



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

TUESDAY, 22 June 2021

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

Commencing at 5.00pm

Our aspiration for our Shire and its community

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

Councillors:

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

Officers:

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

Kaylene Corrick
Kirsten Alexander
Mandy Kynnerlsey



MANSFIELD SHIRE COUNCIL

Order of Business

1. OPENING OF THE MEETING

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

2. PRESENT

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

3. APOLOGIES

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

4. STATEMENT OF COMMITMENT

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

5. ACKNOWLEDGEMENT OF COUNTRY

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

6. DISCLOSURE OF CONFLICTS OF INTEREST

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

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

7. CONFIRMATION OF MINUTES

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

8. REPRESENTATIONS

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

9. NOTICES OF MOTION

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

10. MAYOR'S REPORT

The Mayor provides a report on his activities.

11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

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

12. PUBLIC QUESTION TIME

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



13. OFFICER REPORTS

13.1 The Chief Executive Officer will provide a status update to the Council for each Department.

13.2-13.7 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

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

15. COUNCIL RESOLUTIONS REPORT

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

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

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

17. AUTHORISATION OF SEALING OF DOCUMENTS

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

18. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

19. PRESENTATION OF CONFIDENTIAL REPORTS

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

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

21. CLOSE OF MEETING

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



MANSFIELD SHIRE

COUNCIL MEETING

TUESDAY, 22 June 2021

AGENDA

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

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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:

1. **THAT the Minutes of the Mansfield Shire Council meeting held on 18 May 2021 be confirmed as an accurate record**
2. **That the Minutes of the Special Committee of Council meeting held on 25 May 2021 be confirmed as an accurate record**

8. REPRESENTATIONS

8.1 **Presentation of Taungurung sovereign flag from Taungurung Land and Waters Council**

Taungurung Land and Waters Council Chief Executive Officer, Matthew Burns, gifted Mansfield Shire Council the Taungurung sovereign flag as a valued partner and in appreciation of Council's commitment to the recognition of and respect for the Taungurung people.

The Taungurung sovereign flag is a symbol of the resilience, progress and future ambitions of the Taungurung people.

9. NOTICES OF MOTION

Nil



10. MAYOR'S REPORT

Mayor Mark Holcombe will present the monthly Mayor's report from 18 May 2021 to 16 June 2021 to the Council as follows:

Unfortunately the late May early June period was marred by Victoria's statewide lockdown. Again this had significant effects on Mansfield in general but specifically those involved in the hospitality and tourist sectors. It is tough enough trying to get staff in these sectors (as well as many others), however, this is further exacerbated when a lockdown results in a decline in customers.

The fact that Melburnians were not allowed to visit Regional Victoria on the Queens Birthday long weekend, traditionally one of Mansfield's busiest weekends, was a further blow to both our Shire and to the opening of Mt Buller's Ski season.

Prior to the lockdown our CEO, Kaylene Conrick, and I attended the State Council Meeting of the Municipal Association of Victoria (MAV) in Melbourne along with Mayors and CEO's of most other Victorian Councils. The objective was to adopt the MAV strategy and provide direction as to MAV priorities for advocacy to the State Government. On a personal level it was a good opportunity to meet Mayors from our neighbouring Shires.

During June the Budget process continued with Councillors reviewing the written submissions received from both residents and Community groups. Four residents also made presentations of their submissions at a Special Committee of Council.

In terms of Media, interviews were conducted with WIN News regarding the ambulance situation in Mansfield and with The Australian newspaper regarding the effect of lockdown on Mansfield over the long weekend. The Weekly Times were also provided with commentary regarding Councillors' allowances and CEO remuneration.

During June we also received notice of unbudgeted grant funding of \$1.18 million from the Commonwealth funded Local Roads and Community Infrastructure Program for projects completed by June 30, 2023.

Ghadhaba also received funding of \$74.2K, for the Ghadhaba Gathering Place Project at the Station Precinct. This funding came from the Covid-19 Aboriginal Community Response and Recovery Fund.

The most pleasing information received recently was the performance of the Shires road crew who achieved an 11% increase in the amount of grading completed on Council's road network between January and May 2021, compared to the same period last year. An impressive 192 km were graded.

Cr Mark Holcombe
Mayor

Recommendation:

THAT Council receive the Mayor's report for the period 18 May 2021 to 16 June 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)	<ul style="list-style-type: none"> Cr Rohan Webb
Hume Regional Local Government Network (HRLGN)	<ul style="list-style-type: none"> Mayor Mark Holcombe
Lake Eildon Land & On-Water Management Plan Implementation Committee	<ul style="list-style-type: none"> 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)	<ul style="list-style-type: none"> Cr Steve Rabie
Rural Councils Victoria (RCV)	<ul style="list-style-type: none"> 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
- New Initiatives
- Building Services
- Regulatory Services
- Revenue Services
- Governance
- Community Health and Wellbeing

Attachment

- 1 CEO's report

Recommendation:

THAT Council receive and note the Chief Executive Officer's report for the period 20 April to 15 June 2021.

13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption

File Number: E7240

Responsible Officer: Melissa Crane, Manager Planning and Environment

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 is to provide council with the final *Mansfield Commercial and Industrial Land Use Strategy, June 2021* (the Strategy), for consideration of the submissions, and adoption of the final document. The report also recommends that council officers begin preparation of an amendment to incorporate the findings of the Strategy into the Mansfield Planning Scheme.

Background

Council has undertaken a commercial and industrial strategy review to ensure Mansfield Shire can expand its industrial and commercial land uses sustainably into the future. At the Council meeting on 15 September 2020, the draft *Mansfield Commercial and Industrial Land Use Strategy* was endorsed for public exhibition and feedback, beginning in October 2020. At that time it was noted that Mansfield Shire had experienced a severe shortfall of vacant and serviced industrial zoned land and analysis showed current occupancy rates remained full.

With regard to population growth expected during the next 20 years for the Mansfield Shire, the delivery of serviced industrial land is critical. It prevents additional industrial activities being taken up in rural locations out of sheds and similar scenarios. The strategy was based on a series of objectives that looked to provide sustainable amounts of commercial and industrial land to support Mansfield Shire into the future, building on the Mansfield Township Structure Plan 2015. The objectives of the strategy were to:

- Strengthen and grow the capacity of the Shire to service the commercial, retail and industrial needs of its growing population by providing clear land use directions for current and future commercial and industrial uses.
- Create investment certainty by detailing enduring land use directions for commercial and industrial land.
- Support the growth of service-based industries within the Shire by encouraging the development of appropriate office and service facilities.
- Support the diversification and growth of the Shire's industries and trades by supporting the development of a new and contemporary industrial/commercial precinct.
- Support the rejuvenation and strengthening of the Shire's key commercial areas including the Mansfield Town Centre and the Mount Buller Road large format and trades precinct by providing clear land use directions and planning certainty.

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

- Support the capacity of the Shire to attract new industries via the establishment of a new and accessible commercial and industrial precinct.
- Reduce the potential for land use conflict by minimising the incidence of incompatible land uses and by ensuring buffering between growing residential uses and established industrial areas.

After the first round of consultation, the consideration of the submissions led to a range of changes to the draft document. There were three main changes from the originally exhibited document, as follows:

1. The Strategy originally proposed to rezone the darker coloured parcels of land in the below figure to General Residential, which are properties with non-main road frontages in the centre of Mansfield:

Figure 21: Proposed Commercial Footprint Mansfield Town Centre



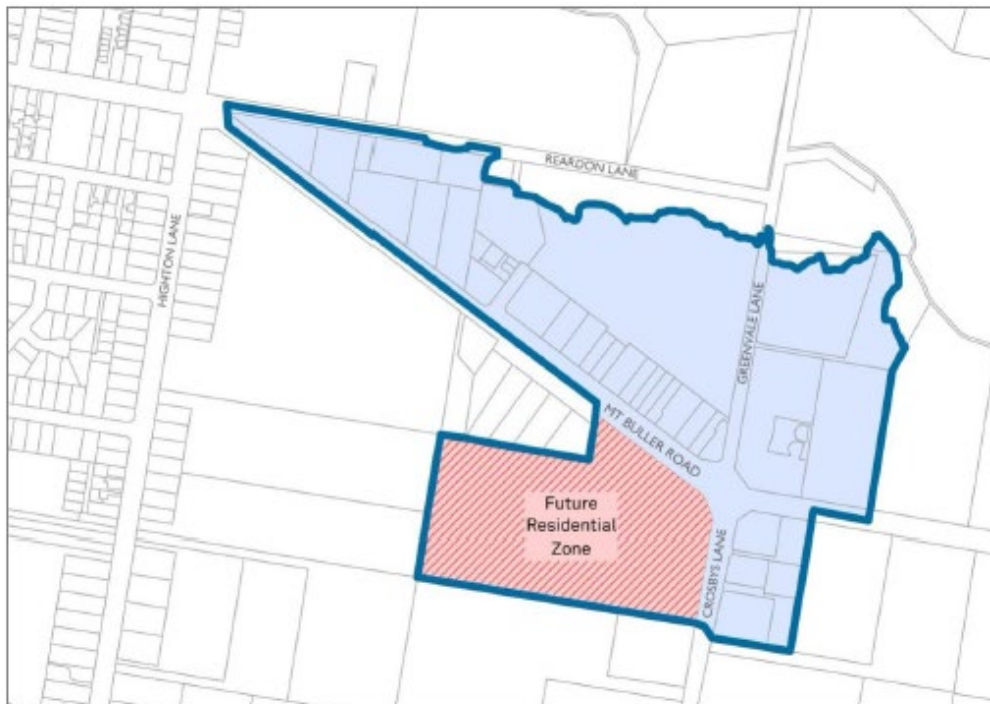
The amended Strategy then proposed to leave the zoning for these properties as Commercial 1, but to provide for a policy base that would direct the use of these properties to be single enterprise office, recreation and health development, with retail discouraged in the areas marked in in the darker colours, below:

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

Figure 11: Proposed Commercial Footprint Mansfield Town Centre



2. The Strategy originally proposed the rezoning of existing industrial land around Mt Buller Road to General Residential, as follows:



The amended Strategy then proposed to leave the land as Industrial, provide for rezoning to Commercial 2 to the east of that land, and provide for a buffer of the existing industrial uses to be accommodated on the undeveloped residential land to the east, as follows:

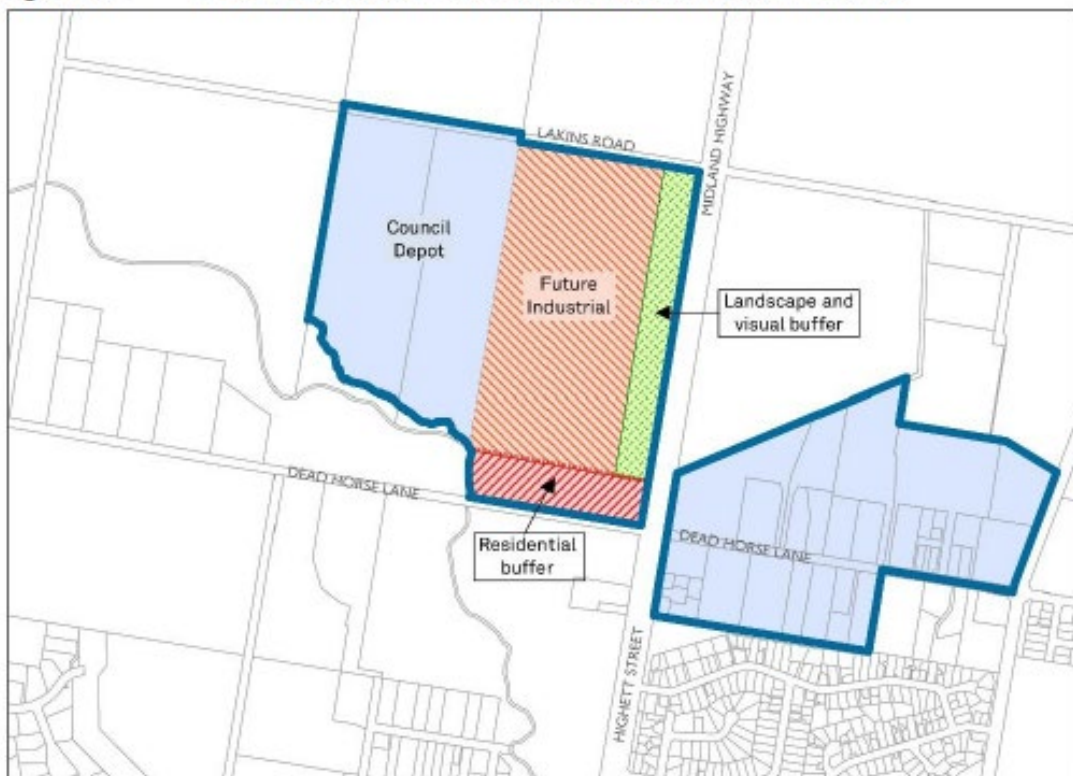
13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

Figure 16: Buffering Requirement Crosbys Lane Industrial Land



3. The Strategy originally proposed to rezone one parcel of land to Industrial 1, with provisions for landscaping and residential buffers on the eastern and southern edges, as follows:

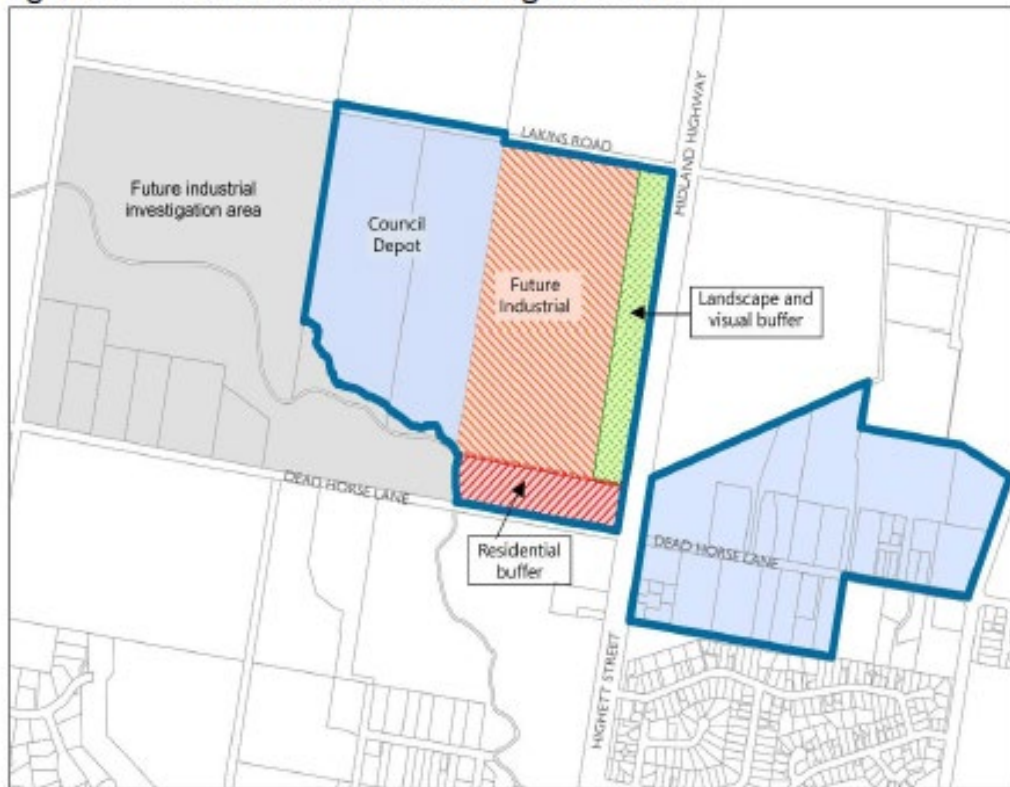
Figure 32: Preferred Future Industrial and Commercial Precinct



13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

The amended Strategy then proposed to include a future investigation area to the west of the existing Industrial land, as follows:

Figure 23: Future industrial investigation area



Upon assessment of the changes to the exhibited document, it was decided to exhibit the amended plans to all original submitters and the general public for comments on the current draft. The submissions are discussed in detail in the Consultation section, below.

Policy and Legislative Implications

In order to effect the recommendations of the Strategy into the Mansfield Planning Scheme, it will need to undergo a Planning Scheme Amendment.

Mansfield Planning Scheme Amendment Process

Should Council resolve to seek to proceed with Authorisation, Council staff will prepare the required documentation in order to formally request Authorisation from the Minister of Planning in accordance with Section 8A of the *Planning and Environment Act 1987*.

Following receipt of the Application for Authorisation, the Minister of Planning is required to notify Council within 10 business days of the decision. This decision must be in the form of:

- Authorisation for the preparation of the amendment.
- Authorise the preparation of the amendment subject to conditions, including conditions relating to notice.
- Require further information.
- Refuse authorisation for preparation of an amendment.

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

If no response is received within ten (10) days, Council may proceed to prepare the amendment without the Minister's authorisation.

Following Authorisation (should it be provided), a formal period of exhibition of the proposed Planning Scheme Amendment must be initiated by Council within forty (40) business days. DELWP have indicated that a conditional Authorisation will be provided (without prejudice) requesting that exhibition occur for a period at least six (6) weeks.

On completion of formal exhibition, a panel may need to be convened to consider the proposed planning scheme amendment and any submissions received.

Statutory Requirements

Section 8A (2) of the *Planning and Environment Act 1987* (the Act) requires that a municipal council must not prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in its municipal district unless it has applied to the Minister under Section 8A of the Act, and the Minister has authorised it to do so. This application must be prepared in accordance with the requirements of Section 8A (3) of the Act.

Council Plan

This strategy has been prepared in accordance with Strategic Objective 4.4 of the Council Plan, being to "Progressively undertaken the further strategic work outlined in the Local Planning Policy Framework of the Mansfield Planning Scheme".

Financial

Funding for the preparation of the Strategy was received in the form of a grant through the VPA's Streamlining for Growth program of \$80,000.

Provision for funding the Planning Scheme Amendment process to implement the Strategy is included in Council's 2021/2022 Budget. This matter will require staff time to complete and is possible to achieve with the allocated resources.

Social

The Strategy will strengthen and grow the capacity of the Shire to service the needs of its growing population by providing clear land use directions for current and future commercial and industrial uses. There are no broader social implications arising from the Strategy beyond those raised by objectors and discussed in the consultation section of this report.

Environmental

The Strategy has been considered against the relevant provisions of the *Planning and Environment Act 1987* and will have no negative impacts on the environment.

Economic

Once the Strategy has been implemented into the Mansfield Planning Scheme, the land identified for rezoning will be able to be developed and used for industrial and commercial uses.

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report or the recommendation.

Community Engagement

The first exhibition, held between 26 October and 8 December 2020, received forty two (42) submissions in total. Twenty three (23) submissions were received in favour of the strategy and eighteen (18) were received against. One (1) was neutral in its commentary. Those with general themes in favour generally supported the notion of protecting amenity on residential land and keeping it well defined and separated from commercial and industrial land.

The following general themes were received in opposition to the first draft of the strategy:

- Changing established office hubs will be problematic.
- Ease of access to professional services will change.
- Owners purchased sites based on commercial zone.
- Will be more demand for offices and professional services overall.
- Shortage of industrial and commercial land currently, don't diminish it further.
- Strategy does not seem to support current or future business growth.
- Residential and industrial land can interface effectively.
- Pushes businesses outside of established locations.
- No clear timing on delivery of new industrial precinct.
- Manufacturing enterprises not easy to attract and retain in Mansfield – don't change status quo.
- Use of some farming lots to industrial is already occurring and they are too small to be farming lots solely.
- No reference to extent of land proposed to be identified as industrial.
- Commercial land is reduced overall putting it at odds with the strategy and forecast demands.
- Only justification for rezoning should be reducing amenity impact between commercial and residential use but occupants of dwellings in commercial areas already experience this.
- Council has an obligation to supply adequate supply of investment ready commercial land.
- Strategy leaves little potential for 'big box' retail.
- Rezoning would in some circumstances move residential uses closer to commercial sector.
- Change could re-route delivery vehicles and access patterns.
- Do not need to rezone to commercial where planning permits can allow a residential use.
- Placement of future car parking is jeopardized.
- Projections for visitor economy, accommodation, retail, commercial services are high requiring more commercial land particularly where car parking is required.

In response to these submissions, amendments were made to the Strategy, as detailed above in the Background section of this report. Due to the nature of these changes, it was determined to exhibit the amended document, with exhibition going from 14 April until 15 May 2021. This was done through notification on Council's 'Have Your Say Mansfield'

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

(now 'Engage Mansfield') and notification in the local papers, as well as letters sent directly to all of the original submitters.

Exhibition of the amended document generated an additional 43 submissions, which have been summarised as follows:

- Supportive of strategy, with the Curia Street properties being rezoned to General Residential Zone – 42 submitters
- Requesting rezoning of land at 264 Dead Horse Lane to allow commercial development – 1 submitter

In order to duly consider these submissions, the following additional assessments were undertaken:

1. Curia Street properties:

An assessment of the number of properties in this area was undertaken to fully understand the implications of the current commercial zoning, with consideration for the desired residential zoning. In this assessment it was noted that there were three sections of Curia Street for consideration:

- 1 to 17A Curia Street, between Highett Street and Apollo Street – this area contains the ambulance station and residential dwellings. Due to the location opposite the municipal offices and its proximity to Highett Street, it has been recommended to remain Commercial 1, but with a preference for single enterprise commercial office, recreation and health uses.
- 19 to 33 Curia Street, between Apollo Street and Station Street – this area contains residential dwellings and one vacant allotment. It is recommended that this area be rezoned to General Residential.
- 8 Station Street and 39 Curia Street to 55 Curia Street, between Station Street and Elvins Street – this area is predominantly residential with one vacant lot and one block used in association with a commercial enterprise fronting High Street. It is recommended that the properties between 8 Station Street and 55 Curia Street be rezoned to General Residential.

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

The recommendations within the final strategy for this area are now as follows:



It is the opinion of Council officers that this is a balanced outcome that reflects how these areas are currently, and will continue to be used into the future. In order to ensure that there is still sufficient commercial land available for development in the township, consideration of what other land could be used for commercial purposes was undertaken to ensure that there is an overall increase in the available commercial land in Mansfield.

2. 264 Dead Horse Lane:

The owner of the property submitted a second time to the study, with a request for rezoning of this parcel of land from Low Density Residential to enable commercial development on the land. The area currently transitions from General Residential, to Low Density Residential then to Industrial 1 Zone.

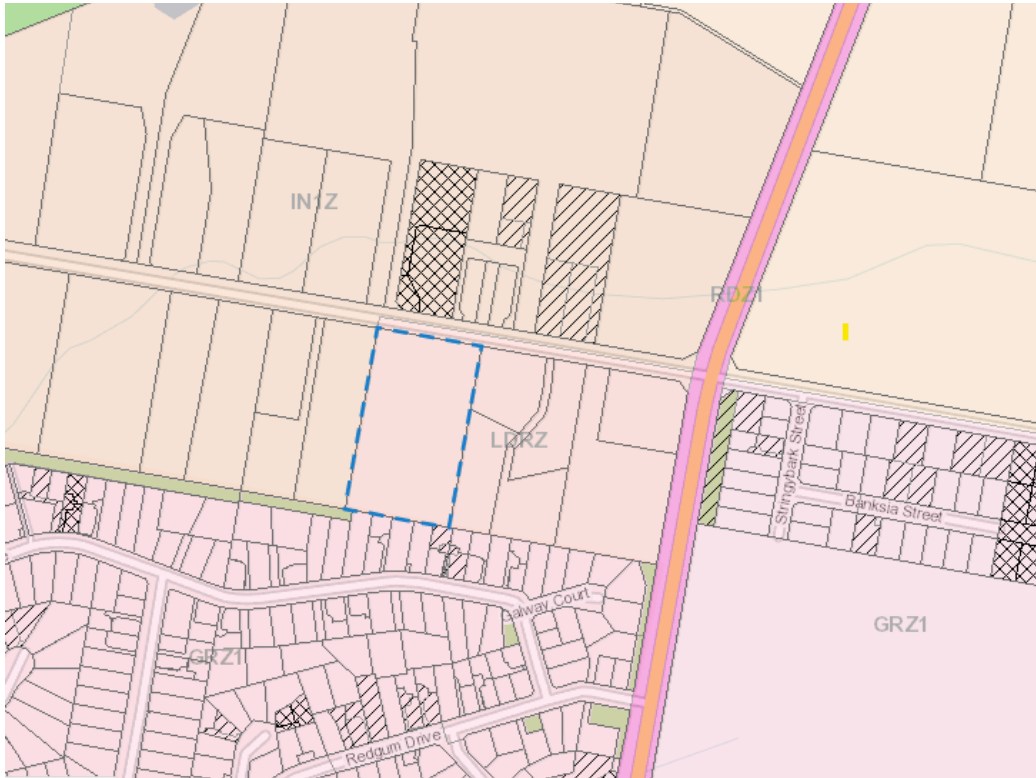
In the final study, it is recommended for this area of land to be rezoned into the Mixed Use Zone. This land currently comprises 5 hectares and supports a small number of dwellings and large shed. The land is located within the Dead Horse Lane industrial precinct and directly abuts industrial uses to the north and west, and residential uses to the rear of the sites to the south. Rezoning to enable commercial uses in this location will:

- Enable this land to support a range of commercial activities in keeping with its context, which is exclusively focused on commercial activity.
- Enable the land to benefit and support commercial activity along the future Heavy Vehicle Alternate Route.
- Provide continued planning support for existing residential uses while enabling the land to transition toward a more commercial focus.

Site specific subdivision controls that limit residential expansion are recommended for this land as part of the rezoning.

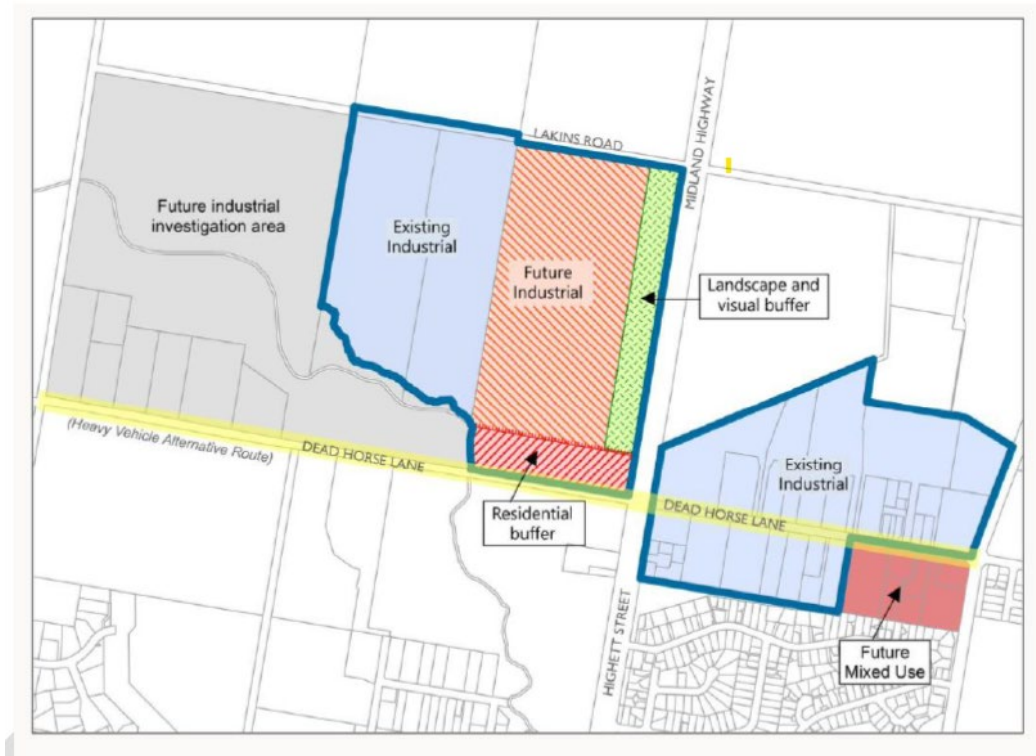
13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

The current zoning is as follows:



The proposed zoning for the broader area in the final strategy is as follows:

Figure 22: Future industrial investigation area



13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

It is considered that these two changes provide for an overall increase in land available for commercial uses, provide adequate protection for existing residential properties, and provide for a transition between commercial/industrial zones and residential properties in a more strategic way within the township of Mansfield.

Key Issues

The *Mansfield Commercial and Industrial Land Use Strategy, June 2021*, will provide for land use actions and directions to secure the long term, sustainable, commercial and industrial growth of the Shire of Mansfield. The Strategy has undergone an extensive consultation process, and the final document is considered to be a document that will help achieve the long term vision of the community for commercial and industrial areas.

The Strategy's main recommendations are set out as follows:

- The Strategy seeks to direct retail and commercial activity to main road locations along High and Highett Streets as the Shire's core and leading commercial/retail area. In turn, it also proposes more limited commercial uses along residential streets including Curia, Erril, Collopy, Nolan and Ailsa Streets, which are streets that are either partly or entirely currently zoned for commercial purposes.
- Dwellings along the western section of Curia Street that are currently zoned for commercial purposes are not supported for future commercial uses based on their residential context and distance from the township's core commercial area. These dwellings are supported for rezoning into residential uses.
- To support new industrial opportunity in response to ongoing land shortages The Strategy recommends the expansion of industrial and mixed use land along Dead Horse Lane which is land that will shortly integrate with the Heavy Vehicle Alternate Truck Route. Specifically:
 - The Strategy recommends the development of a new contemporary industrial commercial precinct at 175 Dead Horse Lane. As such, 175 Dead Horse Lane is recommended for rezoning for industrial and commercial purposes. The Strategy recommends that rezoned land is subject to design requirements specified in a development plan and developer contribution requirements.
 - The Strategy also recommends that land between 264 and 282 Dead Horse Lane is integrated into the Dead Horse Lane industrial precinct via rezoning into the Mixed Use Zone. This land should be subject to minimum subdivision requirements.
- The Strategy recommends the implementation of acoustic and visual buffer treatments at the residential interface of the Mount Buller Road and Dead Horse Lane commercial/industrial precincts.
- The Strategy continues to support large format big box retailing uses within the Mount Buller Road precinct. Equally, the Strategy affirms the role of the Mansfield Town Centre as the Shire's primary retailing and large format food retailing (supermarket) precinct.
- Within the Mount Buller Road precinct, The Strategy recommends the rezoning of land at 5 to 17 Crosbys Lane from the Mixed Use Zone to the Commercial 2 Zone to reflect its current and future use



13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption – Cont...

- The Strategy recommends the rezoning of the former Saw Mill site into a residential zone and the rezoning of land in Bonnie Doon that is not suited to commercial uses for residential purposes.
- To support the Shire's growing service needs the Strategy encourages the development of a "Services Hub" along the western section of High Street. A future facility should include private and public office space, co-working space and consulting space. The development of service space along the western section of High Street will help activate this area and further integrate the western section of High Street with the Mansfield Town Centre.

Adoption of the Strategy will provide Council officers with another tool to assist in assessing applications for commercial and industrial land uses. Further to this, with the implementation of the Strategy into the Mansfield Planning Scheme, additional commercial and industrial development will be able to be undertaken within the Shire of Mansfield.

Attachments

1. Mansfield Commercial and Industrial Land Use Strategy, June 2021.

Recommendation

THAT COUNCIL,

1. **Adopt the *Mansfield Commercial and Industrial Land Use Strategy, June 2021*, to inform the preparation of an amendment to rezone land and develop local policies in accordance with the recommendations of the Strategy.**
2. **Request council officers to commence preparation of a planning scheme amendment to implement the recommendations of the Strategy.**

**13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.****13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly**

File Number: DA6792 - P123/20
Responsible Officer: Melissa Crane, Manager Planning and Environment

Application Details	
Applicant	Ellen Hogan c/- Harris Projects Pty Ltd / Terry Harris
Proposal	Use of land for a place of assembly (wedding venue)
Application lodged	12 th March 2017
Notice and Submissions	Notice to adjoining property owners. 13 objections received.
Property Details	
Property Address	151 Coombs Lane, Merrijig
Legal Description	Lot 3 PS607242
Land Area	40 hectares
Existing Use	Dwelling and farming
Planning Provisions	
Zone	Clause 35.07 Farming Zone
Overlays	42.01- Environmental Significance Overlay- Schedule 2 Catchments at medium risk of water quality impacts Clause 42.03 Significant Landscape Overlay 1- Alpine Approach
Planning Policy Framework	Clause 13.02-1S – Use and Development in a Bushfire Prone Area Clause 13.05-1S – Noise Abatement Clause 13.07-1S – Land Use Compatibility Clause 14.01-1S – Protection of Agricultural Land Clause 14.02-1S – Catchment Planning Management Clause 17.01-1S – Diversified Economy Clause 17.01-1R – Diversified Economy- Hume Clause 17.04-1S – Facilitating Tourism Clause 17.04-1R – Tourism Hume
Local Planning Policy Framework	Clause 21.02-4 – Landscapes Clause 21.07-3 – Tourism Clause 21.10-2 – Local Areas- Merrijig Clause 22.02 – Design and siting in rural areas
Particular Provisions	Clause 52.05 Advertising Signs Clause 52.06 - Car Parking Clause 52.43 - Live Music and Entertainment Noise
General Provisions	Clause 65 Decision guidelines
Restrictive covenants / s173 Agreements	Covenant registered in instrument PS607242S dated 8 March 2017
Permit Triggers	Clause 35.07 Farming Zone- Place of Assembly is a Section 2 Use
DWMP Risk Rating (if relevant)	Medium
Site Inspection	2 June 2021

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

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 planning permit application for 151 Coombs Road, Merrijig for a place of assembly is being heard by Council as it has more than four objections. The recommendation for this application is to issue a notice of decision to grant a permit, subject to a range of conditions.

Background

The subject site is located at 151 Coombs Road, Merrijig, is 40 hectares in size, and contains an existing dwelling, associated infrastructure and a parking area. The surrounding area has farming zone allotments, with open undulating grazing land and scattered remnant vegetation. Further to the south of the subject site is Buttercup Road which is characterised by smaller farming zoned allotments that have been developed with rural residential living. The subject site has a single point of access from Coombs Lane approximately 1.6 kilometres north west from the intersection with Buttercup Road. Coombs Lane is a government road reserve formed with swale drains and a bridge crossing over Stoney Creek. The land associated with the subject site is used for broad acre cattle grazing. The owner of the land has four allotments all over 40 hectares.

The applicant advises that the existing dwelling has a full-sized kitchen with large dishwasher that can accommodate the proposed events. The proposed venue/dwelling is shown in Figure 1. It is suggested that many caterers will bring their own wash facilities. The existing dwelling is fitted with wildfire suppression/ protection measures.



Figure 1 - Site inspection photos showing the existing dwelling on site and the proposed location for events

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Proposal

No new permanent structures form part of the proposal. The applicant submission advises that once the business has been established the place of assembly will cater for events, predominantly weddings, and will comprise of:

- The existing dwelling area, which would be used to hold up to 20 weddings per annum.
- The functions would be held between the hours of 10.00am to 11.00pm, with the view that all parties leave the premises by 12.00 midnight.
- The maximum number of guests on the property at one time would be 120.
- A range of music options would be available at functions which would be restricted to inside of the dwelling.
- All noise emanating from the land will be in accordance with SEPP N-1, EPA Publication 1411 Noise in Regional Victoria and more particularly SEPP No 2 – Control of music noise from public premises.
- On-site parking to be made available. Internal directional signs would be used to direct traffic to parking areas as shown on the site layout plan.
- A mini bus service/taxi would be made available for guests to travel to the venue from accommodation in nearby areas (ie Mansfield) to minimise vehicle movements onto the site.
- Catering to be sourced from external providers.
- Portable toilets would be supplied to the venue the day prior to the wedding being held, and removed after the wedding. 5 portable toilets are to be situated to the immediate west of the dwelling on site (next to the carport).
- Two dedicated waste bins to be situated adjoining the carport; to be emptied and removed after each event.
- Caterers would serve alcohol as part of the catering package and will have a renewable limited liquor license. (A liquor licence does not form part of this permit application).
- No guest accommodation to be provided on site

The applicant has provided a proposed car park layout plan showing the provision of 69 car parking spaces to be situated around the dwelling on site. The applicant has submitted that the car parking area is existing and that no excavation or site works are proposed. No native vegetation removal is proposed.

Policy and Legislative Implications

Clause 13.05-1S – Noise Abatement

Objective: To assist the control of noise effects on sensitive land uses.

Strategy: Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Officer Comment:

The proposed uses will need to comply with *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2*, which is a policy document within this provision. The applicant has provided a detailed Acoustic Analysis Report prepared by Enfield Acoustics Pty Ltd (March 2021).

The supporting assessment indicates that 3D computational noise modelling has been carried out to predict the maximum allowable noise emissions permissible by the proposed use to comply with SEPP N-2 at the nearest sensitive receivers. The noise model includes local ground terrain contours and assumes downwind, or worst-case noise propagation in all directions. This is based on the construction of the place of assembly building having the following built form:

- Double glazed windows to the facades.
- Corrugated sheet roof with plasterboard ceiling.

The model assumes that doors will be open. Sensitive receptors were based on aerial photography imported into the noise model. It is acknowledged that the dwelling 430m to west is the property of the landowner of the Subject Land and has not been considered in the acoustic calculations.

The next nearest property, 283 Buttercup Road, is used for temporary accommodation and has been included in acoustic assessment. Dwellings are otherwise setback at a distance of 850m or more. The acoustic modelling reflects that levels consistent with elevated levels of music amplification (e.g. live entertainment or DJ's at a wedding) are expected to comply with the Base Noise Limits of SEPP N-2.

Clause 13.07-1S – Land Use Compatibility

Objective: To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

Strategies:

- Ensure that use or development of land is compatible with adjoining and nearby land uses.
- Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.
- Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.

Officer Comment:

Farming is considered an industry, however operational conditions have been included in the recommended conditions to ameliorate any potential land use conflicts that may arise from the proposed use as a place of assembly.

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Clause 14.01-1S - Protection of Agricultural Land

Objective: To protect the state's agricultural base by preserving productive farmland

Strategies: In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Officer Comment:

The proposed use will be undertaken in conjunction with existing farming activities on the site, and with no new permanent infrastructure or buildings proposed, will not remove any of the site from production. It is considered that the impacts on adjoining land can be mitigated with appropriate management measures as detailed in the recommended planning permit conditions.

Clause 14.02-1S - Catchment Planning and Management

Objective: To assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Officer Comment:

Refer to discussion under the Environmental Significance Overlay in the assessment component of this report.

Clause 17.01-1S, Diversified Economy

Objective: To strengthen and diversify the economy.

Strategies:

- Protect and strengthen existing and planned employment areas and plan for new employment areas
- Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities
- Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.
- Support rural economies to grow and diversify.

Clause 17.01-1R, Diversified Economy – Hume

Strategy: Encourage appropriate new and developing forms of industry, agriculture, tourism and alternative energy production.

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Officer comment:

The proposed use is within an existing residential dwelling. It is considered that the events within the place of assembly will allow for some diversification to the economic activity on site (farming). The use is not representative of a permanent change to the existing and primary economic activities on site.

Clause 17.04-1S - Facilitating Tourism

Objective: To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

Strategies:

- Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.
- Seek to ensure that tourism facilities have access to suitable transport.
- Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.
- Create innovative tourism experiences.
- Encourage investment that meets demand and supports growth in tourism.

Clause 17.04-1R, Tourism – Hume

Strategies: Facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations.

Officer comment:

It is considered that the ancillary use as a place of assembly will allow the property to provide for an integrated activity on the site, which can co-locate within the existing development footprint. It is considered that the proposed use will be compatible with, the existing use of the land. This proposal is supported by the state planning policies in relation to tourism and economic development.

Local Planning Policy Framework (LPPF)

Clause 21.05-1, Landscapes

Objective: To recognise and protect the environmental and landscape significance of the broader alpine approach areas.

Strategies:

- Protect significant landscape features, large old trees, visually significant ridges and view corridors of the Shire.



13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Officer comment:

The proposed use of the land for events is considered an appropriate land use planning activity on a large allotment within the Farming Zone that is situated within the Alpine Approach area of Mansfield Shire. The proposal presents a tourism activity associated with an existing residential development. The property is a site with views of Mt Buller, Mt Timbertop and the rural ambience of the Alpine Approach significant landscape area. No buildings or works are proposed, and it is considered that the application will have no impact on the landscape values in the area.

Clause 21.07-3, Tourism

Objectives:

- To attract high quality tourism development that is conducive to the environmental attributes of the area and is empathetic to the character of the Shire.
- To minimise the negative impact that tourism can have on the built and natural environment.

Officer comment:

The use of the land for 20 events per annum provides an additional tourism activity within an area identified as a driver for tourist visitation. The established dwelling on site provides a 'great room' that is well suited to the proposed use and will allow for events to take place indoors/ in all weather. A site inspection indicates that there is a minimum 500 metre separation distance from the existing building from dwellings not in the same ownership.

Clause 21.10-2 Local Areas- Merrijig

The local policy recognises that:

- Merrijig will develop as a tourist gateway to Mount Buller and Mount Stirling as well as a local commercial and community centre for the surrounding rural community.
- The topography and environmental value and ambience of the land will mean that creative urban design and strict development and density controls will need to be applied to any development in the precinct.

Officer comment:

It is considered that the subject site is not situated within the area identified in the Merrijig framework plan. The scope of the use proposed is not in contravention of the local area implementation objectives for Merrijig.

Zoning

Clause 35.07 – Farming Zone

Purpose:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.

The use of the land for a Place of Assembly is a Section 2, Permit required, use in the zone.



13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Officer Comment:

The application has been assessed against the decision guidelines of the zone as follows:

Decision Guideline	Officer Response	Complies?
General Issues		
The Municipal Planning Strategy and the Planning Policy Framework	Refer above, discussed in the PPF section	✓ Yes
Any Regional Catchment Strategy and associated plan applying to the land	There is no impact from the proposed use on the Regional Catchment Strategy	Not applicable
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	The proposed use will be supported by the provision of portable toilets and will utilise the existing development footprint on the site. This application was also considered by GMW who did not object to the proposed effluent disposal. No changes to the existing onsite effluent disposal will be required.	✓ Yes
How the use or development relates to sustainable land management	The land is currently used for agriculture which will continue with the support of this additional use. The intermittent nature of the events will allow the majority of the 40 hectare allotment to continue use for farming. The management of the land will continue as it currently is being undertaken.	✓ Yes
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	The subject site is 40 hectares in size and adjoins a number of other farming allotments of similar size held and farmed in the same ownership. It is considered that the site has the room to accommodate the limited number of guests within the boundaries of the property. The use is proposed within the confines of the development footprint on site. A condition on the recommendation in relation to parking will ensure that this continues. The objections have raised concerns with potential conflicts, which are discussed in the consultation section of this report.	✓ Yes
How the use and development makes use of existing infrastructure and services.	The use can make good use of the existing infrastructure and layout of the site. Consideration of the road access has been undertaken and it is considered that the additional uses will not impose an unreasonable burden on Council infrastructure.	✓ Yes
Agricultural issues and the impacts from non-agricultural uses		
Whether the use or development will support and enhance agricultural production	The proposed place of assembly is located within an existing dwelling. It is considered that the proposed use will not result in any further loss the site from productive agricultural uses. A site inspection shows that the area where the events are to be	✓ Yes



Decision Guideline	Officer Response	Complies?
	held is in close proximity to the site boundary and already has a footprint of dwelling related development. While it is not an agricultural use, the use will provide an additional source of income to support the whole of the land.	
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	The proposal does not permanently remove land from agricultural production.	✓ Yes
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	The objections have raised concerns with potential conflict of vehicles and traffic with stock movements on the roads for the adjoining properties as one area of concern. However, the use of the land for events is associated with the existing dwelling development and the Coombs Lane is predominantly used for the farming activities of the applicant. The twenty yearly events will result in short term increases in vehicle movements only. It is considered reasonable that the permit conditions should provide nearby property owners with the information they need to manage any potential issues when moving stock.	✓ Yes
The capacity of the site to sustain the agricultural use	The capacity of the site to sustain an agricultural use is not changing.	✓ Yes
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	The proposal is for use of the land only, with no buildings and works proposed. As such, there will be no impact on the qualities of the land.	✓ Yes
Any integrated land management plan prepared for the site.	No integrated land management plan has been requested for the site because the capacity of the site to sustain the existing agricultural activities will not change.	Not applicable
Environmental Issues		
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	The site is undulating and slopes up from the road, and the dwelling is located on one of the higher points on the property but not on a ridgeline. The site is generally clear and able to be used for agriculture.	✓ Yes
The impact of the use or development on the flora and fauna on the site and its surrounds.	No native vegetation will be impacted by the proposed use.	Not applicable
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	No native vegetation is proposed to be removed as part of this application, the uses are proposed away from the existing waterway and there are no other significant features on the site that will be impacted.	✓ Yes
The location of on-site effluent disposal areas to minimise the	The proposed use will be supported by the provision of portable toilets and will utilise	✓ Yes



Decision Guideline	Officer Response	Complies?
impact of nutrient loads on waterways and native vegetation.	the existing building on the site. No changes to the onsite effluent disposal will be required.	
Design and siting issues		
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	No buildings and works are proposed. Any temporary structures such as toilets are required to be put away when not in use as a condition on the recommendation.	✓ Yes
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	No buildings or works are proposed as part of this application.	Not applicable
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	There will be no permanent changes to the land, and conditions on the permit require that the land be kept in a neat and tidy manner.	✓ Yes
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities	No buildings or works are proposed as part of this application.	Not applicable
Whether the use and development will require traffic management measures.	A traffic management plan will be required as a condition on the recommendation for the events only, as this is likely to increase traffic for a short period do time up to twenty times a year. While this will not necessitate upgrade works to the road, it may require signage or the like to ensure people unfamiliar to the area are using the road in a safe manner.	✓ Yes

Council Plan

The author of this report considers that the report is consistent with Council policies, key strategic documents and the Council Plan.

Financial

There are no financial implications to Council as a result of this report.

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Social

There are no broader social implications from the proposed place of assembly or as a result of this application beyond those raised by objectors and discussed in the consultation section of this report.

Environmental

The application has been considered against the relevant provisions of the *Planning and Environment Act 1987* and will have no negative impacts on the environment.

Economic

The proposal is for a place of assembly that will attract visitors to the area and will provide an additional income stream on an existing farming property.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report or the recommendation.

Community Engagement

The application has been advertised to 16 adjoining property owners (31 December 2020 – 19 January 2021). Due to the timing of this notification around public holidays and the New Year a second advertising to a total of 34 adjoining property owners and occupiers was undertaken. The second advertising took place from 14 January 2021 – 1 February 2021. 13 objections were received. The objectors are located as follows:

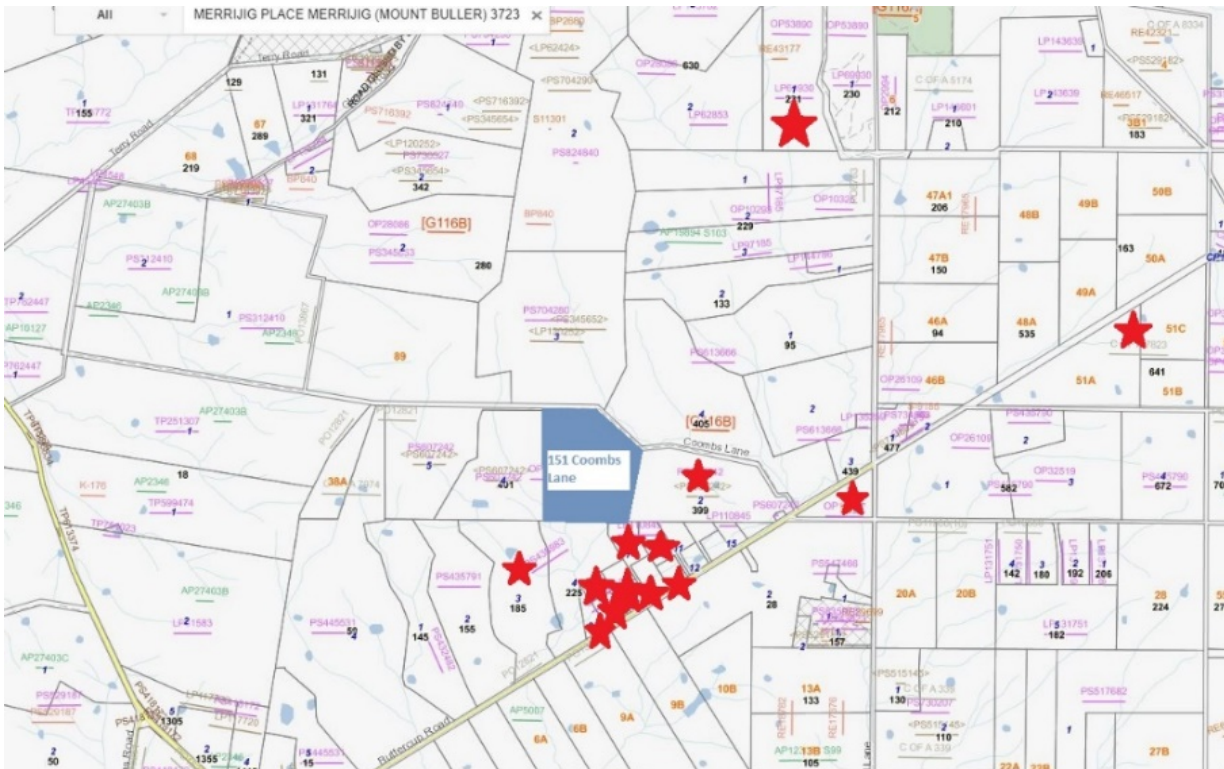


Figure 2- Location of objectors



13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

In order to address the objections, the applicant responded with further supporting information and amended plans on 15 April 2021. The further information provided in response to a request for further information was uploaded to Council's website. A letter to all objectors with a notification about the additional submission material was sent to objectors on 3 May 2021, but no objections were withdrawn as a result of the additional information.

Summary of objection grounds:


Area of Concern	Officer comment
<p>Traffic and safety concerns</p> <ul style="list-style-type: none"> • Increased traffic and associated dust • Speed and directional signs are currently inadequate • Narrow, unmade road could increase risk of accidents • Road already used by resident and tourist traffic, don't want an increase. 	<p>The agricultural and residential dwelling will continue to be used as they are currently. Further details on the road standards are after this table.</p> <p>While there will be an increase in traffic for the events and it is considered that conditions can be placed on the permit to minimise some of the traffic movement's impacts for these events.</p>
<p>Amenity</p> <ul style="list-style-type: none"> • Noise impacts from amplified music • Loss of privacy and peace • Rubbish from the site not managed properly • Trucks and support vehicles to bring hire equipment and event supplies will be disruptive • Events will diminish the character of the area 	<p>The place of assembly proposal does not include any live music, so the main consideration will be how the events will impact on surrounding properties.</p> <p>It is considered that a limited size of these events, in conjunction with the notification requirements and sound level limitations detailed in the conditions should ameliorate most of these concerns. Likewise, waste management will be required as an element to be included in a detailed event management plan.</p>
<p>Emergency Management</p> <ul style="list-style-type: none"> • Fire danger • Health and antisocial behaviour • Risk management plan has not been provided 	<p>The application has been considered by the Country Fire Authority, and is supported by an Emergency Management Plan (EMP) for the site.</p> <p>Restrictions on the permit in relation to Total Fire Ban Days and above should reduce the risk to an acceptable level, and when used in conjunction with the EMP, it is considered that this site will be able to be managed in a safe manner.</p> <p>Health requirements are generally managed through separate legislation, and the permit holder will be required to comply with these.</p>
<p>Farming</p> <ul style="list-style-type: none"> • Impact on native wildlife and existing stock in area • Use will increase feral animals • Too close to farming activities on adjoining property (impacting on livestock). • Biosecurity risks 	<p>Conditions recommended for the planning permit will enable separation of events from the times that have caused concern with the objectors. A requirement to provide notification of the events is to be given to neighbours with information to assist with any potential stock movements in a manner that will not undermine the adjoining farming practices.</p> <p>As this property is in the Farming Zone, with the purpose do the zone to be for agriculture, it is considered that the use of the land for events will not become the predominant use due to the limited number of events proposed per annum, and is not in contravention of this purpose. The limited number of events to take place within the dwelling on site are seen as an activity that is secondary to the farming enterprise.</p>
<p>Events</p> <ul style="list-style-type: none"> • Potential size of events • Site is in a natural amphitheatre 	<p>The limited patron numbers to the wedding events, in conjunction with the notification requirements, event management and emergency management plans as</p>

<ul style="list-style-type: none"> Concerned with the serving of alcohol Too many events proposed Event support requirements will bring too many people to the subject site/ area Toilet facilities suggest there will be more than 120 patrons 	<p>well as sound level limitations detailed in the conditions should ameliorate most of these concerns. Any alcohol to be served at events would require separate limited licences. All liquor licences are issued subject to conditions from the Victorian Commission for Liquor and Gambling Regulation.</p>
<p>Other:</p> <ul style="list-style-type: none"> Size of wedding events inappropriate use in Farming Zone Facilities for accommodation available on site Other events might take place How will compliance be managed? 	<p>The use for a Place of Assembly can be considered under Section 2, <i>Permit Required</i> of the zone. The use will supplement the existing agriculture on the land, and the land will be used for farming when not in use for the wedding events.</p> <p>The CFA have been involved in the consideration of the application.</p> <p>Conditions placed on the permit place requirements for the permit holder to manage the site. In particular, a Planning Permit condition allows the revocation of the event permit should non-compliance become an issue for the events.</p>

Road Standards

Particular concerns have been raised in the objections in relation to the existing condition of the roads and impacts from the additional use. They have also raised concern with how the road is currently used, and the behaviour of motorists and people moving to and from the site.

The property is accessed from Mt Buller Road, School Lane, Buttercup Road and Coombs Lane. There is no secondary access to the site. The construction standards of these roads are as follows:

Road	Formation	Comments
Mt Buller Road	Sealed	Road Zone Category 1
School Lane	Both sealed and unsealed	<p>Paved from the intersection of Mt Buller Road to 150 School Lane</p>  

Buttercup Road	Unsealed	Graded gravel road with cleared shoulder and vegetated road reserve 
Coombs Lane	Unsealed	Single lane graded gravel road - privately maintained by three property owners 

While the use of the roads is a recognised concern from the objectors, planning considerations cannot override an individual’s obligations to use a road safely. Nor can it remove their rights to use a public road to access a property. An increase to the volume of traffic can be expected when the twenty events per year are run. It is recommended that a condition of the permit be for a traffic management plan to be implemented for these events. This may include signage and speed limitations on the roads into and out of the site on these event days, and should serve to provide additional comfort to local residents that people unfamiliar with the road network are made aware of the limitations of the existing road infrastructure.

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly – Cont...

Key Issues

The application proposes the use of the land for a place of assembly, for a maximum of 20 events per annum, with a maximum amount of patrons limited to 120 people. The site is currently used for farming purposes, and the proposed use will provide an alternative source of income to support the property, while maintaining its predominant use as a farming property.

The objections raise a number of issues, such as traffic and safety concerns, amenity, fire and health issues and conflict with farming practices. Due consideration of all these objections has been made, and it is considered that these concerns can be addressed with appropriate conditions, as included in the recommendation.

Attachments

Nil.

Recommendation:

THAT COUNCIL, having caused notice of Planning Application P123/20 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to issue a Notice of Decision to grant a permit under the provisions of Clause 35.07 Farming Zone of the Mansfield Planning Scheme in respect of the land known as Lot 3 Plan of Subdivision 607242, 151 Coombs Lane, Merrijig for the use of land for a place of assembly, in accordance with the endorsed plans and subject to the following conditions:

Event Management Plan

1. Prior to the commencement of use, an Event Management Plan (EMP) must be submitted to and approved by the Responsible Authority. The EMP must include, but not necessarily be limited to, all the required information and any other required plans as set out in the '*Mansfield Shire Event Management Plan*' template and be generally in accordance with the '*Code of Practice for running safer music festivals and events*' prepared by the State Government of Victoria.

The EMP must also include:

- a. An Emergency Management Plan accompanied by letters of endorsement from each of the Country Fire Authority, Victoria Police and Ambulance Victoria.**
- b. A Traffic Management Plan (TMP) including the engineering conditions set out in this permit.**
- c. The Noise and Environmental Management Plan including the general amenity conditions of this permit, accompanied by a letter of endorsement from the Environment Protection Authority.**

When endorsed, the Event Management Plan (including the associated Plans) will form part of this permit.

2. Prior to the commencement of use, copies of the endorsed Event Management Plan (including associated Plans) must be distributed to all relevant authorities.



3. All activities must be carried out in accordance with the endorsed Event Management Plan (including associated Plans).

4. The Event Management Plan must not be altered or modified without the approval of the Responsible Authority.

Layout not altered

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

Place of Assembly

6. The use of the land for the place of assembly must not take place on days designated as code red day or higher level of declared fire danger.

7. No more than twenty (20) events are to be held on the subject land within a twelve (12) month period, unless with the prior written consent of the Responsible Authority. At least six weeks prior to each event, written notice must be provided to the Responsible Authority with the proposed date/s. Once a new date is approved by the Responsible Authority, notice will be provided to all properties within a 3-kilometre radius by the Responsible Authority.

8. Upon the first event being held, all consecutive events may only proceed upon satisfactory compliance with the conditions of the permit for the previous event to the satisfaction of the Responsible Authority.

Hours of operation

9. The use hereby permitted shall operate only between the hours of 10.00am to 11.00pm Monday to Sunday and all patrons must leave the subject land by 1am.

Regulation of delivery times

10. Deliveries to and from the site (including waste collection) shall only take place between:

- a. 8.00am and 6.00pm Monday to Saturday**
- b. 9.00am and 5.00pm Sunday and public holidays**

Limit on number of persons

11. No more than 120 patrons and staff may be present on the premises at any one time without the written consent of the Responsible Authority.

Engineering Conditions

12. A minimum of 36 car spaces shall be provided on site.

13. Appropriate approved entry and exit signage is to be installed.

14. The parking area shall be of an all-weather construction, have clear emergency access and have an on-site treatment facility designed to capture runoff, prevent erosion and remove suspended solids (silt, sand, gravel etc). On site treatment may take the form of rain gardens, silt traps, or other approved facility.



- 15. Areas shown on the endorsed plans as set aside for carparking, disabled parking and access lanes must be:**
- a. Constructed in accordance with AS 2890.1-1993 & AS/NZS 2890.6 – 2009
 - b. Properly formed to such levels be used in accordance with the plans;
 - c. Surfaced with class A crushed rock or equivalent compacted pavement material and preferably sealed;
 - d. Drained;
 - e. Sign posted; or
 - f. Line-marked to indicate car parking spaces and access lanes in accordance with the standards and completed to the satisfaction of the Responsible Authority.

16. Engineering design and drainage plans in accordance with the Infrastructure Design Manual V5.3 2019, including the pavement design for the carparks and disabled carparks are to be submitted for approval to the Responsible Authority prior to construction.

17. The parking of all vehicles must be confined to designated parking areas within the site as set out on the endorsed plan and no vehicles associated with the events may be parked on any public land, including the road reserve, to the satisfaction of the Responsible Authority.

18. Any damage to Council assets such as roads and stormwater infrastructure, must be repaired at the cost of the developer to the satisfaction of the Responsible Authority

Environmental Health

19. No contaminated or sediment laden runoff is allowed to be discharged from the site.

20. All food waste and wastewater/solids must not be disposed of onsite.

21. The portable wastewater management system must be appropriately designed to manage the potential volume of wastewater generated by the event to the satisfaction of Council's Environmental Health Unit.

Signage

22. No more than one sign advertising the Place of Assembly may be displayed. The sign must be less than 0.2m² and not be illuminated without the written approval of the Responsible Authority.

Amenity

23. The use and development must be managed so that the amenity of the area is not detrimentally affected by noise levels emanating from the premises. Noise levels must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.

24. The premises must be vacated after the approved hours of operation in an orderly and proper manner and no nuisance is to be caused to the surrounding area / neighbourhood.



- 25. The amenity of the area must not be detrimentally affected by the use or development through the:-**
- a. transport of materials, goods and commodities to or from the land
 - b. appearance of any buildings, works or materials
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil
 - d. presence of vermin
- To the satisfaction of the Responsible Authority.

Goulburn Murray Water

26. A sufficient number of portable toilets must be provided to cater for the maximum expected event occupancy. All portable toilets must be replaced and/or emptied at regular intervals at an EPA approved facility.

27. The toilets must be located at least 100 metres from all waterways.

Expiry of permit

- 28. This permit will expire if one of the following circumstances applies:**
- a. The use is not started within two (2) years of the date of this permit.
 - b. The use is discontinued for a period of two (2) years.
- 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.

Planning Notes

- 1. For the consumption of liquor on the subject site, the appropriate Liquor Licence must be obtained from Liquor Licencing Victoria, as per the Liquor Control reform Act 1988, or as amended.**
- 2. The owner must ensure that the responsible parties operating each event are provided with a copy of the endorsed Event Management Plan (EMP) and copy of this permit.**



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE

13.3.1 Community Recovery and Resilience Grant

File Number: E7267

Responsible Officer: Interim General Manager Community and Corporate Services,
Mandy Kynnersley

Disclosure of Conflicts of Interest

A conflict of interest is declared by Leanne Backwell, a member of the Mansfield Shire Council Business and Community Recovery Advisory Committee and sub-committee, in relation to the application from Mansfield Race Club due to her role as President of the Mansfield Race Club.

Introduction

This report summarises the outcome of the Community Recovery and Resilience Fund (CRRF) 2021 Round Two assessment.

Council is requested to approve the Business and Community Recovery Advisory Committee's (BCRAC) recommendation to fund successful applicants of the CRRF.

Background

On 15 January 2020, the Victorian and Commonwealth Governments announced the \$86 million Community Recovery Package. Under this package a \$1.8 million Community Events Fund was made available to affected areas.

Mansfield Shire Council successfully obtained a Community Recovery and Resilience Grant of \$200,000 to support community events that bring communities together, build resilience, raise awareness of bushfire support services, and support visitation.

The funding was divided in three tiers agreed upon by BCRAC:

- a. \$ 20,000 - for one Mansfield Shire Council run event
- b. \$ 30,000 - for small community group get-togethers (grants up to \$1000)
- c. \$150,000 - for new or existing community events (grants up to \$25,000)

Grants were promoted to the Mansfield Shire Community with an online application process including specific guidelines for each tier. Round One applications were open early December 2020 through to 1 February 2021.

The total expenditure for Round One was \$162,111 going to:

- a. \$ 20,000 (Australia Day in the Park)
- b. \$ 32,052 (small community group get-togethers)
- c. \$110,059 (new or existing community events)

A second application round for the remaining funding of \$37,889 for new or existing community events opened 22 March and closed 16 April. Round Two was open to Mansfield Shire not-for-profit organisations to hold new or existing community events. Council received nine applications.

13.3.1 Community Recovery and Resilience Grant – Cont...

The assessment process, identical to Round One, included four steps:

- A Regional Development Victoria and Council Officer each checked eligibility of applicants
- A sub-committee including five Council Officers and three Business and Community Recovery Advisory Committee (BCRAC) members scored each application against the assessment criteria
- The sub-committee discussed the scored applications to provide a funding recommendation
- The BCRAC made the final recommendation to award funding based on the assessment score sheet.

Sub-committee members:

- Jon Gifford: BCRAC member
- John Lazarov: BCRAC member
- Bart Smith: BCRAC member
- Saskia Van Bever: Community Recovery Coordinator
- Nicole Nye: Interim Senior Coordinator Community and Economic Development
- Danielle Roberts: Economic Development Assistant
- Keira McDonagh: Coordinator Community Development
- Bonnie Clark: Coordinator Youth Services

The BCRAC's funding recommendation for Round Two is:

- The Last Waltz (Rosehaven) - \$2,000
- Melbourne Cup picnic races (Race Club) – \$24,600
- Twilight Market (Mansfield Producers) - \$10,000
- Soup for schools (Rosehaven) - \$1,400

The total amount of the recommended Round Two distribution is \$38,000.

Policy and Legislative Implications

The recommendation is consistent with the requirements for the funding agreement.

Council Plan

Strategic Direction Three: Community resilience and connectivity

- Strategic Objective 3.2: We support our communities in meeting their own needs.
 - Provide advice to support local community events, including assistance with sourcing funding opportunities

Strategic Objective Four: Enhance liveability

- Strategic Objective 4.2 We are a community that is passionate about arts, culture, heritage and the environment.
 - Provide advice and expertise to community groups around event organisation and management.
 - Promote community awareness of, and participation in, Arts and Cultural services, programs and facilities.



13.3.1 Community Recovery and Resilience Grant – Cont...

Financial

The total Community Recovery and Resilience fund is \$200,000.

Funds will need to be acquitted by 30 June 2021 and unused funds will need to be returned.

The total expenditure for Round One was \$162,111 going to:

- a. \$ 20,000 (Australia Day in the Park)
- b. \$ 32,052 (small community group get-togethers)
- c. \$110,059 (new or existing community events)

The BCRAC's funding recommendation for Round Two is:

- The Last Waltz (Rosehaven) - \$2,000
- Melbourne Cup picnic races (Race Club) – \$24,600
- Twilight Market (Mansfield Producers) - \$10,000
- Soup for schools (Rosehaven) - \$1,400

The total amount of the recommended Round Two distribution is \$38,000.

If approved, total funds distributed will total \$200,111.

Social

After multiple lock downs and COVID restrictions people have been left feeling isolated. Holding events brings communities together and builds connections and community resilience.

A further social benefit of funding these events are increased community participation from communities across the entire Mansfield Shire including outlying communities and all age groups.

Environmental

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

Economic

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

All applicants have been asked to utilise local suppliers and providers for their event services and assets where possible.

The larger events will promote visitation and increase economic impact for the Shire.

13.3.1 Community Recovery and Resilience Grant – Cont...

Risk Management

The matters that are the subject of this report are considered within normal operational risk parameters. The successful applicant is required to enter into a funding agreement stating that:

- Council shall not be responsible at any time for any liabilities incurred or entered into by the community organization 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.

Community Engagement

A second application round for the remaining funding opened 22 March and closed 16 April. This round was open to Mansfield Shire not-for-profit organisations to hold new or existing community events. The grants were promoted through:

- Media release
- Mansfield Matters ad running for the entire period of the application round
- Facebook posts on the Council page and shared to multiple local Facebook groups/ notice boards
- Word of mouth through BCRAC members, Council staff and RDV Officer
- Unsuccessful applicants from round one were called and invited to apply again
- Face to face meetings with those who requested

Key Issues

BCRAC's recommendation for funding for round two is:

- The Last Waltz (Rosehaven) - \$2,000
- Melbourne Cup picnic race (Race club) – \$24,600
- Twilight Market (Mansfield producers) - \$10,000
- Soup for schools (Mansfield District Hospital) - \$1,400

If the recommendation is enacted, this will account for distribution of \$200,111 of which \$200,000 is funded by the Community Recovery and Resilience grant funding received from Bushfire Recovery Victoria, and \$111 from Council's events budget.

Attachments

Nil



13.3.1 Community Recovery and Resilience Grant – Cont...

Recommendation:

THAT COUNCIL

- 1. Endorse the Business and Community Recovery Advisory Committee's (BCRAC) recommendation for distribution of funds and writes to successful applicants detailed as follows;
 - a. The Last Waltz (Rosehaven) - \$2,000**
 - b. Melbourne Cup picnic race (Mansfield Race Club) – \$24,600**
 - c. Twilight Market (Mansfield Producers) - \$10,000**
 - d. Soup for schools (Mansfield District Hospital) - \$1,400****
- 2. Writes to unsuccessful applicants to thank them for their application.**
- 3. Thanks the Business and Community Recovery Advisory Committee and the funding sub-committee for their time and effort in considering applications and providing a recommendation to Council.**



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.2 Procurement Policy

File Number: E7380
Responsible Officer: Interim General Manager Community & Corporate Services
Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

This report presents the proposed Procurement Policy 2021 for Council endorsement.

Background

New provisions under the Act pertaining to procurement come into operation on 1 July 2021. Council has six months from this date to adopt a procurement policy in accordance with the new legislative framework.

The proposed Procurement Policy 2021 complies with the legislative provisions and details the principals, process and procedures applicable in respect to Council's purchase of goods, services and works.

The policy has been workshopped extensively by Council's Procurement Officer in collaboration with the Hume Regional Procurement Excellence Network (Hume RPEN) assisted by Local Government Victoria procurement experts. The policy has also been reviewed by Council's internal Procurement Champions Network and the Executive Management Team.

Policy and Legislative Implications

The Procurement Policy is made under Section 108 of the Act which requires a Procurement Policy to seek to promote open and fair competition and provide value for money.

Under the Act, a Procurement Policy must include the following—

- a) the contract value above which the Council must invite a tender or seek an expression of interest;
- b) a description of the criteria to be used by the Council to evaluate whether a proposed contract provides value for money;
- c) a description of how the Council will seek collaboration with other Councils and public bodies in the procurement of goods or services;
- d) the conditions under which the Council may purchase goods or services without inviting a public tender or expression of interest;
- e) a description of the process to be undertaken in inviting a public tender or expression of interest;

13.3.2 Procurement Policy – Cont...

Key differences from the previous legislation under the *Local Government Act 1989* are:

Area	Local Government Act 1989	Local Government Act 2020
Public tender thresholds	Set in legislation	Determined by individual Council's through policy
Policy requirements		Collaborative procurement must be addressed in the policy
Policy review timeframes	Annually	Once every four years

Section 11 of the Act states that a Council may by instrument of delegation delegate to the Chief Executive Officer (CEO) any power, duty or function of a Council under this Act or any other Act. This can include procurement delegation.

Council Plan

The endorsement of the procurement policy supports Strategic Direction 2: Financial Sustainability and Strategic Direction 5: Responsible Leadership

Financial

There are no direct financial impacts of this policy, although it does govern the allocation of financial resources.

Social

There are no direct social impacts of this policy.

Environmental

There are no significant environmental impacts in relation to this matter.

Economic

There are no significant economic impacts in relation to this matter, however the policy requires all suppliers to be treated fairly in an open and honest manner and have access to the same information.

Risk Management

Policies and procedures around procurement are key mitigating controls of financial risk.

Community Engagement

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

Key Issues

Under the current Procurement Policy, the thresholds had been declared inclusive of GST. The new procurement value thresholds are recommended GST exclusive in recognition of Council's ability to, as a local government entity, claim back GST expenditure from the Australian Taxation Office (and therefore it is not an "out of pocket" expense for Council). This will also provide better alignment with budgets which are typically focused on ex-GST values.



13.3.2 Procurement Policy – Cont...

Public Tender threshold:

With the removal of the descriptive public tender thresholds previously legislated in the *Local Government Act 1989*, Council must decide and publish the amount where by it will public tender. In 2020 Council awarded 11 contracts after public tender. All of these were valued over \$200,000 (even though the tender threshold for goods and services was previously lower at \$150,000). Therefore the proposed policy declares Council's public threshold amount to be \$200,000 and above and this is expected to have minimal impact on current practices and outcomes.

Request For Quote threshold:

Of the 33 request for quotation procedures undertaken during 2020, nearly one quarter (24%) related to procurement valued under \$20,000. Because of their low value, and typically low risk, it is recommended Council raise the limit of the three quotation threshold from \$10,000 to \$20,000 to increase flexibility of purchasing in a timely manner.

The recommended advertising period of a request for quotation using TenderLink (Council's chosen e-tendering platform) is a minimum of 14 days, extended from the current 7 days to allow time for a better response rate from potential suppliers.

Instruments of Delegation

The proposed policy sets the CEO's procurement delegation for all expenditure up to \$200,000. Council's current *Schedule 5 Instrument of Delegation: Council to Chief Executive Officer* sets the CEO threshold at \$150,000 for goods and services, and \$200,000 for works, in alignment with the current Procurement Policy. This Instrument has therefore been amended and is presented for endorsement with this report to ensure the CEO Instrument of Delegation and new Procurement Policy are consistent.

Attachments

- 1 Mansfield Shire Council Procurement Policy 2021
- 2 Mansfield Shire Council Instrument of Delegation: Council to Chief Executive Officer

Recommendation:

THAT COUNCIL:

1. endorse the Mansfield Shire Council Procurement Policy 2021.
2. endorse the S5 Instrument of Delegation from Council to Chief Executive Officer dated 22 June 2021, and revoke the previous Instrument dated 16 March 2021.



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.3 Borrowing and Debt Management Policy

File Number: E7380
Responsible Officer: Interim General Manager Community & Corporate Services, Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

The purpose of this report is to present Council with the new Borrowing Policy which has been developed.

Background

Council requested the development of a Borrowing and Debt Management Policy as there is no current policy to specifically govern debt management for Mansfield Shire Council.

Council have identified through the proposed Budget 2021-22 an intention to borrow funds in the next financial year.

The policy was presented to the Audit and Risk Committee for review at the May 2021 meeting, and the Committee recommends it to Council for adoption.

Policy and Legislative Implications

A Borrowing and Debt Management Policy will provide guidance around under which circumstances it is considered appropriate to borrow funds and the parameters and metrics that should be adhered to.

Council Plan

While there is no specific connection to the Council Plan, policy development contributes to responsible leadership through effective governance practices.

Financial

There is no direct financial implication in relation to the policy.

Council have identified an intention to borrow \$2.6m to complete the Heavy Vehicle Alternate Route in the proposed Budget 2021-22.

Social

There are no significant social implications as the result of this report.

Environmental

There are no environmental implications as the result of this report.

Economic

There are no direct economic implications as the result of this report.

13.3.3 Borrowing and Debt Management Policy – Cont...

Risk Management

The Borrowing and Debt Management Policy will provide formal direction around the circumstances under which it is considered appropriate to borrow funds. This will mitigate the risk of entering into borrowing arrangements that create financial exposure beyond Council's capacity.

Community Engagement

No community engagement has been undertaken in relation to this policy.

Key Issues

This policy has been created using a variety of existing Victorian council policies as a template.

Council have not previously had a borrowing policy, but the following is outlined within Council's Financial Strategy:

Debt

Council will remain a low debt user by maintaining a debt service ratio (principal and interest repayments per annum compared to rates) below 20%.

Council will only use debt to fund capital expenditure. The term of any debt shall not exceed the life of the asset it is used to fund.

Debt will be considered as part of the Capital Budget process and will only be approved where there is an agreed economic, social or environmental benefit from a project and other sources of funding are not available.

The expected range under the Local Government Performance Reporting Framework suggest that the debt service ratio should remain between 0% and 20% while debt levels (measured as total loans and borrowings compared to rates) should remain between 0% and 70%. The debt levels permitted under this Strategy would add flexibility to future programs where warranted.

These concepts are reinforced in the new policy.

Attachments

- 1 Borrowing and Debt Management Policy 2021

Recommendation:

THAT Council endorse the Borrowing and Debt Management Policy 2021 as recommended by the Mansfield Shire Council Audit & Risk Committee.

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.4 Carry Forward Projects Policy

File Number: E7380

Responsible Officer: Interim General Manager Community & Corporate Services,
Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

The purpose of this report is to present Council with the revised Carry Forward Projects Policy.

Background

The Carry Forward Projects Policy was last endorsed in 2018 and provides the principles for the carry over of budgeted funds from one financial year to the next.

The policy, due for review by 30 June 2021, was presented to the Audit & Risk Committee at the May 2021 meeting for consideration. The Committee recommends it to Council for endorsement.

Policy and Legislative Implications

The 2021 review has not made any significant changes to the Policy.

Council Plan

The Carry Forward Projects Policy supports *Strategic Objective 2.1 – Council has a strategic, long term financial plan to secure its ongoing financial sustainability*.

Financial

There is no direct financial implication in relation to the review of the Policy – there have been no significant changes made in the 2021 review.

Social

There are no significant social implications as the result of this report.

Environmental

There are no environmental implications as the result of this report.

Economic

There are no direct economic implications as the result of this report.

Risk Management

The Carry Forward Projects Policy seeks to mitigate risk around long term financial sustainability.

Community Engagement

No community engagement has been undertaken in relation to this policy.



13.3.4 Carry Forward Projects Policy – Cont...

Key Issues

The 2021 review does not propose any significant changes from the Carry Forward Projects Policy 2018.

Attachments

- 1 Carry Forward Projects Policy 2021

Recommendation:

THAT Council endorse the Carry Forward Projects Policy 2021 as recommended by the Mansfield Shire Council Audit & Risk Committee.

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.5 Investment Policy

File Number: E7380
Responsible Officer: Interim General Manager Community & Corporate Services, Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

The purpose of this report is to present Council with the revised Investment Policy.

Background

The Investment Policy was last endorsed in 2018 and is now due for review. It provides the framework for Council officers to invest surplus cash.

The policy was presented to the Audit & Risk Committee at the February 2021 meeting for review, and no significant changes were recommended or have been made.

Policy and Legislative Implications

Section 143 of the *Local Government Act 1989* provides the following in relation to investments:

A Council may invest any money—

- (a) in Government securities of the Commonwealth;
- (b) in securities guaranteed by the Government of Victoria;
- (c) with an authorised deposit-taking institution;
- (d) with any financial institution guaranteed by the Government of Victoria;
- (e) on deposit with an eligible money market dealer within the meaning of the Corporations Act;
- (f) in any other manner approved by the Minister after consultation with the Treasurer either generally or specifically, to be an authorised manner of investment for the purposes of this section.

Section 143 of the *Local Government Act 1989* will be repealed on 1 July 2021 and replaced with Section 103 of the *Local Government Act 2020*, which states exactly the same requirements. Council's existing Investment Policy addresses the legislative requirements.

Council Plan

While there is no specific connection to the Council Plan, policy development contributes to responsible leadership through effective governance practices.



13.3.5 Investment Policy – Cont...

Financial

There is no direct financial implication in relation to the policy. However this policy does provide the framework to ensure Council prudently invest surplus funds whilst maximising returns on investment.

Social

There are no significant social implications as the result of this report.

Environmental

There are no environmental implications as the result of this report.

Economic

There are no direct economic implications as the result of this report.

Risk Management

Council's Investment Policy ensures compliance with the requirements of the relevant legislation, and embeds a low risk approach to cash management.

Community Engagement

No community engagement has been undertaken in relation to this policy.

Key Issues

The 2021 review does not propose any significant changes from the Investment Policy 2018.

Attachments

- 1 Investment Policy 2021

Recommendation:

THAT Council endorse the revised Investment Policy 2021.



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.6 Financial Management Strategy

File Number: E7830

Responsible Officer: Interim General Manager Corporate and Community Services,
Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

The Financial Strategy is due for review and endorsement in conjunction with the Budget 2021-22.

Background

The Financial Strategy was last endorsed in 2018 and provides the principles and assumptions that underlie the development of the Annual Budget and the ten year Financial Plan.

The Financial Strategy was presented to the Audit & Risk Committee at the May 2021 meeting for review, and the Committee recommends it to Council for adoption.

Policy and Legislative Implications

The 2021 review has not made any significant changes to the Strategy.

Council Plan

The Financial Strategy supports *Strategic Objective 2.1 – Council has a strategic, long term financial plan to secure its ongoing financial sustainability*.

Financial

There is no direct financial implication in relation to the review of the Strategy – there have been no significant changes made in the 2021 review.

Social

NA

Environmental

NA

Economic

NA

Risk Management

The Financial Strategy seeks to mitigate risk around long term financial sustainability.

Community Engagement

It is intended that the principles of the Financial Strategy will be embedded in the ten year Financial Plan that will be subject to deliberative engagement prior to its adoption by 31 October 2021.

13.3.6 Financial Management Strategy – Cont...

Key Issues

The 2021 review does not propose any significant changes from the Financial Strategy 2018, and the Budget 2021-22 has been developed using the guidance within.

It is intended that when the new Financial Plan 2021-2031 is developed (by 31 October 2021), the Financial Strategy will be contained with that document from that point forward.

Attachments

- 1 Financial Strategy 2021

Recommendation:

THAT COUNCIL endorse the Financial Strategy 2021 as recommended by the Audit & Risk Committee.

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.7 Review of Councillor and Mayoral Allowances

File Number: E7380

Responsible Officer: Coordinator Governance & Risk, Michelle Kain

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 finalise the review of the Councillor and Mayoral allowances for the 2020 to 2024 term of office in accordance with Section 74 of the *Local Government Act 1989* (the 1989 Act).

Background

An important reform of the *Local Government Act 2020* (the 2020 Act) is the transfer of responsibilities in determining Mayoral and Councillor allowances to the Victorian Independent Remuneration Tribunal (the Remuneration Tribunal).

However, until such time as the Remuneration Tribunal makes its first determination on allowances, the allowance framework under the 1989 Act continues to apply, despite the repeal of those relevant provisions late in 2020. Section 39(6) of the 2020 Act provides for this transitional arrangement.

The Minister for Local Government will request the Remuneration Tribunal to make a determination, however the determination is not expected until late 2021.

Section 74(1) of the 1989 Act states that Council is required to review its Councillor and Mayoral allowances within 6 months of a general election, or by 30 June, whichever is later.

Further, section 73B of the 1989 Act requires, amongst other things, that 'the Minister must at least once every year, review the limits and ranges of the Councillor and Mayoral allowances'.

The Councillor and Mayoral allowances are subject to annual automatic adjustment specified by an Order in Council. The Order identifies three categories of councils based upon physical size, budget and population. Mansfield Shire Council is deemed a category 1 council.

Policy and Legislative Implications

As mentioned above, Section 39(6) of the 2020 Act provides for this transitional arrangement whereby the 1989 Act provisions continue to apply until the first determination is made. Section 74(1) of the 1989 Act states that Council is required to review its Councillor and Mayoral allowances within 6 months of a general election, or by 30 June, whichever is later.

13.3.7 Review of Councillor and Mayoral Allowances – Cont...

The minimum and maximum levels of allowances are determined by legislation. Council is required to determine allowances within the range set by the legislation. The superannuation component is based on 9.5% of the allowance payable, subject to a proposed increase to 10% from 1 July 2021.

Council Plan

Strategic Direction Five - Responsible Leadership.

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

Financial

Councillor and Mayoral allowances are provided for in Council's annual budget. An allocation in the 2020-21 and 2021-22 budgets have been provided based on the proposed allowances.

Social

N/A

Environmental

N/A

Economic

N/A

Risk Management

N/A

Community Engagement

As part of the review process for the Councillor and Mayoral allowances, section 74(4) of the 1989 Act provides for public submissions to be made under section 223 of the 1989 Act in respect of this review.

Council at its meeting held on 16 March 2021 resolved to commence the statutory process to determine the Councillor and Mayoral allowances for the following proposed amounts:

- Councillor allowances - \$21,049 per annum, plus superannuation equivalent
- Mayoral allowance - \$62,884 per annum, plus superannuation equivalent.

Public notice of the review was given by advertisement in the Mansfield Courier and a post on Council's Facebook page on 25 March 2021.

Council also utilised its *Engage Mansfield* portal on its website to receive community feedback and submissions. At the closure date of submissions on 11 May 2021, Council had received one submission via the *Engage Mansfield* portal.

The submission received stated "*Admirable of the Councillors to keep their remuneration at last year's rate. In line with keeping to their 0% rate rise. Well done and much appreciated.*"

A Special Committee of Council was held on 25 May 2021 to receive and consider all submissions for the Councillor and Mayoral allowances.

13.3.7 Review of Councillor and Mayoral Allowances – Cont...

Key Issues

As mentioned above, Mansfield Shire Council is deemed a Category 1 council. The current allowances set by the Minister for Local Government for all three categories are shown below. Councillors and the Mayor are currently being paid the amounts shaded in the tables as follows:

Councillor Allowance	Category 1		Category 2		Category 3	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
PART A - Allowances	\$8,333	\$21,049	\$10,914	\$26,245	\$13,123	\$31,444
PART B - Superannuation equivalent @9.5%	\$792	\$2,000	\$1,037	\$2,493	\$1,247	\$2,987
Total Payment	\$9,124	\$23,049	\$11,951	\$28,738	\$14,370	\$34,431

Mayoral Allowance	Category 1 up to	Category 2 up to	Category 3 up to
PART A - Allowances	\$62,884	\$81,204	\$100,434
PART B - Superannuation equivalent @9.5%	\$5,974	\$7,714	\$9,541
Total Payment	\$68,858	\$88,918	\$109,975

Mayoral and councillor allowances are also subject to the addition of the equivalent of the superannuation guarantee (9.5%). It should be noted that this percentage is scheduled to increase to 10.0% from 1 July 2021.

Further, it should also be noted that:

1. a Mayor cannot receive the councillor allowance at the same time as receiving the mayoral allowance
2. a Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance
3. the amount of the allowance must be the same for each Councillor (except the Mayor)
4. a person is only entitled to receive an allowance while he or she hold the office of Councillor or Mayor.



13.3.7 Review of Councillor and Mayoral Allowances – Cont...

Recommendation:

THAT Council resolves in accordance with Section 74 of the *Local Government Act 1989* to set the allowances with the Order in Council as a category 1 council at the maximum level of:

- 1. Councillor allowances - \$21,049 per annum, plus superannuation equivalent;**
- 2. Mayoral allowance - \$62,884 per annum, plus superannuation equivalent.**

subject to any indexation of the allowances applied automatically as determined by the Minister for Local Government.

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.8 Revenue & Rating Plan 2021-25

File Number: E7253

Responsible Officer: Interim General Manager Community and Corporate Services,
Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

The Revenue and Rating Plan 2021-25 is presented to Council for adoption.

Background

The Revenue and Rating Plan (the Plan) is a new document required under the Act that establishes the revenue raising framework within which Council proposes to operate. The Plan must cover a minimum period of four years following each Council election (ie 2021-25). Strategies outlined in the Plan will feed into the Budget and long term financial planning documents, as well as other strategic planning documents under Council's strategic planning framework.

Council's Revenue and Rating Plan contains the necessary statutory information required under the Act and sector better practice guidance.

The Plan outlines Council's primary revenue streams including:

- Rates and charges
 - General rates
 - Rating differentials
 - Valuation basis
 - Municipal charge
 - Service charges
 - Special charge schemes
 - Financial hardship
- Other revenue
 - User fees and charges
 - Statutory fees
 - Grants
 - Contributions
 - Investment income

The Plan was released for community feedback and is now presented to Council in its final form, recommended for adoption.

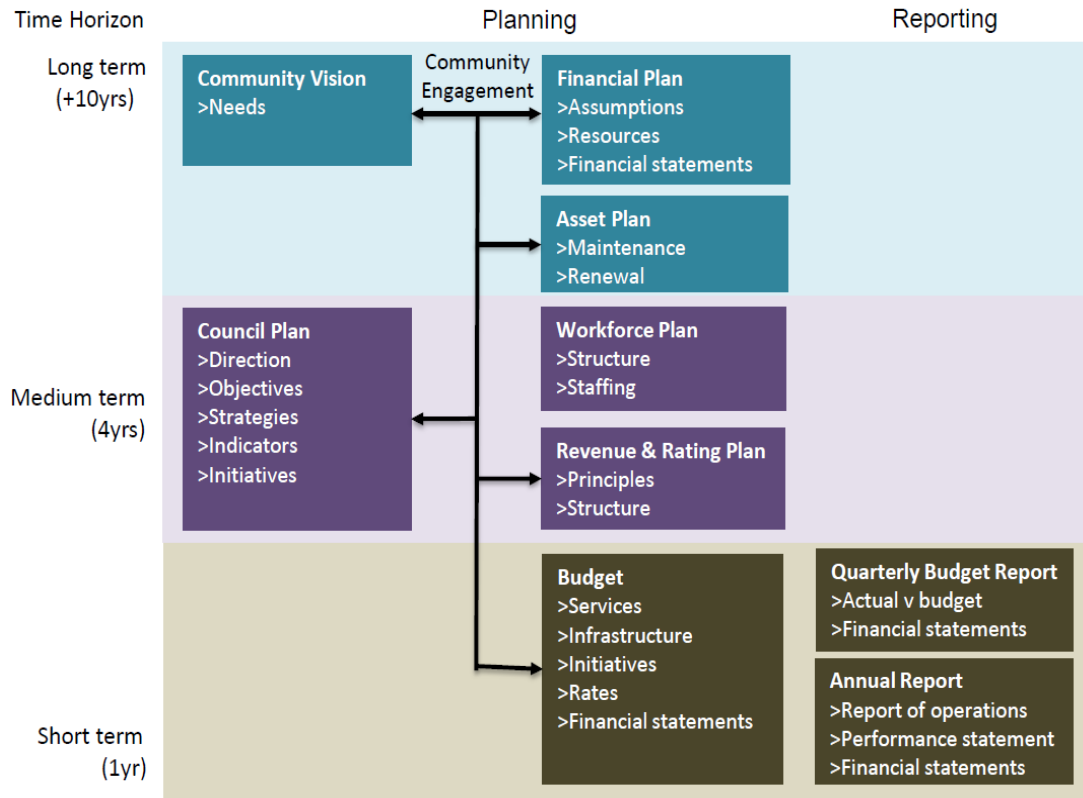
Policy and Legislative Implications

The Revenue and Rating Plan supercedes Council's previous Rating Strategy, and is required under section 93 of the Act.

13.3.8 Revenue & Rating Plan 2021-25 – Cont...

Council Plan

The Revenue and Rating Plan is a statutory document that forms part of the Strategic Planning and Reporting Framework. The infographic below shows the connection to the Council Plan and other strategic planning components.



Financial

The Revenue and Rating Plan does not set revenue targets for Council. Instead it outlines the strategic framework and decisions that inform how Council will go about calculating and collecting its revenue.

The financial impacts are considered in the Budget (short to medium term) and Financial Plan (long term).

Social

There are no significant social considerations in relation to this matter.

Environmental

There are no significant environmental considerations in relation to this matter.

Economic

The disparate impact of annual property revaluations on each differential rating category has been mitigated through revision of the differential percentages. This has the effect of ensuring the revaluation cycle does not unfairly redistribute the rate burden between ratepayers categorised as Commercial, Farmland, Vacant, Rural Residential and Residential.



13.3.8 Revenue & Rating Plan 2021-25 – Cont...

Risk Management

There are no significant risks in relation to this matter.

Community Engagement

Council released its Proposed Revenue & Rating Plan 2021-25 on 22 April 2021 through its Engage Mansfield portal on Council's website and advertised the launch via Facebook and local media. Opportunities were available to ask questions online, and questions were answered at least weekly. Formal submissions were accepted either online or through the post.

Public submissions were received over a 28 day period until close of business 18 May 2021.

There were three submissions received that related to the Revenue & Rating Plan, specifically the rate differentials declared therein, and these were considered by a Special Committee of Council on 25 May 2021.

Key Issues

No changes are recommended to the Revenue & Rating Plan 2021-25 as a result of the submissions received.

The final Plan is recommended to Council for adoption.

Attachments

- 1 Mansfield Shire Council Revenue & Rating Plan 2021-25

Recommendation:

That Council:

- 1. Having considered written and verbal submissions, adopt the Mansfield Shire Council Revenue & Rating Plan 2021-25 for the purposes of Section 93 of the *Local Government Act 2020*.**
- 2. Thank all submitters for their participation in the Revenue & Rating Plan development process and advise them in writing of the reasons for the adoption of the Revenue and Rating Plan 2021-25.**

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.9 Budget 2021-22

File Number: E7253
Responsible Officer: Interim General Manager Community and Corporate Services, Mandy Kynnersley

Disclosure of Conflicts of Interest

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

Introduction

This reports seeks a resolution from Council to adopt the Budget 2021-22 including the schedule of fees and charges.

Background

At its Council Meeting, 20 April 2021, Council released its Proposed Budget 2021-22 including schedule of fees and charges (proposed budget) for community comment and resolved to establish a Special Committee of Council comprising all Councillors to hear submissions.

Submissions to the proposed budget were received over the subsequent 28 day period, commencing 21 April 2021 and closing 5:00pm 18 May 2021. The submissions were then presented to the Special Committee of Council for consideration on 25 May 2021.

As a result of both the submissions and changes in circumstances, amendments have been made to the draft Budget 2021-22 (the "Budget") which includes the schedule of fees and charges. The key changes are outlined in the *Key Issues* section of this report.

Statutory Requirements

The preparation of the Proposed Budget is governed by the following legislation:

- *Local Government Act 2020*, Sections 94-96
- *Local Government Act 1989*, Section 223
- *Local Government (Planning and Reporting) Regulations 2020*

The Budget also gives consideration to Council's Financial Strategy policy.

Council Plan

Section 94 of the Act requires council budgets to give effect to the Council Plan. The current Mansfield Shire Council Plan expires 30 June 2021 and, in the first year of implementation of the new *Local Government Act 2020*, the statutory timeframes for adoption of the new Council Plan do not allow alignment with the budget.

Council expects to adopt its new Council Plan (2021-2025) by the statutory date of 31 October 2021, while Council is required to adopt its Budget 2021-22 by 30 June 2021.

13.3.9 Budget 2021-22 – Cont...

Until such time as the new Council Plan has been adopted, Council will continue to deliver the existing level of services and initiatives across 28 major service categories, which are listed in Section 2 of the Budget document. The Budget has therefore been developed to allocate resources in order to continue providing existing and essential services while containing operating costs.

The 2022-23 budget, which will commence development in November 2021, will respond to the new Council Plan 2021-25 after its adoption in October 2021.

Financial

The Budget is the primary financial planning document for the financial year and underpins all spending in the 2021-22 financial year.

In an effort to provide some economic relief to ratepayers next year, budgeted rate revenue increase has been set at 0% (on the base average rate), which is 1.5% lower than the rate cap determined under the Victorian Government's Fair Go Rates System. This means that Council intends not to earn any additional income from rates in 2021-22. This does not refer to or include rate income from 'new' properties (new parcels from subdivisions, new buildings on previously vacant land etc.) which come onto the rating system for the first time in the financial year.

Waste service charges will continue to be set at a level that ensures Council recovers the full cost of providing services for the collection and disposal of refuse. The cost to provide these services has increased, and service charges have increased accordingly (approximately \$3 to the average household).

The Budget proposes that Council will fund just a few new initiatives in 2021-22, including:

- \$4.1m to complete the Heavy Vehicle Alternative Route and improve road safety through the central business district of Mansfield. The federal government's \$1.5m funding commitment under the Heavy Vehicle Safety Productivity Program requires that the work is completed in the 2021-22 financial year and Council therefore recommends \$2.6m in borrowings to meet our contribution.
- Council will advocate for a new Heritage Facility at the Station Precinct, delivering on the Master Plan (contingent upon successful applications for \$1.5m government funding).
- \$200,000 in strategic planning capability to progress planning scheme amendments and protect the amenity and land use within the Shire.
- \$130,000 investment in technology improvements to enable smart digital working practices, improved customer service and efficient service delivery.
- \$100,000 for planning and design works to improve the streetscapes in the outlying townships. This is the beginning of a five year program to progressively improve the amenity of our smaller towns and public spaces.
- Service reviews in the areas of rates, property and youth services valued at \$70,000.

13.3.9 Budget 2021-22 – Cont...

- \$67,000 increase in parks and gardens capacity to maintain excellent service levels within the expanding public land areas arising from new subdivisions and development.
- Continuation of the Outlying Communities Infrastructure Fund, valued at \$50,000, to support community led projects for improving assets managed or maintained for community benefit outside of the Mansfield township.
- Solar panel installation on Council buildings valued at \$43,333, continuing the program commenced in 2020-21.
- \$20,000 toward improving the functionality of Council's website.

Council typically delivers a capital works program of approximately \$5-6m annually. The 2021-22 program will cost \$12.5m which is funded by:

- \$5.1m from external grants and contributions received
- \$4.7m from Council operations
- \$2.6m in new borrowings

Some of the key infrastructure projects to be undertaken include:

- \$3.4m for extensive road renewal projects (including \$591,592 government funding through the Roads 2 Recovery program and a further \$635,603 through the federal government Local Road and Community Infrastructure fund).
- \$620,000 invested in drainage infrastructure including storm water improvements around the intersection of Apollo Street and High Street in Mansfield, and rejuvenation of the Mullum Wetlands water catchment.
- \$558,511 to renovate the Mansfield Library (including \$543,411 government funding through the Living Libraries Program).
- \$400,000 to inspect and renew bridges infrastructure across the Shire.
- \$200,000 to refurbish the public toilets on Perkins Street in Jamieson.

The Budget also includes the schedule of proposed fees and charges for 2021-22. The fees and charges have been updated to reflect either statutory requirements, a CPI increase, or cost recovery.

Social

Social issues have been taken into account during the budget process and underpin many of the assumptions contained therein.

Environmental

Environmental issues have been taken into account during the budget process, including the allocation of \$43,333 to continue the installation program of solar panels on Council buildings.

13.3.9 Budget 2021-22 – Cont...

Economic

The global economy is continuing to experience a period of uncertainty as a result of the COVID-19 pandemic. The Budget has been prepared based on the best information available at the time of preparation.

Council's Financial Hardship Policy exists to support ratepayers experiencing financial distress.

Risk Management

The Budget addresses financial risk and the risk of asset failure. It focuses on not increasing Council's operating expenses, instead, renewing community infrastructure assets and planning for the future.

The capital spend in the Budget provides primarily for asset renewal (\$5.9m) above new (\$1.9m) and upgrade (\$4.7m) projects.

Community Engagement

The Proposed Budget 2021-22 was endorsed at a Council Meeting 20 April 2021, and public submissions sought under section 223 of the *Local Government Act 1989*.

Submissions were accepted over a period of 28 days commencing 21 April 2021 and closing 18 May 2021 during which time Council made the proposed budget (which includes a schedule of proposed fees and charges) available on Council's website and in hard copy on request.

The exhibition period was advertised in the Mansfield Courier, and on Council's website and Facebook page.

Council launched supporting and explanatory information on the *Engage Mansfield* web portal over the same period. This included background information, the engagement process, and seven different fact sheets covering topics including:

- Budget context
- Income
- Capital expenditure
- Operation expenditure
- Delivering the Council Plan
- Community engagement
- Rates and charges

Council made four Facebook posts during the exhibition period promoting the opportunity to make a submission.

The *Engage Mansfield* portal also provided the opportunity for individuals to ask questions of Council during the exhibition period. Council received eight questions from two individuals/groups. Responses were provided on the *Engage Mansfield* webpage, and both the questions and answers were provided to the Special Committee of Council.

13.3.9 Budget 2021-22 – Cont...

Council received a total of 28 written submissions, and 4 of those submitters presented verbally to the Special Committee of Council on 25 May 2021. The meeting was publically streamed on Council’s YouTube channel.

Key Issues

The Budget 2021-22 has been developed in accordance with legislative and best practice requirements, based on the model provided by Local Government Victoria.

As a result of the submissions, and changes in circumstances and estimates, amendments have been made to the Budget 2021-22 including schedule of fees and charges (the Budget) presented with this report and recommended to Council for adoption. The key changes are summarised below:

Item	Change (\$)	Operating / Capital	Rationale																		
General Rates and Municipal Charge	\$0.03 million (income)	Operating	<p>\$0.03 million increase in income as a result of the finalisation of supplementary assessments processed in 2020-21.</p> <p>The net effect on cash and the operating result is an increase of \$0.03m.</p> <p>Property valuations have also changed slightly between the stage 3 preliminary values presented to Councillors by the VGV, and the final stage 4 valuations certified by the VGV.</p> <p>The increase in the total rate pool, and the change in the final certified valuations results in a change to the cents/CIV rate applicable to each differential category:</p> <table border="1" data-bbox="922 1422 1406 1688"> <thead> <tr> <th>Diff</th> <th>Proposed 21-22</th> <th>Amended 21-22</th> </tr> </thead> <tbody> <tr> <td>Res</td> <td>0.2558</td> <td>0.2571</td> </tr> <tr> <td>Comm</td> <td>0.3658</td> <td>0.3677</td> </tr> <tr> <td>Vacant</td> <td>0.3325</td> <td>0.3342</td> </tr> <tr> <td>R/Res</td> <td>0.2200</td> <td>0.2211</td> </tr> <tr> <td>Farm</td> <td>0.1484</td> <td>0.1491</td> </tr> </tbody> </table>	Diff	Proposed 21-22	Amended 21-22	Res	0.2558	0.2571	Comm	0.3658	0.3677	Vacant	0.3325	0.3342	R/Res	0.2200	0.2211	Farm	0.1484	0.1491
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Vacant	0.3325	0.3342																			
R/Res	0.2200	0.2211																			
Farm	0.1484	0.1491																			



Item	Change (\$)	Operating / Capital	Rationale
Living Libraries	\$0.54million (net effect \$0.015m)	Capital	<p>\$543,511 in income will be offset by \$558,511 in matching expenditure under the Living Libraries grant program. The funds will refurbish the current library building and it is expected these works will be completed in the 2021-22 financial year.</p> <p>Total capital income and total capital expenditure (grant funded and Council funded) will both be increased in the budget.</p> <p>The net effect on the Income Statement will be an increase of \$543k income.</p> <p>The net effect on the Capital Works Statement will be an increase in \$558k expenditure.</p> <p>The net effect on cash will be a decrease of \$0.015m (outflow).</p>
Friends of Venilale	\$1,000 (expense)	Operating	<p>Council passed a resolution at the May Council Meeting to donate \$3,000 per annum to Friends of Venilale. The proposed budget included only \$2,000 and therefore operating expenditure will increase by \$1,000.</p>
Financial Assistance Grants	\$0.05m (income)	Operating	<p>The Victorian Local Government Grants Commission has announced the indicative allocations of the Financial Assistance Grants for 2021-22.</p> <p>The estimated allocation for Mansfield is \$3,294,516 and this \$55k higher than the proposed Budget.</p> <p>50% of the allocation has been paid early in June 2021, consistent with the budget expectations.</p>
Website redevelopment	\$0.02m (expense)	Operating	<p>In response to community feedback and submissions received, an allocation of \$20,000 from the increased Financial Assistance Grants funding will be directed towards a further refresh of Council's website including improving the ease and ability for customer interaction with Council via online services.</p>



Item	Change (\$)	Operating / Capital	Rationale
Local Roads and Community Infrastructure Program	\$1.183m (net effect nil)	Capital	<p>The LRCI program has been extended (Phase 3) and Council will receive an additional funding allocation of \$1,183,186 from 1 January 2022, with construction due to be completed by 230 June 2023.</p> <p>If Council choose to use the funding to increase the capital program, the net impact on cash will be nil.</p> <p>If Council choose to allocate this funding toward the existing capital program, the net impact on cash will be an increase of \$1.183m.</p> <p>The guidelines have not yet been released for Phase 3, and therefore it is recommended that for budget purposes a net nil impact is assumed.</p>

The effects of the changes listed above on the key Statements in the budget document are shown below:

Income statement	Amendment	Revised balance
Revenue	\$0.62 million increase	
Expenses	\$0.02 million increase	
Net result	\$0.60 million increase	\$4.48 million

Statement of Capital Works	Amendment	Revised balance
Upgrade assets	\$0.56 million increase	\$4.69 million
Total capital works expenditure	\$0.56 million increase	\$12.46 million

Balance Sheet / Cash Flows	Amendment	Revised balance
Cash and cash equivalents at the end of the financial year AND Financial Assets	\$0.04 million increase	\$8.42 million

13.3.9 Budget 2021-22 – Cont...

Attachments

- 1 Mansfield Shire Council Budget 2021-22 (including schedule of fees and charges)

Recommendation

THAT COUNCIL:

- 1) Having considered written and verbal submissions pursuant to Section 223 of the *Local Government Act 1989*, adopt the Budget 2021-22 (as attached), including the Schedule of Fees and Charges for the financial year ending 30 June 2022.
- 2) Formally declare the following rates and charges for the 2021-22 rating year:
 - b) MUNICIPAL CHARGE
 - i) Pursuant to the provisions of Section 159 of the *Local Government Act 1989* a municipal charge be declared in respect of the 2021-22 financial year.
 - ii) The municipal charge be declared for the purpose of covering some of the administrative costs to Council.
 - iii) The municipal charge in the sum of \$322.00 for each rateable land (or part) in respect of which a municipal charge may be levied is declared in respect of the 2021-22 financial year.
 - iv) It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district in respect of which a municipal charge may be levied.
 - b) GENERAL RATES
 - i) Pursuant to the provisions of Section 161 of the *Local Government Act 1989* the following differential rates be declared for the 2021-22 financial year:
 - A general rate of 0.2571 cents in the dollar of CIV for all rateable residential properties.
 - A general rate of 0.3677 cents in the dollar of CIV for all rateable commercial properties.
 - A general rate of 0.3342 cents in the dollar of CIV for all rateable vacant land.
 - A general rate of 0.2211 cents in the dollar of CIV for all rateable rural residential properties.
 - A general rate of 0.1491 cents in the dollar of CIV for all rateable farmland properties.
 - ii) It be recorded that Council believes each differential rate will contribute to the equitable and efficient carrying out of Council functions. Details of the objectives of each differential rate, the types of classes of land which are subject to each differential rate and the uses of each differential rate are

set out in the Revenue & Rating Plan 2021-25 and show at item 4.1.1 of the attached Budget 2021-22.

- iii) In accordance with the *Cultural and Recreational Lands Act 1963* the cultural and recreational charges, in lieu of rates in respect of the 2021-22 financial year, be applied to all land to which that Act applies.
- iv) Pursuant to Section 169 (1)(a) of the *Local Government Act 1989* Council grant a rebate to the not-for-profit Beolite Retirement Village with respect to the community benefit derived from the Community Centre facility that is available for use by members of the Mansfield Shire community.

b) ANNUAL SERVICE CHARGE

- i) Pursuant to the provisions of Section 162 of the *Local Government Act 1989* an annual service charge relating to waste management be declared for the 2021-22 financial year for each rateable property as follows:

Kerbside rubbish collection 80 litre bin \$119.92

Kerbside rubbish collection 120 litre bin \$179.88

Kerbside rubbish collection 240 litre bin \$359.77

Kerbside recycling collection 240 litre bin \$125.79

Kerbside recycling collection 240 litre additional bin \$125.79

Community waste charge \$23.62

- ii) Pursuant to the provisions of Section 221 of the *Local Government Act 1989* an annual service charge relating to waste management be declared for the 2021-22 financial year on each non-rateable property where the service is provided.

Kerbside rubbish collection 80 litre bin \$119.92

Kerbside rubbish collection 120 litre bin \$179.88

Kerbside rubbish collection 240 litre bin \$359.77

Kerbside recycling collection 240 litre bin \$125.79

Kerbside recycling collection 240 litre additional bin \$125.79

3) Rate Payments

Rates are payable in four instalments due by:

First instalment 30 September

Second instalment 30 November

Third instalment 28 February

Fourth instalment 31 May

- 4) Thank all submitters for their participation in the budget development process and advise them in writing of the reasons for the adoption of the Budget 2021-22 as per section 223(1) d(ii) of the *Local Government Act 1989*.

14. ASSEMBLIES OF COUNCILLORS

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

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

The following is a list for the past month of assemblies held, the issues discussed and any conflicts of interest declared.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
11 May 2021	<p>Tolmie Community Budget Information Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie <p>Apologies:</p> <ul style="list-style-type: none"> • Cr Paul Sladdin • Cr Rohan Webb • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander <p>Officers:</p> <ul style="list-style-type: none"> • GM Community and Corporate, Chris Snook • Manager Business and Performance, Mandy Kynnersley • Manager Planning and Environment, Melissa Crane • Coordinator Governance and Risk, Michelle Kain 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Proposed Council Budget 2021-22 • Proposed Revenue & Rating Plan 2021-25 • Current Issues • Lake Eildon Master Plan
12 May 2021	<p>Merrijig Community Budget Information Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie • Cr Rohan Webb <p>Apologies:</p> <ul style="list-style-type: none"> • Cr Paul Sladdin • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander <p>Officers:</p> <ul style="list-style-type: none"> • GM Community and Corporate, Chris Snook • Community and Corporate Services Directorate Support, Mandy Snell • Manager Operations and Capital Works, Kristian Burchat 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Proposed Council Budget 2021-22 • Proposed Revenue & Rating Plan 2021-25 • Current Issues • Lake Eildon Master Plan • Mansfield Station Precinct
13 May 2021	<p>Goughs Bay Community Budget Information Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Rohan Webb 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Proposed Council Budget 2021-22 • Proposed Revenue & Rating Plan 2021-25 • Current Issues • Lake Eildon Master Plan • Mansfield Station Precinct



DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
	<p>Apologies:</p> <ul style="list-style-type: none"> • Cr Steve Rabie • Cr Paul Sladdin • CEO, Kaylene Conrick <p>Officers:</p> <ul style="list-style-type: none"> • GM Infrastructure and Planning, Kirsten Alexander • Community and Corporate Services Directorate Support, Mandy Snell 	
14 May 2021	<p>Mansfield District Business Association Leaders Breakfast and Budget Information Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie • Cr Rohan Webb <p>Apologies:</p> <ul style="list-style-type: none"> • Cr Paul Sladdin • CEO, Kaylene Conrick <p>Officers:</p> <ul style="list-style-type: none"> • GM Infrastructure and Planning, Kirsten Alexander • Coordinator Governance and Risk, Michelle Kain • Interim GM Community and Corporate Services, Mandy Kynnersley • Economic Development Officer – Business and Industry, Derek Beautyman 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Proposed Council Budget 2021-22 • Proposed Revenue & Rating Plan 2021-25 • Current Issues • Lake Eildon Master Plan • Mansfield Station Precinct
1 June 2021	<p>Councillor Briefing Session – via MS Teams</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Rohan Webb • Cr Paul Sladdin <p>Apologies</p> <ul style="list-style-type: none"> • Cr James Tehan <p>External Attendees:</p> <ul style="list-style-type: none"> • Tonkin and Taylor representatives, S. Peng, D. Umberg, C. Purchas and C. Turnbull • WAM Services Consultant representative, G. Webster • Renewable Energy Mansfield Representatives, Andrew Webb, Andrew Setchell, Kerstie Lee, • Incite Information Consultants, Paul Robertson and Wendy Malkeiwicz <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • Interim GM Community and Corporate Services, Mandy Kynnersley • Senior Coordinator Community Health and Wellbeing, Jenny Lovick • Manager Planning and Environment, Melissa Crane • Environment Officers, Damien Gerrans and Brigitte Brocklesby • Acting Coordinator Waste Management, Shaun Langlands • Coordinator Waste Management Rebecca Kirley 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Budget Submissions • Procurement Policy Review • Resource Recovery Centre Master Plan • Renewable Energy Mansfield Briefing • Aged Care Service Review Update • Lodging of CRMS Requests by Councillors • Debt Management/Borrowing Policy (For Information Only)



DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
3 June	<p>Draft Planning Land Use Strategy Workshop</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Rohan Webb • Cr Paul Sladdin • Cr James Tehan <p>External Attendees:</p> <ul style="list-style-type: none"> • SGS Economics and Planning representatives, P. Harrison, E. Hobbs and P. Fensham • RCI Planning consultant, Stephen Rowley <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • Interim GM Community and Corporate Services, Mandy Kynnersley • Planning Manager, Melissa Crane 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Planning Land Use Strategy
15 June 2021	<p>Councillor Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Rohan Webb • Cr Paul Sladdin • Cr James Tehan <p>Apologies</p> <ul style="list-style-type: none"> • Kaylene Conrick, CEO <p>Officers:</p> <ul style="list-style-type: none"> • GM Infrastructure and Planning, Kirsten Alexander • Interim GM Community and Corporate Services, Mandy Kynnersley • Senior Coordinator Field Services, Ari Croxford-Demasi 	<p><i>Conflicts of Interest:</i></p> <ul style="list-style-type: none"> • Cr. Sladdin declared a Conflict of Interest in the Agenda Planner discussion due to his position as Chairman of the Australian Mens' Shed Association. <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Financial Plan • Commercial and Industrial Land Use Strategy • Street Tree Policy • Community Vision • Landfills Risk Assessment • Mens Shed Lease/Licence

Recommendation:

THAT COUNCIL receive and note the Assembly of Councillors report for the period 11 May to 15 June 2021.

15. COUNCIL RESOLUTIONS REGISTER

This report presents to Council a schedule of outstanding actions from Council meetings held from 26 June 2018 to 18 May 2021.

Attachment

1 Council Resolutions Register

Recommendation:

THAT Council receive and note the Council Resolutions Register as at 15 June 2021.



16. ADVISORY AND SPECIAL COMMITTEE REPORTS

16.1 Mansfield Shire Audit and Risk Committee: Minutes of Meeting

The minutes of the Mansfield Shire Audit and Risk Committee, held 17 May 2021, are attached for Council's information.

Recommendation:

THAT Council receive the Minutes of the Mansfield Shire Audit and Risk Committee meeting held 17 May 2021.

17. AUTHORISATION OF SEALING OF DOCUMENTS

The following documentation has been signed and sealed by Council:

- Section 173 Agreement – 1523 Long Lane Barwite, 16 April 2021
- Section 173 Agreement – Stoneleigh Park Estate Mansfield, 14 May 2021

Recommendation:

THAT Council:

- 1. Note the Section 173 Agreements for 1523 Long Lane, Barwite was sealed by Council on 16 April 2021**
- 2. Note the Section 173 Agreement for Stoneleigh Park Estate, Mansfield was sealed by Council on 14 May 2021**

18. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

N/A

19. PRESENTATION OF CONFIDENTIAL REPORTS

Nil

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

N/A

21. CLOSE OF MEETING