



Mansfield Shire

# Council Meeting

Tuesday 13 December 2022 5:00 pm  
ZOOM

Notice and Agenda of meeting livestreamed via the  
[Mansfield Shire Council website](#)  
Commencing at 5pm

---

Our aspiration for our Shire and its community

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

---

## **Councillors**

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

## **Officers**

Kirsten Alexander, Chief Executive Officer  
Melissa Crane, Acting General Manager Infrastructure and Planning  
Dena Vlekkert, General Manager Community and Corporate Services

## Order of Business

### 1. Opening of the meeting

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

### 2. Present

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

### 3. Apologies

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

### 4. Statement of commitment

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

### 5. Acknowledgement of Country

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

### 6. Disclosure of conflicts of interest

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

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

### 7. Confirmation of minutes

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

### 8. Representations

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

### 9. Notices of Motion

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

## **10. Mayor's report**

The Mayor provides a report on his activities.

## **11. Reports from council appointed representatives**

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

## **12. Public question time**

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

## **13. Officer reports**

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

**13.2-13.3 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. Council resolutions report**

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

## **15. Advisory and Special Committee reports**

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

## **16. 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.

## **17. 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.

## **18. Presentation of confidential reports**

## **19. Reopen meeting to members of the public**

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

## **20. Close of meeting**

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

# Agenda Contents

- 1. Opening of the meeting .....6
- 2. Present .....6
- 3. Apologies.....6
- 4. Statement of commitment .....6
- 5. Acknowledgement of Country .....6
- 6. Disclosure of conflicts of interest.....6
- 7. Confirmation of minutes .....7
- 8. Representations .....7
  - 8.1. Petition - Housing & Accommodation Crisis in Mansfield Shire.....7
- 9. Notices of motion.....7
- 10. Mayor's report .....8
- 11. Reports from council appointed representatives .....9
- 12. Public question time .....9
- 13. Officer reports.....10
  - 13.1. Chief Executive Officer's report .....10
  - 13.2. Infrastructure and Planning Directorate .....11
    - 13.2.1. C54mans - Rezoning at 104 Dead Horse Lane, Mansfield .....11
  - 13.3. Community and Corporate Services Directorate .....17
    - 13.3.1. Regional Tourism Memorandum of Understanding.....17
    - 13.3.2. Memorandum of Understanding with Venilale.....20
- 14. Council Meeting Resolution Actions Status Register .....22
- 15. Advisory and Special Committee reports .....22
  - 15.1. Audit & Risk Committee Meeting Agenda & Minutes.....22
- 16. Authorisation of sealing of documents .....22
- 17. Closure of meeting to members of the public.....22
- 18. Confidential Reports.....23
  - 18.1. Citizen Awards 2023.....23
  - 18.2. Bank Contract Re-tender .....23
- 19. Reopen meeting to members of the public.....23
- 20. Close of meeting .....23

# Agenda

## 1. Opening of the meeting

## 2. Present

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

- Councillor Holcombe
- Councillor Rabie
- Councillor Sladdin
- 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 Steve Rabie 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 Holcombe
- Councillor Rabie
- Councillor Sladdin
- Councillor Webb

## 7. Confirmation of minutes

### Recommendation

THAT the Minutes of the Mansfield Shire Council meeting held on 22 November 2022 be confirmed as an accurate record.

## 8. Representations

A petition has been received from Edwin Adamson to amend the housing scheme to allow second/additional dwellings to assist with the urgent labour and housing crisis across the Mansfield Shire.

Petition Requirements: The submitted petition meets the required format of a petition in accordance with Chapter 2, Part C, Division 9 of Council's *Governance Rules 2022*, and in line with Council's *Petitions Policy*.

### Recommendation

THAT COUNCIL:

1. Receive and note the petition from Edwin Adamson to amend the housing scheme to allow second/additional dwellings to assist with the urgent labour and housing crisis across the Mansfield Shire, and
2. Refer the petition to the Chief Executive Officer for consideration and a response to be tabled at a future Council meeting.

## 9. Notices of motion

## 10. Mayor's report

Mayor James Tehan will present the monthly Mayor's report to the Council as follows:

*I firstly wanted to thank my fellow Councillors for my re-election to Mayor of our Shire for a second term. It is an honour to represent Council and Mansfield Shire as Mayor and I look forward to the next 12-months ahead.*

*Recently Councillors have received some requests and complaints directly to our individual email addresses. We would like to encourage everyone to submit their requests and complaints to [council@mansfield.vic.gov.au](mailto:council@mansfield.vic.gov.au) to ensure these are tracked, actioned and managed appropriately. This is also the quickest way for your request to be acknowledged and actioned.*

*Preparation for the 2023-24 Budget has begun and Council has made the following changes to our community consultation:*

- We'll start consulting much earlier in the budget process and the Long Term Financial Plan (LTFP) Review will commence in January*
- We will not hold an in-person non-resident rate payer forum in Melbourne and will instead run an online session allowing more non-resident rate payers to attend.*

*Council has just commenced a procurement process for an improved cloud-based (online/web based) commercial booking system for Council and community run facilities and resources. The system will improve customer service for facility hirers, increase utilisation of Council's facilities and resources, improve administrative efficiency, and be a consistent and user-friendly booking process. We look forward to offering an improved booking system for use by our community.*

*I was thrilled to hear that Alpine Resorts Victoria has commenced their community engagement process for the Mirimbah Precinct Masterplan. I encourage all community members to view the concept masterplan prepared by Urban Enterprise, with support from Tract landscape architects, and provide their feedback on the options and uses identified for the site online at [www.rmb.mtbuller.com.au/have-your-say](http://www.rmb.mtbuller.com.au/have-your-say)*

*On behalf of Council, thank you to the community for your contribution in 2022. We wish everyone a safe and merry Christmas and look forward to working with you in 2023.*

*Cr James Tehan  
Mayor*

### Recommendation

THAT COUNCIL receive the Mayor's report for the period 22 November 2022 to 8 December 2022.



## 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"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Steve Rabie</li> <li>▶ Cr Mark Holcombe</li> </ul>
Mansfield Shire CEO Employment Matters Committee	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Steve Rabie</li> <li>▶ Cr Mark Holcombe</li> </ul>
Goulburn Murray Climate Alliance (GMCA)	<ul style="list-style-type: none"> <li>▶ Cr Rohan Webb</li> </ul>
Hume Regional Local Government Network (HRLGN)	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> </ul>
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Mark Holcombe</li> </ul>
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Substitute - Deputy Mayor</li> <li>▶ Cr Steve Rabie</li> </ul>
Rural Councils Victoria (RCV)	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Paul Sladdin</li> </ul>

### 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, Kirsten Alexander

#### 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
- ▶ Governance
- ▶ Capital Works
- ▶ New Initiatives
- ▶ Building Services
- ▶ Regulatory Services
- ▶ Revenue Services
- ▶ Community Health and Wellbeing
- ▶ Visitor Services (VIC and Library)
- ▶ Communications

#### Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 22 November 2022 to 7 December 2022.

#### Support Attachments

1. CEO Monthly Report – November 2022 [13.1.1 - 31 pages]

## 13.2. Infrastructure and Planning Directorate

### 13.2.1. C54mans - Rezoning at 104 Dead Horse Lane, Mansfield

<b>File Number</b>	E9980	<b>Responsible Officer</b>	Acting General Manager Infrastructure & Planning, Melissa Crane
--------------------	-------	----------------------------	---

#### Purpose

To advise Council of the background and response to exhibition for the proponent driven amendment C48mans to the Mansfield Planning Scheme to rezone part of the land at 104 Dead Horse Lane Mansfield from Farming Zone to Neighbourhood Residential Zone.

To recommend that Council refer all submissions to Amendment C54mans to an independent Panel for consideration.

#### Executive Summary

Seven (7) submissions were received in response to the exhibition of C54mans, five (5) from referral agencies and two (2) from private submitters. A summary of submissions can be found at **Attachment 1**.

Goulburn Valley Water, Goulburn Broken Catchment Management Authority, Goulburn Murray Water and the Department of Environment, Land, Water and Planning all had no objections to the amendment.

The Environment Protection Authority raised some concerns that the amendment had not given due consideration to potential contamination and that it was not clear that the area for rezoning was outside of the wastewater treatment buffer area. Council officers met with the EPA and provided advice on the Goulburn Valley Water response in addition to making amendments to the Explanatory Report to reference Ministerial Direction 19. At the time of writing this report the EPA was still considering its position, however it is considered likely that their submission can be resolved.

Of the two (2) private submissions, the objections raised were that:

- The land is inappropriate for residential housing due to the flood prone nature of the land.
- Existing infrastructure is not able to cope with the development.
- There was concern with how this land would interface with the Heavy Vehicle Alternative Route.
- There is some vegetation on the southern boundary that should be protected.

A meeting was held with the submitters, as well as the provision of additional information, which has failed to resolve their concerns to date, and they have maintained their objections to the amendment.

As all the submissions have not been resolved, an independent planning panel will be required to hear these submissions and make recommendations to Council to resolve the amendment. A

copy of the amendment proposed to be submitted to Planning Panels can be found at **Attachment 2**.

### Key Issues

Planning Scheme Amendment C54mans was submitted as a proponent driven amendment for the rezoning of part of the land at 104 Dead Horse Lane Mansfield from Farming Zone to General Residential Zone. The basis for this amendment, being rezoning of the land at 104 Dead Horse Lane, has come from the *Mansfield Planning Strategy 2021*, which was adopted by Council in May 2022. This document is in the process of being converted into a planning scheme amendment, with this proponent driven amendment received ahead of that formal process.

It is also noted that the existing Township Framework Plan in the Mansfield Planning Scheme has identified this area for residential development.

The following information is provided in relation to the issues raised by submitters:

#### *Tree protection for planted vegetation and remnant vegetation*

The following area was discussed in relation to protection of vegetation, some being planted vegetation and some being remnant old trees:



#### Officer comments:

While these trees are in the western section of the lot, and will need to be considered in accordance with Clause 52.17 *Native Vegetation* for any future development, in order to provide for additional protection and comfort for the adjoining landowners, Council officers can adopt a change to the amendment to include the following requirement be included on that legal agreement:

- Any subdivision of the land must provide for the protection of the area of vegetation on the southern boundary of the allotment, between the existing dam and Withers Lane in a vegetation protection zone.

#### *Flooding issues*

Council officers recognise that there are flooding issues in the area. The concerns raised by submitters were that this development would put people at risk in a flood event. This land has had the area affected by flooding identified by the Goulburn Broken Catchment Management Authority (GBCMA), and is covered by a Land Subject to Inundation Overlay as follows:



Officer comments:

This overlay is not changing as a result of this amendment. Any development in this area will need to consider the overlay, which requires any dwelling constructed be a minimum of 300mm above the 100-year ARI flood level for the area, as determined by the GBCMA. In addition, the GBCMA have considered the proposal and not objected to the rezoning, and subsequent development of dwellings on this property.

The GBCMA response also requires that the future development of the land complies with all their policies. The *Guidelines for the Protection of Water Quality* provides minimum setbacks for developments as follows:

Type of Waterway	Septic Tanks	Buildings	Buffers along Waterways
Any waterway outside a special catchment and not a heritage river	60 metres	30 metres	30 metres

These setbacks would be applied to any development that may occur into the future. This would mean that the same buffer as has been applied in the Stockmans Rise development will continue into this property (being 60m wide).

*Infrastructure provision*

Concerns were raised in the meeting with submitters about changes required to the road network for the future development.

Officer comments:

The main access to and from the developable area of the allotment will be from the Stock Route. Council officers are looking to create connections to the east, to connect the Stock Route to Kitchen Street, as part of future developments of those lots. In the short term, access to the Maroondah Highway will be from the Stock Route, but Council officers will continue to progress opportunities to divert traffic away from the Station Precinct reserve into the future and into the formal road network.

As submissions to the proposed amendment cannot be fully resolved, Council cannot adopt the amendment at this stage and has the following options:

1. Abandon the amendment in its current form (not recommended)
2. Progress the amendment through referral of the submissions to an independent panel for consideration. An independent panel is appointed by the Minister for Planning, and they would hear from all submitters and then provide a report to Council on the merits of the amendment and submissions.

It is recommended to refer the amendment to an independent panel, which will ensure that all submissions are considered in context and will be given due regard. Council officers will continue to work with the submitters prior to the panel hearing in further efforts to address their concerns.

<b>Recommendation</b>
<p>THAT COUNCIL:</p> <p>Having prepared and exhibited Amendment C54 to the Mansfield Planning Scheme under Section 19 of the <i>Planning and Environment Act 1987</i>;</p> <p>Having considered all submissions to Amendment C54 to the Mansfield Planning Scheme under Section 22 of the <i>Planning and Environment Act 1987</i>;</p> <p>Mansfield Council resolves to:</p> <ol style="list-style-type: none"> <li>1. Under Section 23 of the <i>Planning and Environment Act 1987</i>, all submissions to Amendment C54 to the Mansfield Planning Scheme be referred to an independent panel appointed under Part 8 of the <i>Planning and Environment Act 1987</i>;</li> <li>2. The summary of submissions to Amendment C54 (Attachment 1) be adopted as Mansfield Shire Council’s position on the submissions that will be presented to an independent panel;</li> <li>3. Each submitter to Amendment C54 be notified in writing of Mansfield Shire Council’s position regarding their submission and informed of the forthcoming independent panel process.</li> </ol>
<b>Support Attachments</b>
<ol style="list-style-type: none"> <li>2. C54mans Assessment of Submissions [13.2.1.1 - 7 pages]</li> <li>3. Combined Mansfield C 54 Amendment 104 Dead Horse Lane Mansfield [13.2.1.2 - 81 pages]</li> </ol>

## Considerations and Implications of Recommendation

### Sustainability Implications

This amendment seeks to rezone land from Farming to Neighbourhood Residential Zone. The proposed amendment seeks to promote the orderly and sustainable urban expansion of Mansfield Township through facilitating fully serviced residential development at conventional densities.

Rezoning of the land to Neighbourhood Residential Zone Schedule 1 will assist in containing and intensifying residential development in an identified residential area within the Mansfield township boundary.

The rezoning and development of the land will make more efficient residential use of land that is accessible to central Mansfield, allowing a full range of urban services to be more efficiently and cost effectively provided to the land.

## Community Engagement

This amendment has undergone an exhibition process in accordance with the *Planning and Environment Act 1987*, following an extensive community engagement process that was undertaken in the development of the *Mansfield Planning Strategy 2021*.

## Collaboration

Not Applicable

## Financial Impact

The proposed amendment is proponent driven. As such, the applicant will bear the fees associated with the amendment.

The cost to Council will be the added work placed on Council officers. This, however, is considered work within the reasonable scope of regular operation within Council, and a fee of \$3096.20 has been charged to the proponent in accordance with the Planning and Environment (Fees) Regulations 2016 for council consideration of the amendment.

## Legal and Risk Implications

The amendment has been assessed and processed in accordance with the Planning and Environment Act 1987.

## Regional, State and National Plans and Policies

A planning scheme amendment is required to be formally exhibited under Section 19 of the Planning and Environment Act 1987, with notification being given to potentially affected agencies, groups, and landowners.

A Council resolution was obtained to seek authorisation from the Minister for Planning for Council to formally prepare the amendment, and when authorised, to exhibit the amendment. Exhibition took place for the minimum statutory period of one month, with advertising to potentially affected agencies, groups, and landowners. Now exhibition has been completed, the amendment is being reported to Council for:

- Consideration of submissions.
- Referral of submissions that cannot be resolved to an independent panel for consideration.

## Innovation and Continuous Improvement

Not Applicable

## Alignment to Council Plan

Theme 2: Vibrant Liveability Strategic Objective 3 Future focused: Intelligent land use and infrastructure

Strategy 3.1 Protect natural vistas and farmlets

Strategy 3.2 Enhance township character

Strategy 3.4 Plan for and encourage appropriate housing

## **Governance - Disclosure of Conflicts of Interest**

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



## 13.3. Community and Corporate Services Directorate

### 13.3.1. Regional Tourism Memorandum of Understanding

<b>File Number</b>	E1945	<b>Responsible Officer</b>	Acting Senior Coordinator Community & Economic Development, Tanya Tabone
<b>Purpose</b>			

To present the Regional Tourism Memorandum of Understanding to Council for endorsement.

#### Executive Summary

Tourism North East (TNE) is the tourism board that represents the north-east of Victoria and is responsible for coordinating strategic tourism efforts across the northeast of Victoria including seven shires and three major alpine resorts (the Regional Tourism Partners). TNE provide strategic planning, research and advocacy for partner Councils and have delivered this service for Mansfield Shire Council since the Regional Tourism Board was established in 2008. The current Memorandum of Understanding (MoU) is set to expire, and TNE have presented a new MoU to Council for endorsement.

#### Key Issues

The Regional Tourism Partners group is made up of:

- Alpine Shire Council
- Benalla Rural City Council
- Falls Creek Alpine Resort
- Indigo Shire Council
- Mansfield Shire Council
- Mt Buller Mt Stirling Alpine Resort
- Mt Hotham Alpine Resort
- Murrindindi Shire Council
- Rural City of Wangaratta Council
- Towong Shire Council

TNE is governed by a Board of Directors that includes the CEOs of all the shires and resort management boards represented in the High Country along with up to six independent appointees, overseen by an independent chairperson.

Each year TNE in collaboration with the regional partners delivers strategic initiatives that enable regional investment, increase visitation and visitor yield, and widen the geographic dispersion of tourism in the High Country.

Being part of the regional tourism board means Council has access to collaborative procurement, shared expertise and a formal network of industry experts. It also enables Council to benefit from grant funding opportunities and joint initiatives that it may not be otherwise able to access.

### Memorandum of Understanding

TNE has provided Council with a 'Regional Tourism Memorandum of Understanding' between TNE and the Regional Partners to be executed by 31 January 2023.

It is proposed that the MoU commence on 1 July 2023 and will expire on 30 June 2026. This covers three financial years, 2023/24, 2024/25 and 2025/26.

### Operational Funding

Under the MoU, Council pays an annual fee of \$40,000 (subject to CPI increases) which entitles the Mansfield Shire Council CEO to continue to be a TNE Board member and for Council to receive support for ongoing activities including strategic planning, research and advocacy.

### Activity Funding

In addition, Council has the option to buy-in for specific projects. Council's 'buy-in' amount for 2022/23 is \$67,545.40. This includes industry and product development, marketing and public relations, digital marketing and content management, publicity and regional projects.

### Recommendation

THAT COUNCIL receives and endorses the Regional Tourism Memorandum of Understanding between Tourism North East and Mansfield Shire Council and authorises execution of the document by the Chief Executive Officer.

### Support Attachments

1. TNE MoU 2023-2026 [13.3.1.1 - 8 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

Is accounted for in the Budget for Tourism within Economic Development.

### Legal and Risk Implications

Financial Risk: membership of the Regional Tourism Board requires a financial contribution as outlined in this report. Participation in the activities and projects of the board enables Council to access grant funding and expertise in collaboration with the other partners that it may not otherwise be able to access and reduces financial risk. Not being a member of the Regional Tourism Board would mean competing with other tourism entities (neighbouring shires and alpine resorts) for project funding.

## **Regional, State and National Plans and Policies**

Membership of the Regional Tourism Board is in alignment with the State Policy Visitor Economy Recovery and Reform Plan.

## **Innovation and Continuous Improvement**

The collaborative opportunities enabled through membership of the Board allow Council to access new technology and tourism initiatives such as the rapidly growing market for gravel cycling. Council has received \$70,000 towards new tourist directional signage for 8 gravel cycling routes to key destinations around the shire.

## **Alignment to Council Plan**

Theme 1: Connected and Healthy Community Strategic Objective 2: Activities that promote connection and fitness of our people and visitors  
Strategy 2.3 Enhance the social and economic value of tourism to Mansfield.

## **Governance - Disclosure of Conflicts of Interest**

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

### 13.3.2. Memorandum of Understanding with Venilale

<b>File Number</b>	E789	<b>Responsible Officer</b>	Acting Senior Coordinator Community & Economic Development, Tanya Tabone
--------------------	------	----------------------------	--

#### Purpose

To present Council with a renewed Memorandum of Understanding (MoU) between Mansfield Shire Council and the Sub-District Administration of Venilale.

#### Executive Summary

In 2000 the Victorian Local Governance Association and the Municipal Association of Victoria decided to encourage friendship relationships between Timor-Leste (East Timor) and councils across Australia to develop and support cross-cultural understanding.

In 2004 the Mansfield-Venilale friendship was agreed to by Mansfield Shire Council and the Sub-District (now Posto Administrativo) of Venilale in the municipality of Timor Leste. Venilale is a small town in Timor-Leste about 30km south of Baucau municipality in East Timor. Venilale is an administrative post that comprises of eight sucos, or villages.

In 2005 a delegation from Mansfield, including the Mayor and CEO of Mansfield Shire, visited Venilale.

The Sub-District Administration of Venilale has requested a renewal of this Memorandum of Understanding. The new MoU is being facilitated by the Friends of Venilale.

#### Key Issues

The MoU provides an opportunity for Council to demonstrate deep connections with communities from other parts of the world. The gesture of signing the MoU supports and celebrates the benefits of cultural diversity.

Mansfield Shire Council has two relationships with Venilale:

1. In 2005, an MoU was developed between Mansfield Shire Council and the Sub-District Administration of Venilale (essentially their local government). This MoU is being presented for renewal as the region reaffirms its friendship with Mansfield Shire.
2. An MoU between Mansfield Shire Council and the Friends of Venilale (a non-profit, community organisation with a formal relationship with the Sub-District of Venilale), was signed by Mayor Mark Holcombe on 18 May 2021. The term of this agreement runs until 30 June 2025.

Friends of Venilale met with Council’s CEO and Coordinator of Community Development on 7 October 2022 requesting to renew the MoU between Mansfield Shire Council and the Sub-District Administration of Venilale, thus reaffirming the Friendship between the Sub-District Administration of Venilale, Democratic Republic of Timor Leste and the Shire of Mansfield.

#### Recommendation

THAT COUNCIL receive and endorse the Memorandum of Understanding between Mansfield Shire Council and the Sub-District Administration of Venilale.

## Support Attachments

1. 2000 Statement of Principles For Victorian Local Governments Working in East Timor [13.3.2.1 - 1 page]
2. Memorandum of Understanding 2005 [13.3.2.2 - 1 page]
3. Draft 2022 MEMORANDUM OF UNDERSTANDING [13.3.2.3 - 1 page]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

This has been a collaboration with the Friends of Venilale and the Sub-District Administration of Venilale.

### Financial Impact

There are no resource or financial implications in signing the MoU.

### Legal and Risk Implications

The Memorandum of Understanding (MoU) has no legal effect or implication. The purpose of the MoU is to ensure Council's continued recognition, support for and strengthening of the community-to-community relationships already established.

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

Not Applicable

### Alignment to Council Plan

Theme 1: Connected and Healthy Community

Strategic Objective 1: The health and wellbeing of families and communities is maximised

Strategy 1.1 Embed health and wellbeing enablers and protections to reduce risks to our communities.

### Governance - Disclosure of Conflicts of Interest

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

## 14. Council Meeting Resolution Actions Status Register

This report presents to Council the Mansfield Shire Council Meeting Resolution Actions Status Register

<b>Recommendation</b>
THAT Council receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 7 December 2022.
<b>Support Attachments</b>
1. Mansfield Shire Action Register as at 7 December 2022 [ <b>14.1.1</b> - 4 pages]

## 15. Advisory and Special Committee reports

### 15.1. Audit & Risk Committee Meeting Agenda & Minutes

The Agenda & Minutes of the Mansfield Shire Audit and Risk Committee, held 21 November 2022, are attached for the Councils information.

<b>Recommendation</b>
THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 21 November 2022.
<b>Support Attachments</b>
1. Agenda - Audit and Risk Committee Meeting - 21 November 2022 [ <b>15.1.1</b> - 39 pages]
2. Minutes - Audit and Risk Committee Meeting - 21 November 2022 [ <b>15.1.2</b> - 6 pages]

## 16. Authorisation of sealing of documents

Nil

## 17. Closure of meeting to members of the public

Council has the power to close its meeting to the public in certain circumstances pursuant to the provisions of Section 66(2) of the Local Government Act 2020. The circumstances where a meeting can be closed to the public are:

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

The definition of confidential information is provided in Section 3(1) of the *Local Government Act 2020*.

<b>Recommendation</b>
THAT COUNCIL close the meeting to members of the public under Section 66(2)(a) of the Local Government Act 2020 to consider Confidential Reports in accordance with section 66(2) of the Local Government Act 2020 for reasons set out in section 19 below.

## 18. Confidential Reports

### 18.1. Citizen Awards 2023

#### **Confidential**

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

### 18.2. Bank Contract Re-tender

#### **Confidential**

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

## 19. Reopen meeting to members of the public

#### **Recommendation**

THAT COUNCIL reopen the meeting to members of the public.

## 20. Close of meeting