs)

Therefore, Council officers have decided not to amend the Plan's KPIs.

The draft Council Plan is informed by the Mansfield Community Vision and has been developed in parallel with it.

A version of the draft Council Plan 2021-2025 – Plan on page has been specifically developed to assist communicate the Plan to community members.

Collaboration

The draft Council plans of several major councils were used as inspiration for the graphic design and layout of the draft Council Plan.

13.3.4 Council Plan Continued

Financial Impact

Development of the draft Plan 2021-2025 is aligned with budget processes and considers the resources required for the delivery of initiatives in the Council Plan.

The consultancy support contract for the draft Council Plan 2021-2025 cost \$40,850 GST incl.

Legal and Risk Implications

Not applicable

Regional, State and National Plans and Policies

Council must prepare and adopt a Council Plan in accordance with section 90 of the Act. The Act requires that the Council Plan covers at least the four financial years after a Council general election and be adopted by Council by 31 October of the year following their election. Therefore a Council Plan must be adopted by 31 October this year.

The Act also prescribes that Council must develop/review its Council Plan in accordance with its deliberative engagement practices. A deliberative community engagement process will be completed once the draft Council Plan is released by Council.

Innovation and Continuous Improvement

This Council Plan builds upon the previous Mansfield Shire Council Plan 2017 - 21 and is guided by best practice examples of available council plans from Victorian Councils.

Alignment to Council Plan

Not applicable

Governance - 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*.

13.3 Community and Corporate Services Directorate - Continued

13.3.5. Mansfield Municipal Public Health and Wellbeing Action Plan

File Number		Responsible Officer	Jenny Lovick Senior Coordinator Community Health and Wellbeing
Purpose			
The Mansfield Municipal Public Health and Wellbeing Action plan is presented to Council for endorsement			
Executive Summary			

Under the Local Government Act councils are required to develop Municipal Public Health and Wellbeing Plans within 12 months of each general election of the Council.

The Mansfield Municipal Public Health and Wellbeing Plan 2021 - 2025 sets broad goals and priorities over a four-year period such as health promoting strategies; planning for age-friendly physical environments and community support; accessible services and programs; and emergency management planning.

For the first time, Mansfield Shire Council is incorporating the Municipal Public Health and Wellbeing plan into its Council plan with a Municipal Public Health and Wellbeing Action Plan (MPHWAP) providing the detail in an outcomes framework. The MPHWA Action Plan is provided to Council for endorsement.

Key Issues

The Mansfield Municipal Public Health and Wellbeing Action Plan includes:

- An examination of health status data and health determinants in the Mansfield Shire;
- Identification of goals and strategies based on available evidence for creating a local community in which people can maximize their health and wellbeing;
- The involvement of people in the local community in the development, implementation and evaluation.
- Specification of how Council will work in partnership with the Department of Health and other agencies to undertake public health initiatives, projects and programs to accomplish the strategies and actions identified.

Integrated plans (Council Plan combined with the MPHWA Action Plan) have been submitted to the Prevention and Population Health Branch of the Department of Health (DoH). The DoH has determined that the integrated plans meet the requirements of the *Public Health and Wellbeing Act 2008*. An exemption for a standalone MPHWA has been granted to Mansfield Shire Council with no conditions applied.

13.3.5 Mansfield Municipal Public Health and Wellbeing Action Plan Continued

Recommendation
That the Mansfield Municipal Public Health and Wellbeing Action plan 2021 - 2015 be endorsed by Council.
Support Attachments
<ol style="list-style-type: none"> 1. Municipal Public Health and Wellbeing 2021 – 2025 Action Plan 2. Mansfield Shire Council MPHWP Exemption Sept 2021

Considerations and Implications of Recommendation

Sustainability Implications

No sustainability implications have been identified.

Community Engagement

Being part of the draft Council Plan, Council’s public health and wellbeing community engagement requirements were addressed as part of the Council Plan development using its community engagement policy (required by s. 55 of the Local Government Act 2020). This was achieved by

- Community Vision deliberative engagement
- Feedback via “Engage Mansfield” portal.
- Community consultation including focus groups
- Stakeholder consultation and feedback.

Collaboration

The Department of Health, Regional Operations East and the Department of Families, Fairness and Housing (DFFH) Ovens Murray Area has reviewed the documentation supplied. The Regional Operations team from the DFFH have supported the Council’s planning process and practices for the inclusion of public health and wellbeing matters in the Council Plan.

Financial Impact

Not applicable.

Legal and Risk Implications

Not applicable.

13.3.5 Mansfield Municipal Public Health and Wellbeing Action Plan Continued

Regional, State and National Plans and Policies

This Action Plan addresses the several key requirements of State policies, including the Victorian Public Health and Wellbeing Plan 2019-2023 that identifies the health and wellbeing priorities for Victoria, and includes priorities directly attributable to or led by Mansfield Shire such as:

- healthier eating and active living,
- tackling climate change and its impact on health,
- reducing harmful alcohol and drug use and
- preventing violence.

The Department of Health is satisfied that the Draft Mansfield Shire Council Plan incorporating Municipal Health and Wellbeing Plan 2021-2025 and the Municipal Public Health & Wellbeing Plan 2021-2025 Action Plan adequately address the matters specified in Section 26(2) of the Public Health and Wellbeing Act 2008.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

The MPHWP 2021-2015 Action Plan provides the outcome focused actions that address the health and wellbeing priorities outlined in our Council Plan. The decision to include the MPHWP in the Council Plan benefits Council by strengthening the importance and accountability of health and wellbeing planning and action across Council and the Community through strengthened relationship with key partners.

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.6. Financial Plan 2021-2031

File Number	E7382	Responsible Officer	Acting Manager Business & Performance, Anthony Smith
Purpose			
This report presents the 10 year Financial Plan 2021 – 2031 for adoption by Council.			
Executive Summary			

The *Local Government Act 2020* requires each Council to prepare a financial plan that covers a minimum period of 10 years following each Council election. The 10-year Financial Plan presented here covers the period 2021 – 31.

The Financial Plan has been prepared using Local Government Victoria Model and Best Practice Guide.

Council's Annual Budget 2021 – 22 and Financial Management Strategy, both of which were adopted by Council at its meeting held 22 June 2021, have informed the basis of the Financial Plan.

Key Issues

The Local Government Act 2020, section 91 requires Council to develop, adopt and keep in force a Financial Plan that spans at least 10 years.

This is a new requirement of the Local Government Act and Council must develop or review the Financial Plan and adopt by 31 October in the year following a general election.

Each year the 10 Year Financial Plan will be updated to reflect the current position of Council and will be reviewed as part of each future year's annual budget process.

Recommendation

THAT Council adopts the Financial Plan 2021 – 2031 at Attachment 1 to this report.

Support Attachments

Financial Plan 2021 - 2031

13.4.1 Financial Plan 2021-2031 Continued

Considerations and Implications of Recommendation

Sustainability Implications

▶ Economic

Economic impacts are continuing to be experienced as a result of the uncertainty of the COVID-19 pandemic. The Financial Plan has been prepared based on the best information available at the time.

▶ Social

Social issues have been considered as part of budget deliberations & process and underpin many of the assumptions contained in the Financial Plan.

▶ Environmental

Environmental issues have been considered as part of the budget deliberations & process, including the continued installation program of solar panels on Council buildings.

Community Engagement

The Financial Plan 2021 – 2031 was prepared based on the assumptions adopted by Council in the Financial Strategy 2021 and the Budget 2021–22. The Budget 2021–22 was subject to community engagement including a public submissions process that concluded in June 2021. Council considered the Proposed Financial Plan 2021–2031 at the Council Meeting held Tuesday 17 August 2021. Council placed the Proposed Financial Plan 2021 – 2031 on exhibition for a period of 28 days and called for public submissions. Submissions closed on Monday 13 September 2021 and Council received no submissions.

Collaboration

Not applicable.

Financial Impact

The Financial Plan is developed to provide a long-term view of the resources that are expected to be available to Council and the proposed application of those resources over the period of the Financial Plan 2021 – 2031.

The Financial Plan includes a 10-year forecast across the following key financial statements:

- Income Statement
- Balance Sheet
- Cash Flow Statement
- Statement of Changes of Equity
- Capital Works Statement
- Statement of Human Resources.

13.4.1 Financial Plan 2021-2031 Continued

The Financial Plan 2021-2031 is cognisant of a number of key financial indicators, as shown in the table below.

Policy Statement	Measure	Target	Forecast Actual										
			2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Consistent underlying surplus results	Adjusted underlying result greater than \$0	0%	0.2%	-2.6%	1.5%	2.3%	2.0%	4.5%	5.6%	6.2%	7.8%	8.9%	9.3%
Ensure Council maintains sufficient working capital to meet its debt obligations as they fall due.	Current Assets / Current Liabilities greater than 1.25	1.25	2.97	1.93	1.54	1.35	1.16	1.39	1.50	1.47	1.56	1.76	2.09
Allocate adequate funds towards renewal capital in order to replace assets and infrastructure as they reach the end of their service life. That Council applies loan funding to new capital and maintains total borrowings in line with rate income and growth of the municipality.	Asset renewal and upgrade expenses / Depreciation above 100%	100%	91%	249%	166%	143%	135%	131%	128%	137%	135%	118%	104%
	Total borrowings / Rate revenue to remain below 60%	60%	13%	29%	25%	21%	18%	14%	11%	8%	5%	3%	2%
Council maintains sufficient unrestricted cash to ensure ongoing liquidity as well as to address unforeseen cash imposts if required.	Unrestricted cash / current liabilities to be maintained above 80%	80%	207%	120%	82%	64%	44%	51%	62%	59%	65%	85%	117%
	Available funds (cash and financial assets) above \$3m	\$3m	\$16.3m	\$9.8m	\$7.2m	\$5.8m	\$4.4m	\$4.1m	\$4.8m	\$4.7m	\$5.0m	\$6.2m	\$8.2m
Council generates sufficient revenue from rates plus fees and charges to ensure a consistent funding for new and renewal capital.	Capital Outlays as a % of Own Source Revenue to remain above 30%	30%	48%	74%	36%	29%	29%	26%	22%	27%	27%	25%	22%

13.4.1 Financial Plan 2021-2031 Continued

Legal and Risk Implications

The Financial Plan has been prepared in accordance with the Local Government Act 2020, Local Government (Planning and Reporting) Regulations 2020 and relevant Australian Accounting Standards.

Mansfield Shire Council's financial outlook is sensitive to a number of key assumptions including rate income, supplementary valuations, salaries & wages and materials & services. Further to this, the following matters and events may influence the Financial Plan projections over the medium to long term:

- Aged Care Service Review
- New Enterprise Agreement
- Four bin system for domestic waste and recycling collection and disposal
- Climate Action Plan
- Key strategic priorities funding opportunities:
 - The Lake Eildon Master Plan
 - The Station Precinct Master Plan
 - Lords Pavilion
 - Service reviews and strategies implementation
 - Government policy and legislation changes
 - COVID Pandemic impacts
 - Defined Benefits Superannuation Scheme compulsory contributions
 - Environmental remediation for closed landfills.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

The Council Plan has informed the development and refinement of the Financial Plan 2021 – 2031. The Council Plan 2021 – 2025, together with the Financial Plan 2021 – 2031 will be presented to Council for adoption at the Council Meeting to be held on 19 October 2021.

Governance - 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*.

14. Assemblies of Councillors

File Number	E7383	Responsible Officer	Kaylene Conrick Chief Executive Officer
Purpose			
An assembly of Councillors is referred to in Council's Governance Rules as a " <i>meeting conducted under the auspices of Council</i> " whether such a meeting is known as a 'Councillor Briefing' or by some other name.			
Recommendation			
THAT Council receive and note the Assembly of Councillors report for the period 11 August to 15 September 2021.			
Support Attachments			
Nil			

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
5 October 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> <ul style="list-style-type: none"> • Ironbark Sustainability consultant representatives, Paul Brown and Rachel Armstead • Jason Rostant consultant • Glen Capuano consultant <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate Services, Kurt Heidecker • Senior Coordinator Community and Economic Development, Saskia Van Bever • Coordinator Community Development, Clare Berghofer • Environment Officer, Damien Gerrans • Waste Management Officer, Shaun Langlands • Manager Planning and Environment, Melissa Crane • Senior Coordinator Community Health and Wellbeing, Jenny Lovick 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Youth Services Review • Outlying Communities Infrastructure Fund • Draft Municipal Health and Wellbeing Action Plan • Waste Reform – 4 Bin Kerbside Transition Community Engagement • Community and Economic Profiling Application • Climate Action Plan

14. Assemblies of Councillors Continued

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
12 October 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 Rohan Webb <p>Apologies:</p> <ul style="list-style-type: none"> • Cr James Tehan <p>External Attendees:</p> <ul style="list-style-type: none"> • Councillors and Officers, Strathbogie and Murrindindi Shire Council <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate Services, Kurt Heidecker • Senior Coordinator Community and Economic Development, Saskia Van Bever 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Great Victoria Rail Trail Art Installations

15. Council Resolutions Register

This report presents to Council a schedule of outstanding actions from Council meetings held from 28 September 2021 to 20 August 2019.

Attachment

1. Council Resolutions Register

Recommendation

THAT Council receive and note the Council Resolutions Register as at 28 September 2021

16. Advisory and Special Committee reports

Nil Reports

17. Authorisation of sealing of documents

No documents to seal.

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:** Award of Tender – Road Resheeting Program

20. Reopen meeting to members of the public

Recommendation

THAT Council reopen the meeting to members of the public.

21. Close of meeting