



Mansfield Shire

## Council Meeting

### Tuesday 15 March 2022

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

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#### 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.

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#### **Councillors**

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

#### **Officers**

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

## Order of Business

### 1. Opening of the meeting

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

### 2. Present

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

### 3. Apologies

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

### 4. Statement of commitment

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

### 5. Acknowledgement of Country

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

### 6. Disclosure of conflicts of interest

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

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

### 7. Confirmation of minutes

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

### 8. Representations

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

### 9. Notices of Motion

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

## 10. Mayor's report

The Mayor provides a report on his activities.

## 11. Reports from council appointed representatives

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

## 12. Public question time

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

## 13. Officer reports

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

**13.2-13.4 Officer reports are presented to the Council, where required.**

Detailed reports prepared by officers from the Infrastructure and Planning Directorate are considered by the Council. This includes reports from the following Departments:

- ▶ Planning and Environment
- ▶ Operations and Capital Works
- ▶ Community Safety
- ▶ Field Services

A Council position is adopted on the matters considered.

Detailed reports prepared by officers from the Community and Corporate Services Directorate will also be considered by the Council:

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

A Council position is adopted on the matters considered.

## 14. Assembly of Councillors

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

## 15. Council resolutions report

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

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

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

## **17. Authorisation of sealing of documents**

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

## **18. Close of meeting**

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

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# Agenda

## 1. Opening of the meeting

## 2. Present

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

- Councillor Holcombe
- 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 Mark Holcombe 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 on 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 Tuesday 15 February 2022 be confirmed as an accurate record

## 8. Representations

## 9. Notices of motion

Nil



## 10. Mayor's report

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

*On Friday 25 February Council was part of the official opening of the dual court stadium at Mansfield Secondary College. Thank you to Tim Hall and his team at Mansfield Secondary College, the Mansfield Basketball Association and their 600 odd members, the Councillors' and staff at Mansfield Shire Council and the State and Federal Government for their generous funding and the Mansfield community. Congratulations to all involved and well done on a great achievement.*

*Seven applications were received for the outlying community fund grant of \$50,000. Congratulations to the Tolmie Community Social Club, the Goughs Bay area progress Association, and Merton Camp Draft for their successful applications. I encourage all unsuccessful applicants to consider re-applying next year.*

*Bonnie Doon recreational reserve netball courts have been deemed unsafe to play on so Council has committed \$30,000 to resurface and level the courts. With a generous contribution of \$10,000 from the Bonnie Doon Netball Club these works will be completed before the start of the 2022 netball season.*

*A new grader was recently purchased by Council replacing one that was 17 years old with over 10,300 hours. Council has three grader drum rollers and water carts which are kept busy grading 580km of the Shire's gravel roads.*

*Boral resources was awarded the contract of \$546,000 for our re-sealing program. For the first time a binding agent which includes recycled tires will be used in the bitumen reducing the amount of cracking in the surface. This program will commence after winter.*

*Cr James Tehan  
Mayor*

### **Recommendation**

THAT COUNCIL receive the Mayor's report for the period 15 February 2022 to 3 March 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>
Lake Eildon Land & On-Water Management Plan Implementation Committee	<ul style="list-style-type: none"> <li>▶ Cr Paul Sladdin</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 Mark Holcombe</li> </ul>
North East Local Government Waste Forum (a committee of the North East Regional Waste and Resource Recovery Group)	<ul style="list-style-type: none"> <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, 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
- ▶ Visitor Services (VIC and Library)

#### Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 15 February 2022 to 7 March 2022.

#### Support Attachments

1. CEO Monthly Report - February 2022 [13.1.1.1 - 28 pages]

## 13.2. Infrastructure and Planning Directorate

### 13.2.1. Bonnie Doon Streetscape Project

<b>File Number</b>	E9843	<b>Responsible Officer</b>	Manager Planning & Environment, Melissa Crane
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#### Purpose

To seek Council approval to reallocate of \$22,000 funding from the 2021-22 budget allocation of \$50,000 for the Bonnie Doon Streetscape design and planning works to be used for the development of a Bonnie Doon Structure Plan to be developed internally by the Planning and Environment team.

#### Executive Summary

Council currently has \$50,000 budgeted in the 2021/2022 financial year to undertake streetscape design and planning works in Bonnie Doon.

Following some initial consultation with local Bonnie Doon community members and groups it evident that no firm plans have been established for the town, and the need to take a more comprehensive approach has been identified.

Council Officers are seeking Council support to prepare a Structure Plan to identify and direct what needs to be done in Bonnie Doon to get the best value from the funding amount. Part of this process will involve consultation with the community to capture what is important in Bonnie Doon which will lead to the preparation of a Structure Plan.

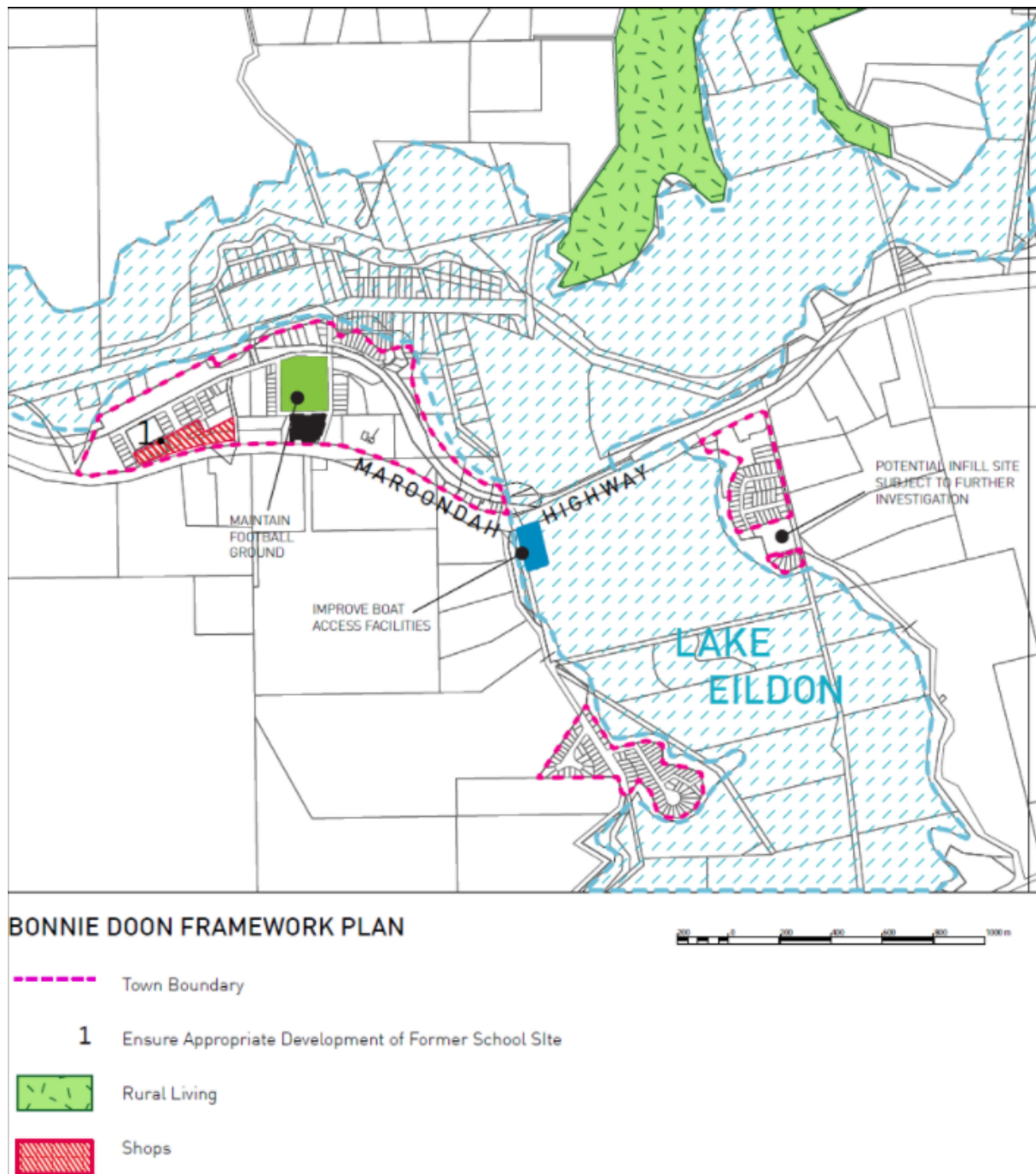
A structure plan is a document which provides a strategically justified plan for how an area will develop and change over time in physical terms, at a localised level. The purpose of preparing a structure plan for Bonnie Doon is to manage growth and facilitate change in the town, and to leverage existing infrastructure and accommodate housing and employment growth.

A structure plan is often prepared by consultants, usually at a cost of \$50,000 or more. In this case it is proposed that internal resources are utilised, with the support of an additional fixed term part time staff member reducing the cost to Council. This will allow the bulk of the funding for the works to be used in commencing the implementation of the plan that is developed as part of this process.

Completing a structure plan will identify infrastructure renewal and upgrade requirements, such as for transport, community infrastructure and public realm to ensure ongoing community benefits. The structure plan will provide:

- Greater certainty for Bonnie Doon residents and future investors
- A framework for transition of the precinct
- A coordinated approach to delivery of infrastructure
- Clear guidance for future land use and built form to support streamlined and timely decision making

The area is identified in the Mansfield Planning Scheme as the existing “Bonnie Doon Framework Plan”, and would be the area subject to this plan as follows:



### Key Issues

#### Why do we need a Bonnie Doon Structure Plan?

The need to prepare a plan for Bonnie Doon has been identified in a range of Council documents, as follows:

1. The *Economic Development Strategy 2020-2025* has the following strategy and action:
  - a. Strategy 12 – Advocate, support and deliver key infrastructure projects that will facilitate economic growth.

- i. Action 12.5 - Develop and implement structure plans for Mansfield's key townships, following preparation of the Mansfield Planning Strategy.

## 2. Mansfield Planning Strategy:

While the Mansfield Planning Strategy has not yet been adopted, the draft Strategy has been prepared and exhibited. Within this draft strategy, a settlement hierarchy has been defined as follows:

Category	Settlement
Main Service Centre	Mansfield Town
Town	Bonnie Doon
Township	Jamieson Gough's Bay Merton Merrijig
Settlement	Macs Cove Howqua Maindample Woods Point
Rural Settlements	Ancona Barjarg Howqua Kevington Tolmie

The plan highlights the need for some localised planning at Bonnie Doon to assist in the future development and infrastructure provision in the town.

3. The *Lake Eildon Masterplan* also recommends the funding of a landscape masterplan for Bonnie Doon. The plan states the following:

**Project Description:** *Township presentation improvements are required in the key towns, including signage upgrades, improved landscaping, public furniture, development of township gateways, façade treatments and removal of outdated signage. These improvements have significant outcomes, as they improve the attractiveness of the town for residents and visitors alike.*

**Strategic Justification:**

- *Town centres are unattractive, have poor landscaping, dated signage and no township gateways*
- *Improved town presentation will drive stop overs and longer stays in townships*
- *Township amenity improvements will increase town attractiveness to current and prospective residents*

It is not proposed to include a detailed landscaping plan as part of this process, but it is proposed to use this plan to identify preferred areas for landscaping and connectivity, to assist in improving the town.

4. The Mansfield Planning Scheme, at Clause 11.01-1L-02 *Other local areas* provides the statutory support for the current Bonnie Doon Framework Plan. The current strategies in relation to Bonnie Doon are as follows:
  - a. Discourage linear development along the Maroondah Highway.
  - b. Site and design linear development along the Maroondah Highway to be sensitive to the 'Alpine Approach' role of the roads.
  - c. Encourage residential development within the existing urban areas and their ongoing urban consolidation via improvement and enhancement of existing dwellings.
  - d. Support the retention of the football ground.

The final Structure Plan from this project would be able to be implemented into the planning scheme and update these strategies.

### **What will be in the Bonnie Doon Structure Plan?**

The Bonnie Doon Structure Plan will deal with building heights, new street tree plantings, town entrances and pedestrian path improvements. The plan will give all users (e.g., community groups, Council departments, government agencies, local developers) a plan to follow.

The plan will be used to:

- guide public realm and built form outcomes within Bonnie Doon
- inform Council's capital works program and annual budget.
- make policy changes in the Mansfield Planning Scheme if identified, specific to Bonnie Doon
- promote a range of partnerships and potential sources of funding for many of the initiatives identified in the Plan.
- provide a basis for the preparation of more detailed masterplans for important sites throughout Bonnie Doon, for example, the Recreation Reserve or the Community Centre site.

Finally, the Bonnie Doon Structure Plan is proposed to include the following:

1. Introduction – This will explain what the purpose of the plan is, the area it is to cover and how the document is structured. There are normally two main elements – the background analysis of the area and a recommendations section.
2. Background – This section will provide context for the plan, information on demographic and existing physical conditions of the area, and a background analysis of the opportunities and constraints for consideration.
3. Recommendations – This section normally includes a vision for the town, as determined from the community consultation, key directions, and primary objectives to be achieved. Recommendations can include the following areas:
  - a. Land Use, Built Form and Access and Movement – this is the section that may require changes to the Mansfield Planning Scheme in relation to zoning, etc.
  - b. Landscape and Public Realm – this would provide a plan for improvements to the overall image of the town and identifies works to be undertaken in public spaces.
  - c. Design Guidelines – These might look to put controls on how private land is developed to protect the preferred character.



- d. Implementation – This will provide clear direction on how the plan should be implemented.

<b>Recommendation</b>
THAT COUNCIL approve the allocation of \$22,000 from the Bonnie Doon Streetscape budget to the Planning and Environment Strategic Planning Unit to undertake the preparation of the Bonnie Doon Structure Plan to provide certainty and guide future change for the area.
<b>Support Attachments</b>
Nil

## Considerations and Implications of Recommendation

### Sustainability Implications

Not applicable for this report, will be considered in the preparation of the plan.

### Community Engagement

Community Engagement will be undertaken in the preparation of the Bonnie Doon Structure Plan.

### Collaboration

Not Applicable

### Financial Impact

The reallocation of funds will be used to extend the employment of one of the fixed term Planning Support Officers (currently Band 4, 0.6FTE), until the end of the financial year, to work with Council's Strategic Planner on preparing a Structure Plan for Bonnie Doon.

Council's Strategic Planner will be able to incorporate the high-level work required into his existing workload, with this support. To ensure that the rest of the strategic planning program is not jeopardised by this work, provision will also be made for this role (currently being paid at Band 5, 0.6FTE) to access additional hours, up to 1 day per week, for the period to the end of the year. This is not expected to be necessary every week.

Any funds not spent on the preparation of this plan will be identified as savings at Year End.

The following costs are associated with this proposal:

Position	Proposed FTE	Estimated Costs
Strategic Planning Officer (Band 5)	0.2FTE (in addition to existing 0.6FTE) till 30 June 2022 As one day per week, put in as extra hours where required only.	\$4,000
Planning Support Officer (Band 4)	0.6FTE till 30 June 2022	\$18,000
<b>TOTAL</b>		<b>\$22,000</b>

These funds are currently accounted for in the \$50,000 Budget allocated to the Bonnie Doon Streetscape project in the Capital Works program.

### **Legal and Risk Implications**

Reputation Risk: Mansfield Shire Council has committed to undertaking Streetscape Works in Bonnie Doon, but with no clear plan able to be established for the area, there is a risk that decisions will be made in application of these funds that are not supported by the community. This process will allow full input from the community and assist in providing future direction and opportunities for grant funding based on the recommendation in the final plan.

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

Not Applicable

### **Innovation and Continuous Improvement**

Not Applicable

### **Alignment to Council Plan**

The following strategies are relevant to this project:

- 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 3.3 Improve roads, drainage and footpaths
- Theme 2: Vibrant Liveability Strategic Objective 5 Prosperous: Industries, businesses and workforces of the future
  - Strategy 5.1 Create conditions that enable local businesses

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

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

### 13.2.2. Men's Shed Lease of 17 Erril Street, Mansfield

<b>File Number</b>	E408	<b>Responsible Officer</b>	Manager Planning & Environment, Melissa Crane
<b>Purpose</b>			

To seek Council approval to enter into a 10-year lease for the premises at 17 Erril Street, Mansfield, known as Lot 2 on Plan of Subdivision 339723, with Men's Shed Incorporated.

#### Executive Summary

This report presents Council with a draft 10-year lease for 17 Erril Street, Mansfield with the Men's Shed Inc.

At the meeting of 16 November 2021, Council resolved:

That Council:

- Negotiates a lease agreement with the Men's Shed Inc. for the lease of the land at 17 Erril Street, Mansfield.
- Receives a report no later than the February Council Meeting 2022 with a draft lease to consider.

The actions undertaken to date are as follows:

1. The tenancy with Mansfield Adult Continuing Education Inc. has ended.
2. Council commenced negotiations with Men's Shed Inc.
3. A notice of intention to enter a lease was placed in the Mansfield Courier in accordance with the *Local Government Act 2020*.
4. No submissions were received to the notice, allowing the finalisation of the lease with Men's Shed Inc.

An update report was presented to the February 2022 Council Meeting, with the resolution that Council receives a report on the lease at the March 2022 meeting.

#### Key Issues

Consideration of any new lease must be carried out under Section 115 of the *Local Government Act 2020*. This section of the Act states that a council must include any intention to lease property in its budget, and therefore undergo an opportunity for public consultation or if not included in the budget Council must undertake a community engagement process in accordance with its Community Engagement Policy.

The intention of this part of the Act is to ensure that any lease of land is transparent, and that the community is kept informed and provided with an opportunity to comment. To address these requirements, a notice was placed in the Mansfield Courier, with submissions open until 16 February 2022. No submissions were received to this notice, allowing Council to now formally enter into a lease with Men's Shed Inc.

<b>Recommendation</b>
<p>THAT COUNCIL</p> <ol style="list-style-type: none"> <li>1) Lease 17 Erril Street Mansfield, Lot 2 on Plan of Subdivision 339723, to Men's Shed Incorporated for a period of 10 Years with two (2) further terms of 10 years commencing 1 April 2022 for the permitted community use associated with the Men's Shed Incorporated.</li> <li>2) Receives rental of \$1 per annum plus outgoings.</li> </ol>
<b>Support Attachments</b>
Nil

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community Engagement has been undertaken in accordance with the Council's Community Engagement Policy by placing a notice of intention to enter into a lease to the Mens Shed Inc. in the Mansfield Courier.

### Collaboration

Not Applicable

### Financial Impact

Although a new lease was not accounted for in the 2021-22 Budget and will have the impact of leasing the building at a rent of \$1 per annum, plus outgoings, this is consistent with the rent previously received from MACE. The proposed lease states that the Rent shall be increased by CPI on each anniversary of the Commencement Date during the Term and each anniversary of the Commencement Date during any Further Term. The proposed lease will also include a clause that will allow for a review of the rent at the end of each term.

Outgoings include:

1. All rates, taxes (including Land Tax if the Retail Leases Act does not apply), charges and levies;
2. Imposts, deductions, charges, withholdings and duties imposed by any governmental, public, statutory or relevant authority including any tax imposed as a consequence of the Council having an estate or interest in the Premises but excluding:
  1. any GST or like tax imposed because this Lease is a taxable supply; and
  2. any income tax or capital gains tax;
3. Insurance premiums for:
  1. public liability;
  2. loss of rent and outgoings insurance for a period of twelve (12) months; and
  3. such other risks which the Council considers appropriate;
4. Waste removal and disposal costs;

5. Costs of all services supplied to the Premises including, water, electricity, gas, telephone, communications services and any other services;
6. Costs arising under or incurred in relation to Environmental Laws.

Council's Property Leasing and Licencing Policy provides the following options for calculation of the rent for a building of this nature:

1. Category 4 - A community group that is non sporting, provides a community service, is 100% volunteer based and does not receive external grant funding, a rent of 1% of the market value could be charged.
2. Category 5 – Council can enter into an agreement and negotiate terms and conditions, annual rent, and operating subsidy on a case-by-case basis.

In this case, the rent has been calculated under Category 5, with \$1 per annum the agreed rent.

### **Legal and Risk Implications**

Council advertised its intention to enter into a lease with Men's Shed Inc in the Mansfield Courier, in accordance with Section 115 of the *Local Government Act 2020*.  
No submissions were received.

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

Not Applicable

### **Innovation and Continuous Improvement**

Not Applicable

### **Alignment to Council Plan**

The following strategies are relevant to this report:

Theme 1: Connected and Healthy Community

Strategic Objective 2: Activities that promote connection and fitness of our people and visitors

Strategy 2.2 Create an environment where community and clubs can recreate, socialise and contribute to the health and wellbeing of the community

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 8 A consultative Council that represents and empowers its community  
Strategy 8.1 Increase community trust in Council to make informed decisions with "no surprises"

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

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

### 13.2.3. Planning Permit Application P0044A/06 - Development of Alterations and Additions to an Existing Dwelling – 646 Old Tolmie Road Barwite

<b>File Number</b>	P0044A/06	<b>Responsible Officer</b>	Statutory Planner, Sehaj Bath
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#### Purpose

The purpose of this report is to seek Council's determination of the application for Planning Permit P0044A/06, relating to Building and works associated with alterations and extensions to existing dwelling.

This application is being referred to Council for determination as Council officers do not have delegation to determine an application with a cost of works over \$1,000,000.

#### Executive Summary

<i>Application Details</i>	
<b>APPLICANT</b>	Anna Panksovskaja – Templeton Architecture
<b>PROPOSAL</b>	Development of alterations and additions to an existing dwelling
<b>PROPOSED AMENDMENT</b>	Works associated with alteration of and extension to the size and design of the existing dwelling
<b>APPLICATION LODGED</b>	23 December 2021 (amended 4 March 2022)
<b>STATUTORY DAYS</b>	11 (as at 15 March 2022)
<b>NOTICE AND SUBMISSIONS</b>	Not advertised as the proposal is considered unlikely to cause material detriment to any person.
<i>Property Details</i>	
<b>PROPERTY ADDRESS</b>	646 Old Tolmie Road Barwite
<b>LAND DESCRIPTION</b>	Lot 1 PS547465C
<b>RESTRICTIVE COVENANTS</b>	None
<b>LAND AREA</b>	76.17 hectares
<b>EXISTING USE</b>	Existing dwelling and associated outbuilding, balance of land used for agricultural purposes.
<i>Planning Provisions</i>	
<b>ZONE</b>	Clause 35.07 Farming Zone
<b>OVERLAYS</b>	Clause 42.01 Environment Significance Overlay Schedule 2 Clause 44.04 Bushfire Management Overlay

<b>PARTICULAR PROVISIONS</b>	Clause 53.02 Bushfire Planning
<i>New Permit Triggers</i>	
<b>CLAUSE 42.01 (ESO1)</b>	For works associated with a dwelling on more than 40ha lot where no LCA is prepared.
<b>CLAUSE 44.06-2 (BMO)</b>	To construct a building or construct or carry out works associated with accommodation.
<i>Other</i>	
<b>CULTURAL SENSITIVITY</b>	Partially. A sliver at the southern end of the property, about 1 km south of the location of works.

The subject land is 76 hectares in size and is currently developed with a dwelling and associated outbuildings.

The proposal seeks to alter and extend the existing dwelling. The gross floor area of the alteration and extension are greater than 50% of that of the existing dwelling in total. The works will result into a larger dwelling with an additional two bedrooms, outdoor living and dining area, decking and swimming pool.

The proposal is considered to satisfy the objectives and align with the strategies of the Planning Policy Framework as discussed in the attached delegate report.

### Key Issues

A detailed delegate report with the full officer assessment of the proposal can be found at Attachment 1. In summary, though, the key issues considered as part of this assessment are as follows:

**Wastewater:** The proposal will result in an additional two bedrooms on a 55 hectare allotment. No Land Capability Assessment was provided with the application, due to which a planning permit is triggered under Clause 42.01 Environmental Significance Overlay. The application was referred to GMW who provided a conditional consent requiring the alterations and/or upgrade (if warranted) to the existing wastewater management system in accordance with the EPA Code of Practice – On site Wastewater Management (including setbacks from water features) and to the satisfaction of Council’s Environmental Health Officer.

**Bushfire:** A planning permit is triggered to construct a building and carry out works associated with accommodation. The proposed extension will be built to Bushfire Attack Level – 29, will have defendable space of 48 m around the dwelling, and will utilise the existing infrastructure associated with access, turning circle and water supply. The proposed mitigation measures captured through this development provide an appropriate level of defense and land management measures to ensure that the risk is reduced to an acceptable level.

### Recommendation

That Council, having considered all matters under Section 60 of the *Planning and Environment Act 1987*, determine to issue Amended Planning Permit P0044A/06 for the Development of alterations and additions to an existing dwelling on Lot 1 PS547465C, commonly addressed as

646 Old Tolmie Road Barwite in accordance with the endorsed plans and subject to the following conditions:

### **Endorsed Plans**

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

### **External Cladding**

2. The external materials of the buildings, including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used.
  - ▶ For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

### **Engineering**

3. Interrupted overland flow from this development must not be allowed to impact on the adjacent lots, to the satisfaction of the Responsible Authority.
4. Before an Occupancy Permit is issued for the dwelling hereby permitted, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:
  - a. All stormwater discharging from the site, buildings and works must be discharged to a water tank, soakwell or otherwise discharged so as not to cause erosion, flooding or nuisance to the subject or surrounding land to the satisfaction of the Responsible Authority. The water tank/s (if required) must be in muted, non-reflective tones to the satisfaction of the Responsible Authority.

### **Goulburn Murray Water**

5. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
6. All wastewater from the dwelling extension must be disposed of via connection to the existing wastewater management system. If necessary, the system must be altered and/or upgraded in accordance with the current EPA Code of Practice – Onsite Wastewater Management, and to the satisfaction of Council's Environmental Health Department.

### **Mandatory Bushfire Condition**

7. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

### **Country Fire Authority**

8. Before the development starts, the Bushfire Management Plan prepared by Taylor Consulting Engineers Rev 1 dated 17/12/21 must be endorsed by the Responsible Authority.



Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

### Permit Expiry

9. This permit will expire if one of the following circumstances applies:

- a. The buildings and works have not substantially commenced within two (2) years of the date of this permit.
- b. The development is not completed within four (4) years of the date of this permit.

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

Where an amended permit is issued allowing for further development, the expiry provisions for those works will commence from the date of issue of the amended permit.

### Support Attachments

1. P 0044 A 06 Delegate Report and Plans 646 Old Tolmie Road Barwite A 18284 [13.2.3.1 - 24 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

No impacts to native vegetation are proposed. Stormwater discharge from the site will be managed in accordance with Council requirements such that the development is not considered likely to lead to a reduction in water quality or salinity issues. Natural hazards such as flooding does not apply to the property.

### Community Engagement

The application was not advertised as it is considered that the proposed amendments to the approved development will not detrimentally impact the adjoining properties, due to the distance from other nearby dwellings and that the works are an extension of an existing dwelling rather than a new dwelling.

### Collaboration

Not Applicable

### Financial Impact

Not Applicable

### Legal and Risk Implications

The application has been assessed under the provisions of the *Planning and Environment Act 1987* and the Mansfield Planning Scheme. Should a permit be issued, the permit applicant may seek a review at the VCAT of any conditions placed on the permit. If Council determines to issue a Notice of Decision to Refuse to Grant a Permit (not recommended), the permit applicant may seek a review of this decision at the VCAT.

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

Not Applicable

## **Innovation and Continuous Improvement**

This report has due consideration for the following strategies in the Council Plan 2021-2025:

- Strategy 3.1 Protect natural vistas and farmlets
- 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. Fraud and Corruption Control Policy

<b>File Number</b>	E698	<b>Responsible Officer</b>	Coordinator Governance & Risk, Moira Moss
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#### Purpose

The updated Fraud and Corruption Control Policy is presented to Council for endorsement.

#### Executive Summary

Council is responsible for the protection of Council resources from the risk of fraud and/or corruption.

The 2022 review has incorporated necessary changes in accordance with the changes in the legislation:

1. Inclusion of Corruption in the title and body of the Policy.
2. Inclusion of Information Technology specific responsibilities in accordance with the new AS800:2021. The updated standard has a greater focus on external fraudulent attacks via technology.

The updated Policy was endorsed by Audit and Risk Committee at the 21 February 2022 meeting.

#### Key Issues

Since 2012 Council has had a Fraud Policy that has been periodically updated.

The main change in this policy is the inclusion of corruption control. This Fraud and Corruption Control Policy is an important component of Council's robust governance environment and intended to foster a strong Council culture of ethical behaviour.

Fraud and corruption can take many forms. Fraud is normally characterised by deliberate deception to facilitate or conceal the misappropriation of assets, tangible or intangible. Corruption involves a breach of trust in the performance of official duties. (*Fraud and Corruption Control: Best Practice Guide Queensland Crime and Corruption Commission 2018*)

Fraud and Corruption Control is particularly important in the Public Sector as:

“Fraud is a crime where someone dishonestly obtains a benefit or causes a loss by means such as deception” (Commonwealth Attorney-General's Department 2017).....Fraud against government entities can impact everyone in Australia by reducing available funds for public goods and services as well as causing financial and reputational damage to the agencies themselves(Attorney-General's Department 2017; Teunissen, Smith & Jorna 2020).....It can include crimes such as the theft and the misuse of ..... credit cards, the misuse of assets, providing false or misleading information, or making or using falsified or forged documents” (Teunissen, Smith & Jorna 2020). .....The detection of fraud usually results in negative media and public attention (UK Cabinet Office 2018) yet the failure to effectively detect fraud may be worse and lead

to larger losses (Association of Certified Fraud Examiners 2018) and have significant reputational impact.....The absence of detected fraud does not mean that fraud is not occurring (National Audit Office 2016).”

Reference: AIC Statistical Bulletin 31: Fraud against the Commonwealth, June 2021

The Fraud and Corruption Control Plan and Procedures which underlie this Policy are under development.

<b>Recommendation</b>
THAT COUNCIL endorse the Mansfield Shire Council Fraud and Corruption Control Policy 2022.
<b>Support Attachments</b>
1. DRAFT Fraud and Corruption Control Policy (1) [13.3.1.1 - 8 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Robust processes to control fraudulent and/or corrupt conduct that are contained in this Fraud and Corruption Control Policy are intended to build and maintain community confidence in the probity of Council’s operations.

### Community Engagement

It is important that Council communicate to the Community that it has robust policies and will not tolerate fraud or corruption on any level.

Community Engagement has been undertaken in accordance with the Council Community Engagement Policy by circulating the Policy to staff for comment and feedback.

### Collaboration

Updating the policy has been a collaboration with Mitchell Shire who shared their policy via the MAV governance forum to enable sector efficiency and consistency. Their policy was referred to in reviewing Council’s policy.

### Financial Impact

In 19 June 2019, the Australian Institute of Criminology (AIC) ranked fraud as the costliest type of crime. While there are no precise figures, the AIC then estimated that fraud costs the Australian economy \$8.5 billion per year. Price Waterhouse Coopers annual Crime and Economic Fraud Survey found 22% of Australian companies reporting they had lost more than US\$5 million (AU\$7.1 million) due to fraud, and 40% saying it had cost them more than US\$1 million (AU\$1.4 million). PWC and the AIC state that the disruption of Covid to business has created more opportunity for Corruption, both internally and externally, and robust proactive practices do mitigate these losses.

### Legal and Risk Implications

This Fraud and Corruption Control Policy is intended to limit Council’s exposure to suffering any financial losses and/or reputational damage due to fraud and corruption committed by Council officers.

## Regional, State and National Plans and Policies

The Fraud and Corruption Control Policy and Procedures is in line with the IBAC, the proposed National Anti-Corruption Commission, and forms part of Councils Risk Management Framework alongside

- ▶ Councillor Code of Conduct;
- ▶ Staff Code of Conduct;
- ▶ Public Interest Disclosures Policy;
- ▶ Asset Accounting Policy;
- ▶ Procurement Policy;
- ▶ Receipting and Banking Policy and Procedure;
- ▶ Purchasing Card Policy;
- ▶ Public Transparency Policy;
- ▶ Gift Benefits and Hospitality Policy; and
- ▶ Councils Conflict of Interest Register, Gift Register and Bi-Annual Personal Interest Returns.

## Innovation and Continuous Improvement

The community expects—and the law requires—that public sector employees act with integrity, accountability, impartiality, fairness, equity and consistency, and in the public interest. This updated Policy reflects this increasing expectation. Regular review of policies ensures continuous improvement and innovation.

## Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations

Strategy 6.1 Use and gain knowledge of our community to make good decisions

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community

Strategy 8.1 Increase community trust in Council to make informed decisions with “no surprises”

## 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. Visitor Information Services Review

<b>File Number</b>	E7732	<b>Responsible Officer</b>	Senior Coordinator Community & Economic Development, Saskia Van Bever
<b>Purpose</b>			
To present Council with the final report of the Mansfield Visitor Servicing Review 2021 and seek Council endorsement of the Mansfield Visitor Servicing Implementation Plan 2022.			
<b>Executive Summary</b>			

#### Background

Historically the Mansfield Mt Buller Regional Tourism Association operated the Mansfield Visitor Information Centre (VIC), however in 2017, Council took over operation of the Mansfield VIC.

#### Review Process

On 12 January 2021 Councillors were briefed on the scope and objectives for the Visitor Services review.

On 10 August 2021 the review’s consultant, Tilma Group, engaged Councillors on their progress and on 9 November 2021 presented Councillors with their draft review report at a Councillor Briefing Session.

The final Mansfield Visitor Servicing Review & Recommendations Report is now presented to Council as Attachment 1 together with the Mansfield Visitor Servicing Implementation Plan 2022 Attachment 2.

#### Key Issues

The purpose of the Mansfield Visitor Servicing Review was to review visitor services in Mansfield Shire and identify a best practice visitor servicing model that:

- Delivers services as efficiently and effectively as possible
- Meets customer needs
- Meets industry needs
- Delivers value to Council’s ratepayers.

The three key findings of this review were:

- The need to deliver accurate, quality, and timely information to visitors where and when they need it;
- Mansfield Shire needed a destination brand and identity; and
- The identified need to increase yield from visitors across Mansfield Shire.

#### Recommendations

The Review report recommends that Council be the lead agent for delivery of a new visitor-centric servicing model across Mansfield Shire that ensures that maximum benefits can be gained for the local economy and community.

The other two key recommendations of the consultant’s report were the staged delivery of:

- an omni-channel (multi-channel) approach to visitor servicing in Mansfield Shire, and

- new signature attraction that establishes Mansfield Shire as a destination for high value visitors and that is co-located with the Mansfield Visitor Information Centre (VIC).

Since the consultants delivered their final report further work has been undertaken on the recommendations and although it is agreed that an omni-channel strategy is the best approach to service the needs of visitors, there is no support now for a new signature attraction.

With the progressive implementation of the elements outlined in the Station Precinct Master Plan; both community and commercial activation, it is believed that this will fulfill the consultant's objective of attracting visitors to the precinct.

Therefore, the recommended the Mansfield Visitor Servicing Implementation Plan 2022 for Mansfield visitor servicing is at Attachment 2.

In developing the Mansfield Visitor Servicing Implementation Plan 2022 reliance on Council funds has been minimised and future grant applications identified.

<b>Recommendation</b>
<p>THAT COUNCIL:</p> <ul style="list-style-type: none"> <li>• Receive and note the Mansfield Visitor Servicing Review Report 2021 delivered by the Tilma Group.</li> <li>• Endorses the Mansfield Visitor Servicing Implementation Plan 2022 as contained in Attachment 2.</li> </ul>
<b>Support Attachments</b>
<ol style="list-style-type: none"> <li>1. Mansfield Visitor Servicing Final Report 2021 [<b>13.3.2.1</b> - 63 pages]</li> <li>2. Attachment 2 Council Meeting Mansfield Visitor Servicing Implementation Plan 20 [<b>13.3.2.2</b> - 11 pages]</li> </ol>

## Considerations and Implications of Recommendation

### Sustainability Implications

The implementation of the recommendations will drive significant economic development through the attraction of high spending visitors and an increase of tourism offerings and private investment.

### Community Engagement

Community Engagement has been undertaken in accordance with the Council Community Engagement Policy.

Tilma group undertook the following engagement:

- Survey of tourism industry.
- Nine x one hour stakeholders consultation sessions. The stakeholders were selected based on physical location and sector, ensuring outlying communities and accommodation, hospitality, and product sectors were represented.

The stakeholders were:

- McCormacks Trail Rides
- Snowy Mountain Outdoor Centre
- Alzburg Resort

- Delatite Hotel & The Produce Store
- Mansfield Travellers Lodge
- Jamieson Caravan Park
- Bonnie Doon Hotel & The Bounty
- Merrijig Motor Inn
- Mansfield Hunting & Shooting Zone

Three additional 1-hour sessions with:

- VIC Staff - Mansfield Visitor Information Centre
- Mansfield Shire Councillors
- Tourism North East

### **Project Reference Group workshop.**

The reference group candidates were selected based on being a Mansfield Shire rate payer, being involved with visitors, and their ability to provide input from a cross section of industry sectors and age groups. The reference group members are:

- MDBA representative – Wes Mudge TBC
- Tourism Product – All Terrain Cycles - Narelle Rademaker
- Tourism Product – Krush - Emma Wiking
- Tourism Product – Delatite Winery – Polly Ritchie
- Council Representative – Saskia Van Bever

### **Collaboration**

The consultants reviewed best practice business cases from Councils across the country.

The Senior Coordinator Community and Economic Development met with multiple Councils across the North-East (and some further) and VTIC to discuss visitor servicing and specifically VIC management.

### **Financial Impact**

The VIC Service Review was included in the 2020/21 Budget (\$30,000) and carried forward to 2021/22.

The Mansfield Visitor Servicing Implementation Plan 2022 includes recommendations which will require the attraction of external grant funding. Some actions will be completed through allocation of existing the Bushfire Recovery funding (Council Assistance Fund). This funding as approved by State Government and is allocated to marketing, tourism and events and must be spent by February 2023.

### **Legal and Risk Implications**

Not Applicable.

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

Not Applicable



## **Innovation and Continuous Improvement**

This review will ensure continuous improvements are made to visitor servicing in Mansfield Shire. The report recommended omni-channel approach to Council's online tourism marketing tools will position Council as an innovative visitor servicing provider.

## **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.

1. Strengthen and diversify the visitor economy and experience
2. Develop a tourism strategy for Mansfield Shire
3. Advance regional and destination tourism in cooperation with our local tourism partners

Theme 2: Vibrant Liveability Strategic Objective 5 Prosperous: Industries, businesses, and workforces of the future

Strategy 5.1 Create conditions that enable local businesses

## **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.

### 13.3.3. Loan Borrowings 2021/22

<b>File Number</b>	E25	<b>Responsible Officer</b>	Manager of Business & Performance, Anthony Smith
<b>Purpose</b>			

This report seeks authorisation for the Chief Executive Officer and Mayor to execute loan documentation for borrowings prescribed in Council's 2021/22 Budget, adopted on 22 June 2021.

#### Executive Summary

Council's 2021/22 Budget included a provision to borrow \$2,632,000 to fund capital works projects related to Council's Heavy Vehicle Alternative Route.

#### Key Issues

Council has two options to fund this loan; to borrow either from an Australian financial institution or from the Treasury Corporation of Victoria (TCV).

Historically, the local government sector and Mansfield Shire Council have sourced loan funds from major Australian financial institutions.

However, as the Victorian Government recently authorised the TCV to loan directly to councils, Council can now access low-interest loans financed through the TCV.

TCV is the central financing authority and adviser to the State of Victoria and delivers financing solutions to the State, statutory authorities, government business enterprises and local governments.

Current indicative commercial loan interest rates range from 2.2% to 4.00% for a principal and interest loan over 10 years dependent on whether Council borrows from the TCV or an Australian financial institution.

As TCV interest rates are at the lower end of this interest rate range, Council officers are completing TCV's onboarding requirements that will enable Council to borrow \$2,632,000 in accordance with the 2021/22 Budget.

This loan is in accordance with Council's Long-Term Financial Plan and future interest and principal payments are included in this plan.

#### Recommendation

##### THAT COUNCIL:

1. Notes the planned borrowings of \$2,632,000 as prescribed in the 2021/22 Budget.
2. Notes that the loan of \$2,632,000 is to fund Council's capital works program.
3. Authorises the Chief Executive Officer and Mayor, on behalf of Council, to execute the necessary loan and mortgage documentation (sign and seal if necessary) to facilitate the loan of \$2,632,000 for the implementation of the capital works projects detailed in the 2021/22 Budget.

## Support Attachments

Nil

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community Engagement has been undertaken in accordance with the Council Community Engagement Policy by publicly advertising the Proposed Budget 2021/22 and by calling for public submissions in accordance with Section 55 of the *Local Government Act 2020*.

### Collaboration

Not Applicable

### Financial Impact

The financial impacts of these proposed borrowings are accounted for in Council's Budget and the Long-Term Financial Plan. Future interest and principal payments are included in Council's Long-Term Financial Plan.

### Legal and Risk Implications

These proposed borrowings comply with Sections 11 and 94 of the *Local Government Act 2020*.

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

TCV can tailor a range of services to suit Council's specific requirements, ranging from loan and deposit facilities, treasury management and economic services, to highly sophisticated analysis of financing options and investment evaluation.

### Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 7 Financial sustainability and value for money

Strategy 7.1 Increase Council's financial resilience by utilising opportunities to derive own-source of funding income and optimising costs of delivering services

### 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*.

### 13.3.4. Tourism North East (TNE) Quarter 2 Report

<b>File Number</b>	E1945	<b>Responsible Officer</b>	Economic Development Officer - Tourism & Events, Gareth MacDonald
<b>Purpose</b>			

To present Council with an overview of the Tourism North East performance report for the second quarter of Financial Year 2021/22.

#### Executive Summary

Tourism North East (TNE) is the regional tourism board for Victoria's High Country that provides regional marketing, industry development, infrastructure & product development, strategic planning, advocacy & research and works collaboratively with a range of stakeholders to drive tourism visitation, yield, and geographic dispersal throughout the High Country.

Each quarter TNE produces a report that overviews the TNE activities in which Mansfield Shire Council has invested and the key TNE deliverables of the quarter.

The second quarter of the 2021/22 FY was another tough quarter for the Mansfield Shire tourism industry. COVID-19 related restrictions significantly impacted the Shire's small businesses in particular the challenging operating conditions and customer frustration.

A return to "normal" business operations has seen fewer lockdowns. As a result, the Mansfield Shire has seen a 27% increase on visitation compared to this quarter last year. Domestic day visitors have slightly increased by 8.3% but their spend dropped by 27.4%. The biggest increase was seen in domestic overnight travelers, up 54.8% on this time last year with a 92.2% increase in expenditure.

#### Key Issues

##### Industry and product development:

This quarter TNE delivered:

- 63 sessions across 26 businesses via Zoom and face to face that were primarily focused on digital skills and business development opportunities. 19 of those businesses were part of the Mansfield specific Tourism Training & Development Mentor Program that focused on photographic assets (workshop and professional photography) and Google Analytics.
- A network event on 21 October at Jamieson Caravan Park (kayaking) with 10 operators
- An Industry Forum 'The road to opening up' (26 October) attended by 12 operators
- An Industry Forum 'Together Again' (14 December) attended by 10 operators
- Extensive event mentoring provided to Delatite Winery (Harvest Moon Festival) and Walker Events (Mansfield Lantern Festival)

##### Marketing:

- As part of their visiting journalists program, TNE arranged a combined Mansfield / Murrindindi itinerary for The Weekend Australian Travel & Luxury journalists that

generated publicity for multiple businesses, experiences, and events in the Mansfield Shire.

- The top TNE social media post on See High Country featured Jamieson and had 3,828 likes.
- The top post on TNE’s Victoria High Country page promoted Mansfield Glamping and had 92,471 views.
- The TNE report did not provide information on Mansfield Shire destination social media pages (Visit Mansfield Mt Buller) that is also managed by TNE.
- TNE organised photoshoots for a collaboration between accommodation provider Bulleroo, High Country Hiking Tours and the Kitchen Door that together offer walk and dinner packages at Craigs Hut.
- TNE’s Kickstart program for Ride High Country included two successful Mansfield applicants that resulted in two new products - Double Black Alpine and Altitude 221.

**Website performance:**

Tourism North East manages the hosting and content for both mansfieldmtbuller.com.au and greatvictorianrailtrail.com.au

The TNE reports shows Council’s destination website (mansfieldmtbuller.com.au) had a decrease in both sessions and page views compared to this quarter last year. It also found that:

- Most site visitation comes from organic searches or direct entry and that social media pages drove only a small percentage of traffic to the site.
- Outdoors remain the highest searched topic with Craigs Hut, Hiking & Walking being the other top three search topics. The inclusion of Events & Festivals to the top five results is an encouraging result showcasing Mansfield is gaining visitor interest in this area.

The Great Victorian Rail Trail (GVRT) website saw a small decline in sessions but an increase in page views, up 13.7% compared to this quarter last year. This shows visitors are remaining on the website longer and are viewing more content. The report also showed that:

- The most visited GVRT pages were on Murrundindi and Mitchell Shires’ content. (Tallarook shuttle, Cheviot Tunnel and Trawool Estate)
- The management of the website will be removed from Mansfield's buy in and move to the GVRT committee from 2022/2023 onwards.

Mansfield Glamping was the third most visited webpage on the victoriahighcountry.com.au website in quarter two. This would be a direct result of the social marketing campaign.

Council officers will continue to work with Tourism North East to ensure their reports include specific data on Mansfield Shire related TNE deliverables and that Mansfield’s priorities are included in TNE’s projects and strategies.

<b>Recommendation</b>
THAT COUNCIL receive and note the second quarter 2021/22 report for Tourism North East.
<b>Support Attachments</b>
1. Mansfield Quarterly Report, Q 2 2021 22 FINAL [13.3.4.1 - 30 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

The elements in this report are accounted for in the Budget 2021/2022.

Each LGA/RMB member of the North East Victoria Tourism Board Inc. contributes a baseline membership fee each year that secures a seat on the Board and always-on support. Activities of note include but are not limited to; strategic planning, research and advocacy. The membership fee is a fixed cost of \$38,000.

Additionally, each member also contributes to optional buy-in components. IN 2021/2022

Mansfield contributed:

Industry development	\$4,875
Marketing	\$17,000
Digital	\$32,625
Special projects	\$6,500
Publicity	\$1,000
Total	\$62,000

### Legal and Risk Implications

Not Applicable.

### 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 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.

### 13.3.5. Community Initiated Projects Policy

<b>File Number</b>	E2254	<b>Responsible Officer</b>	Senior Coordinator Community & Economic Development, Saskia Van Bever
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#### Purpose

To seek Council endorsement of the updated Community Initiated Projects Policy 2022.

#### Executive Summary

This policy sets out the roles and responsibilities for infrastructure projects on Council owned or controlled land where the projects are constructed or renovated by a community group.

Council recognises the value of community-based organisations and supports their contribution to the development of local communities and their sense of place.

#### Key Issues

The policy applies to the development of community-initiated infrastructure projects on Council owned or controlled land, which do not form part of Council's annual works plan, financial, strategic plan or corporate plan.

These infrastructure projects are for new assets or renewal of existing community assets including park furniture, rotundas, property landscaping, community gardens, public art works, footpaths, minor buildings or structures and other community infrastructure.

The updates made to the policy include clarification of Council's and the community groups' roles and responsibilities.

This policy is supported by a procedure that sets out the detailed processes required for Council approval of community-initiated projects. This procedure will be publicly available on Council's website.

#### Recommendation

THAT COUNCIL endorses the Mansfield Shire Council Community Initiated Projects Policy 2022.

#### Support Attachments

1. Community initiated projects policy (1) [13.3.5.1 - 3 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

## **Collaboration**

Not Applicable

## **Financial Impact**

Not Applicable

## **Legal and Risk Implications**

Not Applicable.

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

Not Applicable

## **Innovation and Continuous Improvement**

The policy review date is set for 15 March 2026.

## **Alignment to Council Plan**

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

Strategy 3.2 Enhance township character

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community

Strategy 8.2 Develop capacity and capability to advocate powerfully for the most important interests of the Mansfield community

## **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.



### 13.3.6. Business Continuity Plan

<b>File Number</b>	E3934	<b>Responsible Officer</b>	Coordinator Governance & Risk, Moira Moss
<b>Purpose</b>			
The purpose of this report is to present the draft Mansfield Business Continuity Plan for endorsement by Council.			
<b>Executive Summary</b>			

As the pandemic has demonstrated, Council needs a Business Continuity Plan (BCP) so that services can be delivered efficiently when there has been a disruptive event.

This plan was initially devised in 2016 but not adopted formally. It has been revised and updated in line with the current standards: AS ISO22301:2020 ‘Security and Resilience – Business Continuity Management Systems Requirements’ and AS/NZS 31000:2018 ‘Risk Management – Guidelines’.

The sub-plans have been revised and updated.

The most recent test of the BCP was in January when the Resource Recovery Centre had a positive case of COVID and staff went into isolation. All tests of the Draft BCP have been successful, proving it to be an effective risk management tool.

The BCP was presented to the Audit and Risk Committee at the 21 February 2022 meeting and they have recommended it to Council.

#### Key Issues

Mansfield Shire Council (Council), in common with most Local Government organisations, has wide-ranging responsibilities to provide community support and maintain services to its residents and ratepayers. This plan has been developed to ensure an orderly and effective response to any incident that *significantly* disrupts Council operations and service delivery.

Council is in the service business and consequently it is important that in the event of an interruption, we have, and be seen to have, an effective Business Continuity Plan (BCP). Getting back to ‘business as usual’ (BAU) quickly is vital as an inefficient response could provide disruption for the community and an inability to fulfil key obligations.

The BCP includes subplans:

Appendix C:

1. Emergency Management;
2. Delivered Meals;
3. Aged Care;
4. Out of Hours Call Outs;
5. School Crossing Supervision;
6. Customer Service;

- 7. Payroll;
- 8. It Helpdesk;
- 9. Local Laws Animal Control
- 10. Maternal & Child Health Initial Home Visit & Enhanced Home Visiting;
- 11. EM Recovery;
- 12. Environmental Health Waste Water, Food Service & Infectious Disease Intervention;
- 13. Dial Before You Dig;
- 14. Call Outs;
- 15. Contract/Project Supervision;
- 16. Cemetery Burials;
- 17. Plant Maintenance;

Appendix D – IT Disaster Recovery Plan.

In Appendix E there are Forms and Checklists.

<b>Recommendation</b>
THAT COUNCIL adopt by the Business Continuity Plan 2022.
<b>Support Attachments</b>
1. Final DRAFT Business Continuity Plan 03 February (1) [13.3.6.1 - 77 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

The Business Continuity Plan is inherently designed to increase the potential Economic and Social sustainability of the Shire.

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

Not Applicable

### Legal and Risk Implications

Business Continuity Risk: The Business Continuity Plan directly ameliorates the risk of a negative impact on the delivery of services by the Shire of Mansfield in response to a disruptive event.

### Regional, State and National Plans and Policies

Is in accordance with the National Standard AS ISO22301:2020 ‘Security and Resilience – Business Continuity Management Systems Requirements, and AS/NZS 31000:2018 ‘Risk Management – Guidelines

## **Innovation and Continuous Improvement**

The regular review of this plan on an annual basis will ensure that it is continuously improved.

### **Alignment to Council Plan**

Theme 1: Connected and Healthy Community Strategic Objective 1: The health and wellbeing of families and communities is maximised

Strategy 1.3 Contribute to efforts that ensure essential community services exist locally.

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations

Strategy 6.2 Building organisational capacity through its people

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community

Strategy 8.1 Increase community trust in Council to make informed decisions with “no surprises”

### **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.

### 13.3.7. Council Delegations Update

<b>File Number</b>	E328	<b>Responsible Officer</b>	Coordinator Governance & Risk, Moira Moss
<b>Purpose</b>			

This report seeks Council endorsement of the following updated Instrument of Delegation:

- ▶ Schedule 6 – Instrument of Delegation – Council to Council Staff.

#### Executive Summary

The instrument of delegation attached to this report for endorsement have been prepared considering changes to the *Cemeteries and Crematoria Act 2003*, *Food Act 1984*, *Planning and Environment Act 1987* and *Road Management Act 2004*.

In total there were 21 new delegations, 6 changed and 14 deleted from the total of 683 delegations from Council to Staff encompassing 15 Acts and Regulations.

For reference the deleted provisions are contained in a second Attachment.

#### Key Issues

Council is involved in a broad range of activities, with many of its powers conferred by statutory instruments. The effective functioning of the Council requires a formal and detailed system of delegations to enable Council officers to perform their functions in a timely and efficient manner.

Council subscribes to a Delegations and Authorisations Service produced by the legal firm, Maddocks Lawyers. The firm reviews all legislation as it impacts upon local government in Victoria, and distributes an updated schedule of delegations, reflecting recent legislative changes. This template is used by many Victorian councils and reflects common practice within the industry.

This recent update provided by Maddocks on 1 February 2022 reflects the new powers and functions conferred on councils under the new Act.

There are no changes made to the delegations from Council to the CEO at this time.

#### Recommendation

THAT COUNCIL

1. Endorse the Schedule 6 – Instrument of Delegation – Council to Chief Executive Officer and Members of Council Staff dated 4 March 2020
2. Note that the Instruments come into force immediately upon endorsement by the Council.

#### Support Attachments

1. s6 Instrument of Delegation 4 March 2022 [13.3.7.1 - 141 pages]
2. S6 Instrument of Delegation Deleted Delegations 4 March 2022 Members of Staff [13.3.7.2 - 5 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

Not Applicable

### Legal and Risk Implications

Regulatory Risk: If the delegations are not in accordance with current legislation, there is a risk that the authorisations and exercise of powers by Council staff on behalf of the Council may be exercised without legal authority.

This was recently reported when Police Officers were sworn in by a person without the delegated authority from the Police Commissioner and had to be re-sworn in.

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

Six Monthly review by Council ensures that the delegations are continuously improved.

### Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations

Strategy 6.2 Building organisational capacity through its people

### 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.

### 13.3.8. Customer Service Charter 2022

<b>File Number</b>	E5341	<b>Responsible Officer</b>	Senior Coordinator Community & Economic Development, Saskia Van Bever
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#### Purpose

To seek Council endorsement of Council's updated Customer Service Charter

#### Executive Summary

The Mansfield Shire Council Customer Service Charter sets out Council's service delivery standards and outlines how customers can complain if they are dissatisfied with an action taken, decision made, or service delivered by Council.

This updated Charter aims to enhance Council's relationships with the Mansfield Shire community and strengthens Council's continuous improvement system for Council's customer services.

The update Charter has been developed in collaboration with key Council staff from each Council department. Following Council's endorsement, an internal Council communications campaign will ensure that all Council staff are aware of the Charter's required customer service standards.

The updated Charter will be publicly available on Council's website and via a link on Council's automated email messages.

#### Key Issues

Updates to the Customer Service Charter include:

- Clarification around official communications channels,
- Council's new customer service opening hours as of 4 January 2022, and
- A specific complaints section that complies with the new requirements of the Local Government Act 2020.

#### Recommendation

THAT COUNCIL endorses the updated Customer Service Charter

#### Support Attachments

1. FINAL Customer Service Charter [13.3.8.1 - 2 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

## Community Engagement

Not Applicable

## Collaboration

Not Applicable

## Financial Impact

Not Applicable

## Legal and Risk Implications

**Regulatory Risk:** The Customer Service Charter enables Council to comply with the regulatory obligations of the Local Government Act 2020.

**Reputation Risk:** This Charter facilitates open, transparent government by outlining how Council will respond to customer service requests within the limits of Council resources.

The Charter's main aims are:

- to approach all Council customers with respect, honesty and in a courteous and confidential manner,
- that Council Officers actively listen and respond appropriately to the varying needs of the Mansfield Shire community,
- to provide information that is current and can be easily understood, and
- to build trusted Council relationships with the Mansfield Shire community.

## Regional, State and National Plans and Policies

Is in accordance regulatory obligations as outlined in the Local Government Act 2020

## Innovation and Continuous Improvement

Council welcomes feedback and treats it as an opportunity to enhance customer services.

Council's customer service performance will be monitored on a regular basis (annual customer satisfaction survey) generating opportunities for improvement.

## Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations  
Strategy 6.2 Building organisational capacity through its people

## 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.

### 13.3.9. Rate Reduction Request Mansfield Agricultural and Pastoral Society

<b>File Number</b>	Exxx	<b>Responsible Officer</b>	Bess Gillard, Revenue Coordinator
<b>Purpose</b>			

This report considers a request from the Mansfield Agricultural & Pastoral Society (Mansfield A & P Society) for a reduction on their rates as a result of the impact of the prior 12 months.

#### Executive Summary

Council received a letter from the Mansfield A & P Society dated 31 January 2022 requesting a reduction in their Rates for the property Mansfield Showgrounds, Mt Battery Road, Mansfield.

*“As you would be aware, the showgrounds were made available to the shire and the Department of Health for the purpose of conducting drive-through COVID testing late last year via a signed MOU agreement with the Mansfield Agricultural & Pastoral Society.*

*The A&P Society and its committee members were most supportive of this vital community health service to keep our shire healthy and help reduce the spread of the COVID virus. The society was very happy to assist in this way.*

*However, as a volunteer-run organisation, our income was curtailed during the testing operation due to initially no access and latterly restricted access being available to the showgrounds for our regular users and potential venue hirers when COVID restrictions allowed such activities.*

*The Mansfield A&P Society would very much appreciate a reduction on our rates to help manage our on-going costs during these challenging times.”*

#### Key Issues

The Mansfield A & P Society property (Mansfield Showgrounds) is rated as Cultural and Recreational Land.

The Local Government Act 1989 sets out the parameters for classifying a property as Cultural and Recreational Land.

Mansfield Shire currently has five properties that qualify as Cultural and Recreational Land:

- ▶ Nillahcootie Sailing Club
- ▶ Goughs Bay Boat Club
- ▶ Mansfield Golf Club
- ▶ Mansfield Bowls Club
- ▶ Mansfield A & P Society

The rating of a property as Cultural and Recreational Land is determined on an individual case by case basis, as required under the Act, considering:

- ▶ The benefit to the community derived from the land, and



- ▶ What is a reasonable amount to be charged for the services provided

The Cultural & Recreational Land Rate in the dollar is set by Council each year as part of adopting a budget.

Since 2016 the % rate increase has been the same as the Rate Cap set by the State Government. However, in 2021-22 Council resolved not to increase its rate revenue.

In 2021/22 the Capital Improved Value (CIV) for the Mansfield Showgrounds owned by the A & P Society (A7595) at 50 Mt Battery Road was \$750,000

Total Charges raised on that CIV were \$2260.57 comprising:

Property Rates	\$1152.14	
State Government Fire Services Property Levy (FSPL)	\$277.25	Paid direct to State Govt.
Municipal Charge	\$322.00	
240L Bin	\$359.77	Waste charges are allocated across all rateable properties to cover the cost of waste collection and waste management.
Recycle Bin	\$125.79	
Community Waste Levy	\$23.62	

The A & P Society's letter to Council cites that 2021-22 has been a difficult year for the Society because of leasing space to the Mansfield District Hospital to operate the COVID Testing Clinic and a general reduction in operations because of COVID restrictions. The arrangement with the Mansfield District Hospital operated in 2020 before the COVID testing site relocated to the Mansfield Racecourse. Although the Hospital did not pay rent for the use of the site, Council understands that the Hospital did spend \$15,000 upgrading the internal road at the Showgrounds.

When considering the A & P Society's request Section 171 Local Government Act 1989 is relevant. This provides Council with the power to waive whole or part of any rate or charge or interest (not the FSPL) if it concludes that the Mansfield A & P Society has faced severe Financial Hardship.

Any decision by Council to waive whole or in part rates or charges must include the objectives to be achieved by the waiver in the recording of Council's Minutes.

Finally, Council did provide support to businesses during 2020 by waiving permit fees and other regulatory fees. It would seem reasonable to support the Mansfield A & P Society by reducing their property rate charge of \$1152.14 by 50%. However, in doing so, Council should be aware of setting a precedent. The COVID testing site did move to the Mansfield Racecourse under similar arrangements although it is recognised that the Racecourse does not hold the same number of events as the Showgrounds and therefore presumably doesn't have the same reliance on user income.

### Recommendation

THAT COUNCIL provide the Mansfield Agricultural and Pastoral Society with a rate reduction of \$576.00 for the financial year 2021-22 in recognition of the loss of income as a result of COVID impacting on events held at the Showgrounds during 2021 and the service the Showgrounds provided to the Mansfield Community by allowing the operation of the COVID Testing Site at Showgrounds.

## Support Attachments

1. Letter to James Tehan Mansfield A P Society [13.3.9.1 - 1 page]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

Any decision by Council to waive whole or in part rates or charges will reduce either Council's rate income or income against waste costs.

### Legal and Risk Implications

Financial Risk: If endorsed, waiver of all or part of Mansfield A & P Society's rate charge may set a precedent for other similar organizations to make the same request of Council.

### Regional, State and National Plans and Policies

This recommendation is in accordance with Section 171 Local Government Act 1989 that empowers Council to waive all or part of any rate, charge or interest (not the FSPL) if Council concludes that the Mansfield A & P Society has faced severe financial hardship.

### Innovation and Continuous Improvement

Not Applicable

### 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 2.2 Create an environment where community and clubs can recreate, socialise and contribute to the health and wellbeing of the community

### 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.

### 13.3.10. Stage 2 Emergency Services Precinct

<b>File Number</b>	E8439	<b>Responsible Officer</b>	Chief Executive Officer (CEO), Kaylene Conrick
<b>Purpose</b>			

This report seeks Council's support for the reallocation of funds to complete Stage 2 of the Mansfield Emergency Services Precinct.

#### Executive Summary

- ▶ Council received Stage 1 Mansfield Emergency Services Precinct Scoping Study (the "Study") report at Attachment 1 on 30 November 2021.
- ▶ Key findings of the Study included:
  - There is a clear need for improved investment in quality emergency services infrastructure that is fit for purpose, will reduce the vulnerability of the Mansfield community, and increase its capacity to respond to and recover from emergencies and the growing resident and visitor populations.
  - There is compelling evidence to support the establishment of an emergency services precinct.
  - The needs and priorities of the agencies for emergency services infrastructure in Mansfield have been established.
  - The former saleyards site on Maroondah Highway is the preferred location for the emergency services precinct.
- ▶ Next steps include identifying funding arrangements, timing and scope of a Feasibility Study and Business case.
- ▶ Advocacy conversations with both Federal and State Government and candidates leading into government elections have commenced.
- ▶ Stage 2 is critical to the success of an advocacy campaign as it firms up exactly what the precinct mix/components are, includes Quantity Surveyor funding estimates to construct the precinct and how it will operate.
- ▶ \$45,000 excluding GST is required to complete Stage 2
- ▶ Unspent bushfire recovery funds (Council Assist Fund \$20,000) have been identified as a source of funding together with identified savings in economic development salaries because of State Government COVID Concierge Funding Program (\$ 25,000).

#### Key Issues

Stage 2 of the Mansfield Emergency Services Precinct will concentrate on assessing the feasibility of establishing an emergency services precinct, preparing the business case for presentation to government, and identifying how to position the project to secure the necessary funding.

Stage 2 will continue to work with local emergency services agencies and regional & state representatives on infrastructure requirements, what can be shared, what must stand alone,

how the agency will be positioned on site (concept drawings) and the required funding to support the relocation/reestablishment of each agency to the precinct.

Ambulance Victoria is noted as the highest Mansfield priority for a rebuild with the service recently moving to a 24 hour 7-day a week service and the poor state of its current infrastructure located in Curia Street Mansfield.

Stage 2 will deliver:

- ▶ A brief identifying facilities, spaces, and components to be in the precinct
- ▶ 2 concept plans for the preferred site (primarily plans with some simple elevations shoring built of built form) and 1 elemental cost plan
- ▶ A documented business case including clear project rationale, concept layouts, cost plans, indicative operating costs, recommended management model and a delivery roadmap.
- ▶ A report presenting overall findings from the Business Case, Concept Planning and Cost Estimates and clearly document the feasibility process and outcomes.
- ▶ Stage 2 was tendered as part of seeking consultants to complete the two bodies of work and therefore would be undertaken by Planning for Communities consultants who completed Stage 1.

**Recommendation**

THAT COUNCIL approve the commencement of Stage 2 Emergency Services Precinct Study using identified unspent bushfire recovery funds from the Council Assist Funding Program and a proportion of unspent staff salaries as a result of staff reassignment to the State Government COVID Business Concierge Program.

**Support Attachments**

1. Revised Final Report - 30 November 2021 - Stage 1 - Mansfield Emergency Services Precinct Scoping St [13.3.10.1 - 70 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Stage 2 will be developed with local, regional, and state stakeholders.

### Collaboration

The Emergency Services Precinct model is based on co-location and cooperation.

### Financial Impact

\$45,000 plus GST for Stage 2.

### Legal and Risk Implications

Not Applicable.

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

A range of State Government and Council plans and strategies were examined as part of Stage 1 Scoping Study to establish the planning context for a proposed emergency services precinct in Mansfield. These numerous policy settings are listed on page 12 of the Stage 1 Mansfield Emergency Services Precinct Scoping Study prepared by Planning for Communities.

## **Innovation and Continuous Improvement**

Although there are examples of co-located emergency services infrastructure on one site there isn't in Australia a model of shared facilities. The Mansfield Emergency Services Precinct aims to create an innovative and sustainable precinct that houses shared facilities along with specific and separate essential services infrastructure.

## **Alignment to Council Plan**

Theme 1: Connected and Healthy Community Strategic Objective 1: The health and wellbeing of families and communities is maximised

Strategy 1.3 Contribute to efforts that ensure essential community services exist locally.

## **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.

### 13.3.11. Extension of Internal Audit Contract

<b>File Number</b>	E34	<b>Responsible Officer</b>	Acting Senior Accountant, Peter Smith
<b>Purpose</b>			
To seek Council endorsement of a two-year extension of Council's current Internal Audit contract.			
<b>Executive Summary</b>			

The initial term of Council's current Internal Audit contract CM1819/030 expires on 30 June 2022.

The contract was initially for a three-year period from 1 September 2019 to 30 June 2022 and included an option for a two-year extension.

It is proposed that this two-year extension option be exercised.

#### Key Issues

In accordance with the Mansfield Shire Council Internal Audit Charter (2021) the Council's Internal Audit function is outsourced to independent professional contractors. This service is provided under the terms of a three-year contract and subject to review by the Audit and Risk Committee.

On 21 February 2022 Council's Audit and Risk Committee recommended execution of a two-year extension option for Council's current Internal Audit contract CM1819/030.

#### Recommendation

THAT COUNCIL extend for a further 2 years (24-months), commencing 1 July 2022, Council's Internal Audit Contract CM1819/030 awarded to AFS & Associates at the total cost of \$116,959.

#### Support Attachments

1. Signed Contract Internal Audit Services ASF and Associates [13.3.11.1 - 121 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

## **Financial Impact**

Funding for the implementation of the Internal Audit program is provided for in the 2021 – 2022 Annual Budget and supplemented with projections to 2024-25.

## **Legal and Risk Implications**

Legal and Risk Implications: Internal Audit is identified in Council's Risk Framework as a key risk management initiative.

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

Not Applicable

## **Innovation and Continuous Improvement**

The objectives of the Mansfield Shire Council Internal Audit Charter (2021) are to foster awareness of risk and internal control, encouraging a management culture that seeks continual improvement in the management of risks and the effectiveness of internal controls established within business processes.

## **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community

Strategy 8.1: Increase community trust in Council to make informed decisions with “no surprises”

## **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.

## 13.4. Executive Services Directorate

### 13.4.1. Child Safe Policy

<b>File Number</b>	E513/ E1533	<b>Responsible Officer</b>	People & Culture Advisor, Janique Snyder
<b>Purpose</b>			
This report presents the updated Child Safe Policy for Council endorsement.			
<b>Executive Summary</b>			

Council implemented a Child Safe Policy in July 2018. The policy is now due for renewal.

In addition to the above,

- ▶ New Victorian Child Safe Standards were gazetted on 1 July 2021 to be implemented by have 1 July 2022.
- ▶ The updated Child Safe Policy incorporates the recommendations of the Mansfield Shire Youth Services Internal Audit by Kooyoora dated 8 July 2021.

#### Key Issues

Key changes to the policy include:

- ▶ Increase in the number of standards from 7 to 11;
- ▶ New requirements to involve families in organisational efforts to keep young people safe;
- ▶ Procedures to manage the risk of child abuse online;
- ▶ Inclusion of cultural sensitivity for Aboriginal and culturally diverse children requirements;
- ▶ Inclusion of a Statement of Commitment to Child Safety; and
- ▶ Designation of the Child Safety Officer role to the position of Manager of Community Health and Wellbeing.

#### Recommendation

THAT COUNCIL endorse the Mansfield Shire Council Child Safe Policy 2022

#### Support Attachments

1. FINAL DRAFT V5 0 Council Policy Child Safe Policy February 2022 (1) [13.4.1.1 - 9 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable



## **Community Engagement**

The policy engages with the Community with posters and website materials to ensure that Council provides a foundation for positive action to support and affirm Mansfield Shire Council's commitment to Child Safety.

## **Collaboration**

All employees were consulted on this Policy in December 2021.

## **Financial Impact**

Not Applicable

## **Legal and Risk Implications**

To minimise the risks of potential legal proceedings if Council does not uphold its obligations under The Child Wellbeing and Safety Act 2005 (No. 83/2005) which was enacted on 1 June 2006. This legislation established the Office of the Child Safety Commissioner. The Act provides overarching legislative framework designed to encourage and support a shared commitment towards children in Victoria.

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

Not Applicable

## **Innovation and Continuous Improvement**

Not Applicable

## **Alignment to Council Plan**

Council's role, along with its many partners, is to protect, improve and promote the health and wellbeing of the community.

## **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.

### 13.4.2. Flying of the Red Ensign Flag

<b>File Number</b>	E370	<b>Responsible Officer</b>	Chief Executive Officer, Kaylene Conrick
<b>Purpose</b>			

To discuss with Council the option to fly the Red Ensign flag on 3 September each year to commemorate Merchant Navy Day.

#### Executive Summary

Council has received a request to fly the red ensign flag outside the municipal office each year following the Company of Master Mariners decision to support a proposal from Offshore and Specialists Ships Australia (OSSA) to fly the flag over the Westgate Bridge and other government buildings on 3 September, Merchant Navy Day.

OSSA have commenced discussions with VicRoads, Department of Premier and Cabinet and the Department of Transport to gain their support to fly the flag on the Westgate Bridge prior to requesting approval of the Victorian Government.

The *Shipping Registration Act 1981* confirms the Australian red ensign as the official flag to be flown by Australian registered merchant ships. Historically, the red ensign was used on land and sea. On 15 March 1941, Prime Minister the Right Hon. Robert Menzies issued a press statement recommending the flying of the blue ensign as a national emblem on public buildings and schools and by private citizens. The red ensign was to continue to be used by the Australian merchant ships.

To commemorate the day on which the Australian National Flag was first flown, 3 September of each year is officially recognised nationwide as Australian National Flag Day.

The 3 September also marks Merchant Navy Day in commemoration of the anniversary of the first merchant marine sinking of World War 2 and honours the important role merchant mariners have played during wartime.

Council will need to consider the relevance of the Red Ensign to the Mansfield Shire and the sentiment of the greater community when deciding about lowering the Aboriginal flag and replacing it with the Red Ensign on 3 September each year.

Council must also consider the setting of precedence and the need for the development of criteria and guidelines required in the event of further requests from the community to fly a flag of personal significance.

#### Key Issues

Council currently flies both the Blue Ensign Australian flag and Aboriginal flag on the two flagpoles outside the Council main administration centre in Highett Street. The only exception to this is on 17 May each year following Council's commitment at the August 2021 meeting to fly

the Rainbow flag in place of the Aboriginal flag to mark International Day Against Homophobia and Transphobia.

The Australian National Flag takes precedence in Australia over all other flags when it is flown in the company of others.

The Department of Premier and Cabinet has confirmed that although it is recommended that when two flag poles are available the Australian and Aboriginal flags are flown, it is up to each individual council's discretion which flags they fly and when.

Merchant Navy Day has not been identified in the 'Special Days for Flying Flags' in the Department of Premier and Cabinet's Australian Flag protocol booklet. However, as the 3 September is recognised as both Australian National Flag Day and Merchant Navy Day, Council could deem it appropriate to fly both flags on this day with the Red Ensign in place of the Aboriginal flag, given the Australian flag has precedence.

Council also manages the three flagpoles at the Visitor Information Centre (VIC) and permanently flies the Blue Ensign, the Aboriginal flag and Torres Strait Islander flags, as recommended by the Department of Premier and Cabinet. Council should consider if it is appropriate to replace the TSI flag on Merchant Navy Day at the VIC thereby eliminating the sensitivities that could arise by lowering the Aboriginal flag at the main administration centre.

<b>Recommendation</b>
<p>THAT COUNCIL</p> <ol style="list-style-type: none"> <li>1. decline the request to fly the Red Ensign flag outside Mansfield Shire Council buildings</li> <li>2. reconsider the proposal if approval is given by the Victorian Government to recognise Merchant Navy Day as a 'Special Day for Flying Flags'.</li> </ol>
<b>Support Attachments</b>
Nil

## Considerations and Implications of Recommendation

Council will need to consider the relevance of the Red Ensign to Mansfield Shire and the implications and sentiment of the community when making a determination to lower and replace the Aboriginal flag on 3 September each year.

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

Not Applicable

## **Legal and Risk Implications**

Not Applicable

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

The Victorian Department of Premier and Cabinet provide guidance around the protocols for flying the Australian and other flags. It is recommended that to ensure consistency across all Victorian government buildings, the Australian flag be flown with the Victorian (where possible), Aboriginal and Torres Strait Islander flags on permanent flagpoles. The exception being on days identified as special days for flying flags as outlined in the Australian Flag protocol booklet.

## **Innovation and Continuous Improvement**

Not Applicable

## **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations

Strategy 6.1 Use and gain knowledge of our community to make good decisions

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community

Strategy 8.1 Increase community trust in Council to make informed decisions with “no surprises”

## **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. Assembly of Councillors

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

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
8 February 2022	<p><b>Additional Councillor Briefing</b></p> <p><b>Councillors:</b></p> <ul style="list-style-type: none"> <li>• Cr Mark Holcombe</li> <li>• Cr Steve Rabie</li> <li>• Cr Rohan Webb</li> </ul> <p><b>Apologies:</b></p> <ul style="list-style-type: none"> <li>• Cr James Tehan</li> <li>• Cr Paul Sladdin</li> </ul> <p><b>External Attendees:</b></p> <ul style="list-style-type: none"> <li>• David Clark, Celia Robinson, Aaron Scales, MAV</li> <li>• Phil Shanahan, Project Manager</li> <li>• Aaron Scales, MAV Boar</li> <li>• Caroline Layton, Harbour Soft</li> </ul> <p><b>Officers:</b></p> <ul style="list-style-type: none"> <li>• CEO, Kaylene Conrick</li> <li>• GM Infrastructure and Planning, Kirsten Alexander</li> <li>• Coordinator Governance and Risk, Moira Moss</li> <li>• EA Mayor and CEO, Lisa Fricke</li> <li>• Corporate and Community Services Directorate Support, Chelsea Young</li> <li>• Infrastructure and Planning Directorate Support, Brad Bennetts</li> </ul>	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> <li>• MAV Rules</li> <li>• Docs on Tap End User Training</li> </ul>
25 February 2022	<p><b>Dual Court Stadium and School Building Opening</b></p> <p><b>Councillors:</b></p> <ul style="list-style-type: none"> <li>• Cr Steve Rabie</li> <li>• Cr Paul Sladdin</li> <li>• Cr Rohan Webb</li> <li>• Cr James Tehan</li> </ul> <p><b>Apologies:</b></p> <ul style="list-style-type: none"> <li>• Cr. Mark Holcombe</li> </ul> <p><b>External Attendees:</b></p> <ul style="list-style-type: none"> <li>• The Hon. Jaclyn Symes MP</li> <li>• The Hon. Bridget McKenzie</li> <li>• Cindy McLeish</li> <li>• Timothy Hall, Principal, Secondary College</li> </ul>	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> <li>• Official opening of the Secondary School classroom development and Dual Court Multi Use Indoor Basketball Stadium</li> </ul>

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
	<ul style="list-style-type: none"> <li>• Andrew Howie, President, Secondary College School Council</li> </ul> <p><b>Officers:</b></p> <ul style="list-style-type: none"> <li>• CEO, Kaylene Conrick</li> <li>• GM Infrastructure and Planning, Kirsten Alexander</li> </ul>	
1 March 2022	<p><b>Councillors' Briefing Session</b></p> <p><b>Councillors:</b></p> <ul style="list-style-type: none"> <li>• Cr Mark Holcombe</li> <li>• Cr Steve Rabie</li> <li>• Cr Paul Sladdin</li> <li>• Cr Rohan Webb</li> <li>• Cr James Tehan</li> </ul> <p><b>Apologies:</b></p> <ul style="list-style-type: none"> <li>• GM Community and Corporate Services, Kurt Heidecker</li> </ul> <p><b>Officers:</b></p> <ul style="list-style-type: none"> <li>• CEO, Kaylene Conrick</li> <li>• GM Infrastructure and Planning, Kirsten Alexander</li> <li>• Manager Planning and Environment, Melissa Crane</li> <li>• Senior Coordinator Community Safety, Kevin Murphy</li> <li>• Coordinator Statutory Planning, Tim Berger</li> <li>• Property Manager, Des Dunn</li> <li>• People and Culture Advisor, Janique Snyder</li> </ul>	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> <li>• Statutory Planning Deletations</li> <li>• Property Leasing and Licencing Policy</li> <li>• On-site Wastewater Management Plan Review</li> <li>• Visitor Services Review</li> <li>• Child Safe Policy</li> <li>• Council Controlled Land</li> <li>• Youth Services Review</li> <li>• Economic Development Services Review</li> </ul>
1 March, 2022	<p><b>Cemetery Trust Meeting</b></p> <p><b>Councillors:</b></p> <ul style="list-style-type: none"> <li>• Cr Mark Holcombe</li> <li>• Cr Steve Rabie</li> <li>• Cr Paul Sladdin</li> <li>• Cr James Tehan</li> </ul> <p><b>Apologies:</b></p> <ul style="list-style-type: none"> <li>• Cr Rohan Webb</li> </ul> <p><b>Officers:</b></p> <ul style="list-style-type: none"> <li>• CEO, Kaylene Conrick</li> <li>• GM Infrastructure and Planning, Kirsten Alexander</li> <li>• Infrastructure and Planning Directorate Support, Brad Bennetts</li> </ul>	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> <li>• Cemetery Trust</li> </ul>

### Recommendation

THAT COUNCIL receive and note the Assembly of Councillors report for the period 2 February 2022 to 1 March 2022.

## 15. Council resolutions report

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 4 March 2022.
<b>Support Attachments</b>
1. Council Resolution Action Register for Meeting 15 Feb 2022 (1) [15.1.1 - 24 pages]

## 16. Advisory and Special Committee reports

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

The Agenda & Minutes of the Mansfield Shire Audit and Risk Committee, held 21 February 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 February 2022.
<b>Support Attachments</b>
1. Agenda - Audit and Risk Committee Meeting - 21 February 2022 [16.1.1 - 48 pages]
2. Minutes - Audit and Risk Committee Meeting - 21 February 2022 [16.1.2 - 7 pages]

## 17. Authorisation of sealing of documents

Nil

## 18. Close of meeting