



Mansfield Shire

Council Meeting Tuesday 17 May 2022

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

Our aspiration for our Shire and its community

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

Councillors

Cr James Tehan (Mayor)
Cr 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
Dena Vlekkert, General Manager Community and Corporate Services

Order of Business

1. Opening of the meeting

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

2. Present

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

3. Apologies

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

4. Statement of commitment

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

5. Acknowledgement of Country

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

6. Disclosure of conflicts of interest

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

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

7. Confirmation of minutes

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

8. Representations

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

9. Notices of Motion

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

10. Mayor's report

The Mayor provides a report on his activities.

11. Reports from council appointed representatives

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

12. Public question time

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

13. Officer reports

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

13.2-13.3 Officer reports are presented to the Council, where required.

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

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

A Council position is adopted on the matters considered.

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

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

A Council position is adopted on the matters considered.

14. Assembly of Councillors

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

15. Council resolutions report

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

16. Advisory and Special Committee reports

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

17. Authorisation of sealing of documents

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

18. Closure of meeting to members of the public

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

19. Presentation of confidential reports

20. Reopen meeting to members of the public

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

21. Close of meeting

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

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Agenda

1. Opening of the meeting

2. Present

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

- Councillor 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 of interest

The Chair will call on each Councillor in turn and ask them to declare whether they have any conflicts of interest in relation to any agenda items:

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

7. Confirmation of minutes

Recommendation

THAT the Minutes of the Mansfield Shire Council meeting held on Tuesday 19 April 2022 & the Additional Meeting of Council held on 26 April 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:

Council recently endorsed the release of the Proposed Budget 2022-23 and the revised Revenue & Rating plan for community consultation. The Proposed Budget 2022-23 provides a total operating expenditure of \$23.7 million and a capital works program of \$10.9 million.

This is a great budget for Council and one we've been pleased to present at community forums, highlighting the new initiatives and some of the infrastructure projects we have planned for the coming year and checking that we've got it right.

Property valuations within the Shire over the past 12 months have seen residential properties, on average, increase in value by 45%. Great news for property owners but not so much for those looking to buy into the market. Given the extreme rise in residential property values Council has proposed a major adjustment to the differentials through the revised Revenue and Rating Plan to even out the rate "shock" that would normally be experienced by this extreme valuation movement. Council did this in the 2021-22 Budget when farm valuations experienced a major rise in value compared to other rating categories. Council's aim is to ensure a fair and equal rate burden distribution across all rating categories.

Council rate levels need to be assessed and maintained at levels appropriate to deliver the volume and quality of services required by the Community. Rates have been set by Council at 1.75% in line with the maximum amount set by the Fair Go Rates System (FGRS).

The Valuer General Victoria is responsible for valuing all of the properties as at 1 January each year. These Capital Improved Values are used to then allocate Council rates using what we call differential rates between different lands categories depending on their characteristics and rating objectives for each category of land. At Mansfield we have five categories being, Residential, Rural Residential, Vacant Land, Farmland and Commercial.

The proposed budget includes an increase to the waste charge for households for 2022-23. All councils charge fees to recover the full cost of the waste service provided to residents. Over the past few years the cost of waste services has been increasing, particularly landfill and EPA costs. Landfill costs increase each year well above CPI and the EPA levy went up 60% between 2020 and 2021. It is expected to increase again next financial year. In addition, Council has not recovered enough over the last three years to cover the true cost of delivering waste services and Council's waste reserve is in deficit.

All of this together with requiring additional staffing at the Resource Recovery Centre to meet the needs of our growing community means that Council is proposing to increase the waste charge next financial year.

The average ratepayer currently pays about \$330 and will pay approximately \$495. The proposed cost is comparable to waste service charges at neighbouring councils, which are in excess of \$500 per year.

Lastly it was great news to receive a \$9.8 million grant from the Federal Government for upgrade works on Highton Lane, Rifle Butts Road and Chapel Hill Road. These roads have

been the kicking can of many previous Councils and we are extremely happy to be able to finally give these roads the attention they need.

*Cr James Tehan
Mayor*

Recommendation

THAT COUNCIL receive the Mayor’s report for the period 19 April 2022 to 11 May 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"> ▶ Mayor Cr James Tehan ▶ Cr Steve Rabie ▶ Cr Mark Holcombe
Mansfield Shire CEO Employment Matters Committee	<ul style="list-style-type: none"> ▶ Mayor Cr James Tehan ▶ Cr Steve Rabie ▶ Cr Mark Holcombe
Goulburn Murray Climate Alliance (GMCA)	<ul style="list-style-type: none"> ▶ Cr Rohan Webb
Hume Regional Local Government Network (HRLGN)	<ul style="list-style-type: none"> ▶ Mayor Cr James Tehan
Lake Eildon Land & On-Water Management Plan Implementation Committee	<ul style="list-style-type: none"> ▶ Cr Paul Sladdin
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none"> ▶ Mayor Cr James Tehan ▶ Cr Mark Holcombe
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none"> ▶ Mayor Cr James Tehan ▶ Substitute - Deputy Mayor Mark Holcombe
North East Local Government Waste Forum (a committee of the North East Regional Waste and Resource Recovery Group)	<ul style="list-style-type: none"> ▶ Cr Steve Rabie
Rural Councils Victoria (RCV)	<ul style="list-style-type: none"> ▶ Mayor Cr James Tehan ▶ Cr Paul Sladdin

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 report

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
- ▶ Cemetery Services
- ▶ Field Services
- ▶ Governance
- ▶ Community Health and Wellbeing
- ▶ Organisational Highlights
- ▶ Visitor Services (VIC and Library)

Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 19 April 2022 to 6 May 2022.

Support Attachments

1. CEO Monthly Report April 2022 [13.1.1.1 - 32 pages]

13.2. Infrastructure and Planning Directorate

13.2.1. Adoption of Mansfield Planning Strategy

File Number	E5672	Responsible Officer	Manager Planning & Environment, Melissa Crane
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Purpose

The purpose of this report is to provide Council with the final *Mansfield Planning Strategy 2022*, including consideration of the submissions and adoption of the final document. This report also recommends that officers begin preparation of an amendment to incorporate the findings of the Strategy into the Mansfield Planning Scheme.

Executive Summary

The *Mansfield Planning Strategy 2022* has been prepared to support the long-term land use planning of Mansfield Shire.

The Strategy is made up of the following sections:

1. Settlement and housing

This section provides a framework for accommodating future population and housing growth in a way that supports the social, economic and environmental sustainability of the Shire. It also includes consideration of the role of each of the Shire's towns and settlements in accommodating growth as part of a settlement hierarchy; the availability of existing residentially zoned land to meet future demand for housing; staging of land release and development to support efficient and sustainable use of land and infrastructure, and opportunities to increase diverse, social and affordable housing.

2. Neighbourhood character and heritage

This section focusses on the character of Mansfield Shire's built environment and how it varies across the municipality. Across Victoria, the term 'neighbourhood character' means the cumulative impact of every property, public place, or piece of infrastructure, whether great or small. It also sets out a preferred framework for interpreting and responding to the valued aspects of Mansfield Shire's built environment. It identifies gaps and opportunities to strengthen policy around local character as well as opportunities to enhance heritage protections across the Shire.

3. Infrastructure provision and funding

This section sets the strategic framework for planning future infrastructure provision and funding to support the ongoing liveability and productivity of the Shire. It also includes consideration of infrastructure required to support development and economic productivity in the Shire (such as roads, intersections, shared paths, bridges, drains), and infrastructure to support community health and wellbeing (such as schools, public childcare, Maternal Child Health facilities, community halls and parks and gardens).

4. *Employment lands*

This section sets out the policy context, challenges, opportunities and recommended policy directions to manage economic growth and development across Mansfield Shire. It also includes policy directions to protect and enhance opportunities for agriculture across the LGA. It also seeks to protect farming land from further fragmentation.

5. *Environment and landscape*

This section identifies key environment and landscape features for protection in the Shire, as well as highlighting key natural hazards and climate change challenges that need to be managed to limit loss of life and property damage, as well as the longer-term liveability and productivity of the Shire.

6. *Implementation Plan*

This section presents a long-term action plan to implement this Strategy and provides further detail on proposed changes to the Mansfield Planning Scheme.

The final *Mansfield Planning Strategy 2022* can be found at **Attachment 1**.

The strategy contains the following objectives, all supported by a range of strategies to be used to achieve the objective. Some of the key strategies are as follows:

Objective	What are we going to do?	How are we going to do it?
Accommodate future population growth	Identify land for rezoning	Implement policies in the Mansfield Planning Scheme and rezone identified land.
	Prepare local area/structure plans for towns, townships and settlements across the Shire	Incorporate plan preparation for all towns, townships and settlements in the strategic planning program.
Rural Residential development	Assess the potential to increase capacity in the Rural Living Zone	Undertake a Rural Living/ Rural Conservation Zone Strategy to identify appropriate areas for these types of zones.
Neighbourhood Character	Increase protection for the character of Mansfield Township, Bonnie Doon and the Shire smaller settlements	Include character statements in the Mansfield Planning Scheme to be used when considering future development.
Heritage	Identify and document buildings, places and sites that have heritage value.	Include a Heritage Study for the Shire in the strategic planning program.
Infrastructure Provision and Funding	Provide development and community infrastructure to meet the needs of the growing community.	Prepare an Infrastructure Plan, including community infrastructure, as part of the Strategic planning program.
Environment and Landscapes	Protect and enhance significant landscapes in the municipality	Review and update the Significant Landscape Overlays.

	Protect large old River Redgum, Yellow Box and other species of remnant indigenous trees	Undertake a planning scheme amendment to include “grandfather” trees in the Vegetation Protection Overlay.
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Key Issues

In December 2019, Council engaged SGS Economics and Planning to prepare a Mansfield Planning Strategy. The project objective is to deliver a land use planning strategy that will provide an overarching framework to guide land use and development outcomes across the municipality over the long term. Once adopted by Council, the Strategy will be given effect through its implementation into the Mansfield Planning Scheme, including through appropriate updates to local policies, land use zoning and development overlays.

Results of engagement:

Around 15 people attended the community drop-in sessions, two participated in the online forums, seven in the agency forum and three in the Taungurung Land and Waters Council (TLaWC) meeting. The main street marquees drew attention from a range of people, including developers and community members, and were helpful in testing how well the Strategy was addressing areas of interest. The marquee consultations were attended by the Mayor and/or Councillors and typically visited by 15-20 people each time. Written submissions were received from agencies including the Goulburn Broken Catchment Management Authority (GBCMA), Goulburn Valley Water (GVW) and Department of Transport. These submissions identified opportunities to strengthen the strategy or for further refinements. No fundamental issues were noted.

The discussion with the TLaWC identified the opportunity to bring forward cultural heritage in the strategy and identify opportunities for the TLaWC to align with and leverage their strategic work, particularly tourism.

A summary of the submissions can be found at **Attachment 2**.

A range of site-specific rezoning or overlay request changes were received for inclusion in the Strategy. How each of these was assessed is as follows:

Location	Request	Officer Response
Lower Howqua Valley area	Request to review/update the SLO2	Additional content added to the Mansfield Planning Strategy (Strategy 40)
Merrijig War and Service Memorial	Rezone to Public Park and Recreation Zone.	This rezoning should be considered as part of an anomalies amendment.
Mansfield Mullum Wetlands	Rezone to Public Conservation and Resource Zone	The zone must reflect the purpose of the reservation. As this site is part of the Station Precinct, the current Public Park and Recreation Zone is considered appropriate and matches the reservation status.

1938 Mt Buller Road, Merrijig	Rezone from Farming to Township	Not identified in the settlement hierarchy for rezoning. Residential development directed to Mansfield at this time.
13 McLeods Lane, Mansfield	Rezone from Farming to Low Density Residential	Lot not within areas strategically identified for residential growth. Development of this site would not support policy directions for compact settlements and contiguous growth.
65 Mt Battery Road, Mansfield	Rezone from Rural Living to Low Density Residential	Lot not within areas strategically identified for residential growth.
210 Malcolm Street, Mansfield	Rezone from Low Density Residential to General Residential	Lot not within areas strategically identified for more intensive residential growth.
142 Malcolm Street, Mansfield	Rezone from Low Density Residential to General Residential	Lot not within areas strategically identified for more intensive residential growth.
10 Paxtons Lane, Mansfield	Rezone whole of property into one zone, Rural Living Zone.	This rezoning should be considered as part of an anomalies amendment.
7 Lakins Road, Mansfield	Rezone from Rural Living Zone to Industrial 1 Zone	Industrial land rezonings were considered in the <i>Mansfield Commercial and Industrial Land Use Strategy 2021</i> , and this land was not identified for rezoning now or as a future investigation area.
331 Dead Horse Lane, Mansfield	Rezone from Rural Living Zone to Low Density Residential Zone	Supported for rezoning in the exhibited strategy (Strategy 2)
80 Ogilvies Road, Mansfield	Rezone from Farming/Rural Living to Residential	Lot not within areas strategically identified for residential growth.
780 Tabletop Road, Tolmie	Rezone from Farming Zone to Rural Living Zone	Lot not within areas strategically identified for residential growth.
115 Dead Horse Lane, Mansfield	Rezone from Farming Zone to Rural Living Zone	Lot not within areas strategically identified for residential growth.

Walker Street, Mansfield	Remove Environment Audit Overlay from property.	This is not within the scope of the Strategy.
1740 Maroondah Highway, Bonnie Doon	Rezone from Farming Zone to Commercial 1 Zone	Commercial land rezonings were considered in the <i>Mansfield Commercial and Industrial Land Use Strategy 2021</i> , and this land was not identified for rezoning but could be considered into the future.

In addition to the site-specific requests, the following items were also raised by submitters:

What	Request	Officer Response
Potable water for dwellings	All dwellings should have 10000 litres of water	Environmentally Sustainable Design (ESD) initiatives, such as requirements for water tanks, must be considered as part of a broader ESD policy for incorporation into the planning scheme.
Extractive industries	<ul style="list-style-type: none"> Should be prohibited in Designated Water Catchments Develop an Extractive Industry Policy 	State government policy is supportive of extractive industries, and local policies limiting such uses would not be supported at State Government Level.
Tree Protection	<ul style="list-style-type: none"> Identification of trees for heritage and landscape protection Protection of habitat in urban areas required 	Actions included in the exhibited strategy that relate to the identification and protection of native vegetation (Strategies 42 and 43), with use of the Vegetation Protection Overlay to protect grandfather trees.
Environmental Conservation	Work with Landcare to identify high priority sites for environmental protection	Reference is made to LandCare groups under Objective 20 of the Strategy.
Car Parking	<ul style="list-style-type: none"> Implement a Parking Overlay Require all car parks to be a minimum B99 length 	Consideration of parking would be a part of the recommended Movement and Place Plan (Strategy 30)
Heritage	Undertake a heritage study and implement an expanded overlay and new policies	Action included in the exhibited strategy for heritage place identification and protection (Strategy 29)

Social and Affordable housing	Supports recommendations about social and affordable housing and wants council to employ a specialist to address the issue	Council advocates for social and affordable housing within the municipality.
Township Plans	Other towns need township plans to be developed.	Action included in the Mansfield Planning Strategy (Strategy 9)
Water Supply	Council should be actively involved in monitoring water allocations	This was not within the scope of the Strategy, and the primary responsibility rests with Goulburn Valley Water.
Climate Change	Council must review its climate action	Action included in the exhibited strategy to develop a Climate Action Plan (Strategy 46)
Rural Living Lot Size	Review the minimum lot size in the Rural Living Zone.	Addressed in the exhibited strategy with action to undertake further strategic work to identify areas appropriate for reduction in minimum lot sizes (Strategy 23)

Based on the submissions to the strategy, and as a result of the engagement process, the following changes have been made to the Strategy, and are part of the final document presented to Council for adoption. A copy of the final Mansfield Planning Strategy is attached to this report.

- Inclusion of an Acknowledgment of Traditional Owners and Country at the beginning of the Strategy.
- Changed references to the policies in the planning scheme in response to the updated Planning Policy Framework.
- Fixing of typographical, grammatical and other minor errors.
- Executive Summary significantly shortened to make it more focused on what the Strategy does.
- Chapter 4 – Settlement and Housing:
 - Changes to the “Future Role” section of Bonnie Doon to make it less restrictive to future rezonings.
 - Addition of details in Breakout Box 1 to allow for further investigations in Bonnie Doon.
 - Changed Strategy 4 to require the preparation and adoption of a development plan for the areas of Highton Lane not covered by an approved Development Plan.
 - Inclusion of details about service provision as requested by Goulburn Valley Water.
 - Recognition of the fragmented land ownership patterns in the proposed low density residential zone (LDRZ) area (Table 7) and the addition of a recommendation for a Development Plan Overlay for this area.

- Addition of new strategy for the preparation of Local Area Plans for other towns and settlements (now Strategy 9)
- Expansion of details in Objective 4: To encourage increased diversity in housing supply to meet the needs of people of all ages and lifestyles.
- Addition of strategies in relation to how Council will assist in meeting the needs for diverse and affordable housing.
- Chapter 5 – Neighbourhood Character and Heritage
 - Alterations to the section on Residential Development in the commercial core to more accurately reflect the work done in the Commercial and Industrial Land Use Study.
 - Additional details at Objective 8: To protect and enhance sites of Aboriginal Cultural Heritage significance across Mansfield Shire, with the referencing Council seeking an MOU with the TLaWC.
- Chapter 6 – Infrastructure Provision and Funding
 - Expansion of details on what needs to be considered for the Infrastructure Plan.
- Chapter 7 – Employment Lands
 - Expansion of Objective 14: To strengthen and diversify the visitor economy, to reference the Taungurung Country Plan and the potential to work with the TLaWC on the Shire’s tourism offer.
- Chapter 8 – Environment and Landscape
 - Inclusion of the role TLaWC and LandCare as a partner in the protection of significant and threatened species in Objectives 19 and 20.
 - Addition of objectives in relation reviewing the extent of the existing Significant Landscape Overlay and for consideration of an additional SLO for Lake Eildon and Surrounds
 - Addition of recommendations to look at rezoning land containing environmental assets, currently in the Farming Zone, to the Rural Conservation Zone.
 - Addition of strategies as requested by the CFA
- Chapter 9 – Summary of Recommendations and Implementation
 - Change the priority of an anomalies amendment to be short term.

Recommendation

THAT COUNCIL

1. Adopt the *Mansfield Planning Strategy 2022* to inform the preparation of an amendment to rezone land and develop local policies in accordance with the recommendations of the Strategy.
2. Commence preparation of a planning scheme amendment to implement the recommendations of the Strategy.

Support Attachments

1. Final Mansfield Planning Strategy (1) [13.2.1.1 - 195 pages]
2. Final Mansfield Planning Strategy Submission Responses (1) [13.2.1.2 - 11 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The Strategy will strengthen and grow the capacity of the Shire to service the needs of its growing population by providing clear land use directions for current and future residential development. There are significant social outcomes recommended in the Strategy, particularly with regard to social and affordable housing.

The Strategy has been considered against the relevant provisions of the *Planning and Environment Act 1987* and will have no negative impacts on the environment. It will seek to provide additional protection for vegetation across the shire, including large old River Redgum, Yellow Box and other species of remnant indigenous trees. Once the Strategy has been implemented into the Mansfield Planning Scheme, the land identified for rezoning will be able to be developed and used for residential purposes.

Community Engagement

Community Engagement has been undertaken in accordance with the Council Community Engagement Policy with exhibition of the draft Strategy undertaken between 24 November 2021 and the end of January 2022. The community consultation included the following elements:

- Advertisements in Mansfield Courier
- Media releases and social media content
- Emails to community groups and existing ratepayer database
- Direct engagement with developers and real estate, including face to face meetings
- Website content, including FAQ sheets and webinars, and “ideas” board
- Online forums
- Face to face drop-in sessions with the community
- Saturday morning main street marquee sessions

A discussion of the results of the exhibition are discussed in the Key Issues section of this report.

Collaboration

Not Applicable

Financial Impact

Provision of funding for this strategy is included within the existing 2021/2022 Council Budget.

Legal and Risk Implications

The Strategy will become an adopted document of Council in the first instance, then a part of the Mansfield Planning Scheme following the subsequent scheme amendment.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

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

- Strategy 3.1 Protect natural vistas and farmlets
- Strategy 3.2 Enhance township character
- Strategy 3.4 Plan for and encourage appropriate housing

Governance - Disclosure of Conflicts of Interest

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

13.2.2. Planning Permit Application P003/22 - Use and Development of Land For Industry (Distillery), Cellar Door and Sale and Consumption of Liquor - 126 Godwills Road Mansfield

File Number	P003/22	Responsible Officer	Coordinator Statutory Planning, Tim Berger
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Purpose

The purpose of this report is to seek Council’s determination of the application for Planning Permit P003/22, relating to the Use and Development of the land for Industry (distillery), cellar door, and sale and consumption of liquor.

This application is being re-referred to Council for determination following Council’s resolution at its meeting on 19 April.

Executive Summary

<i>Application Details</i>	
APPLICANT	C & H Thierry
PROPOSAL	Use and development of the land for Industry (distillery), cellar door and sale and consumption of liquor
APPLICATION LODGED	12 January 2021 (amended 5 May 2022)
STATUTORY DAYS	12 (as at 17 May 2022) due to the application being amended in response to the meeting with objectors.
NOTICE AND SUBMISSIONS	<p>The application was advertised to adjoining and nearby owners and occupiers.</p> <p>11 objections and 3 letters of support have been received. At the time of writing, all objections have been withdrawn subject to the amendment made to the application.</p>
<i>Property Details</i>	
PROPERTY ADDRESS	126 Godwills Road, Mansfield
LAND DESCRIPTION	Lot 2 PS444132F
RESTRICTIVE COVENANTS	<p>Section 173 Agreement X700264D – requires:</p> <ol style="list-style-type: none"> 1. <i>One dwelling only is permitted on Lot 2</i> 2. <i>Prior to the construction of any building on the site the Owner of Lot 2 must obtain consent from Delatite Shire Council for the position and design of buildings proposed to be construction on the site.</i> 3. <i>The dwelling in (2) above must comply with the Good Design Guide.</i>

	<p>4. All buildings are to be located within the Building Envelopes as shown on the plan at Schedule A.</p> <p>Section 173 Agreement AC183725P requires:</p> <ol style="list-style-type: none"> 1. One dwelling only is permitted on Lot 2. 2. Prior to the construction of any building on the site the Owner of Lot 2 must obtain consent from Mansfield Shire Council for the position and design of buildings proposed to be construction on the site. 3. The maximum height of a building on Lot 2 must be the same level as the highest point of the natural ground level at the north north west corner of the building envelope. <p>The proposal seeks to vary Condition 2 of the Section 173 Agreement, which is discussed in the attached delegation report.</p>
LAND AREA	48.64ha
EXISTING USE	Dwelling with existing distillery (has operated as a Home-Based Business under Clause 52.11 of the Scheme)
<i>Planning Provisions</i>	
ZONE	Farming Zone – Schedule 1 (FZ1)
OVERLAYS	Environmental Significance Overlay – Schedule 1 (ESO1)
MUNICIPAL PLANNING STRATEGY	<p>Clause 02.03-2 – Environmental and landscape values</p> <p>Clause 02.03-4 – Natural resource management</p> <p>Clause 02.03-7 – Economic development</p>
LOCAL PLANNING POLICY FRAMEWORK	<p>Clause 13.02-1S – Bushfire planning</p> <p>Clause 14.01-1S – Protection of agricultural land</p> <p>Clause 14.02-1S – Catchment planning and management</p> <p>Clause 14.02-2S – Water quality</p> <p>Clause 15.01-2S – Building design</p> <p>Clause 15.01-6S – Design for rural areas</p> <p>Clause 17.01-1S – Diversified economy</p> <p>Clause 17.04-1S – Facilitating tourism</p>
PARTICULAR PROVISIONS	<p>Clause 52.06 – Car Parking</p> <p>Clause 52.27 – Licensed Premises</p>
<i>Permit Triggers</i>	
	<p>Clause 35.07-1 – A permit is required for the use of land for industry (distillery) as a Section 2 use.</p> <p>Clause 35.07-4 – A permit is required to construct a building or construct or carry out works for a section 2 use and buildings within 100 metres of a waterway.</p>

	Clause 52.27 – A permit is required to use land to sell and consume liquor.
<i>Other</i>	
CULTURAL SENSITIVITY	No
DWMP RISK RATING (IF RELEVANT)	N/A

This application seeks Council approval for the use and development of the land for Industry (distillery), cellar door and sale and consumption of liquor at 126 Godwills Road, Mansfield. The proposal includes the following elements:

- Distillery – was previously operating as a home-based business, but as a result of the growth of the business, the size of the business now triggers a planning permit. The distillery has a gross floor area of 233.1sqm and has 4 car parks provided to the east of the building.
- Two tasting pods, accommodating a maximum of 8 people per pod, with up to 3 sittings per day. These are considered ancillary to the primary use of the distillery.
- Hours of operation will be 7am to 9pm.
- Distillery tours, with a maximum of 10 people, primarily run on Saturday between 11am and 3pm. Other ad-hoc tours will occur from time to time.
- 8 car spaces are to be provided to support the pods and the distillery.
- A kitchenette and toilet facility are proposed to be constructed to support both the tasting pods and the distillery.

A full officer assessment of the application can be found in the delegate report at Attachment 1.

The subject site is 48.64 hectares in size, and currently contains a dwelling and the distillery. These are both situated towards the south of the site.

Pursuant to Section 52 of the *Planning and Environment Act 1987* (“The Act”) the proposal was advertised to adjoining and nearby property owners and occupiers. 11 objections and 3 letters of support were received. Due to amendments made to the application, all objections have been withdrawn.

It is considered that the use and development of the distillery, cellar door and sale and consumption of liquor responds positively to the site and surrounding area, provides for a complementary use of the land in a farming area, and does not have a detrimental effect on the water catchment or the environment. While the proposal does not support agricultural production, the siting of the works and nature of the land around the site allows for agriculture to continue if sought (such as grazing activities). The proposal is sited close to the northern boundary of the land, allowing the balance of the land to be retained for potential agricultural use. Given the siting of the works and surrounding activities, the proposal will not prejudice the use of nearby land for agriculture.

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:

Traffic Impacts and road safety:

Access to the site is gained via Old Tonga Road to Godwills Road; both of which are unsealed Council roads. Given the nature of the land use proposed, it is considered that traffic volumes will be moderate in the context of a rural road, with the existing road network suitable to accommodate the potential traffic to the site. Traffic to the pods will be mitigated by operating parameters. No vehicles such as coaches, buses or trucks are proposed to attend the site. Behaviour of road users on the public road network is beyond the control of the operator, however road users will need to drive to conditions in the same manner as any other rural road.

Landscape Character:

Buildings associated with the use are clustered together and sited/designed so as to minimise visual impacts from surrounding public and private land. The amended proposal sites the works well away from adjoining properties and dwellings.

Amenity Impacts (including health, noise and visual):

The operation hours of the distillery are from 7am to 9pm, which is primarily for manufacturing, which is considered appropriate. No light spills or noise impacts will be generated after 9pm. Any impacts on the residential amenity of the surrounding environment will therefore be minimal if any, particularly with due consideration of the location of the distillery itself on the site. Sale and consumption of liquor within the 'pods' is largely limited to tastings as part of a booked session, with the likelihood of adverse impacts from on-site liquor consumption minimal. The number of patrons is considered acceptable as it will not generate a large crowd into the area. Any noise impacts will also be controlled and managed appropriately, ensuring the amenity of the surrounding residents will be protected.

Use of the land:

Although the use is not an agricultural use in the Farming Zone, food and wine tourism are one of the key drivers for tourist visitation in Mansfield Shire. Given the location of the site, the sale and consumption of liquor will contribute to a positive impact to the local economy.

Recommendation

THAT COUNCIL, having considered all matters under Section 60 of the Planning and Environment Act 1987, determine to issue a Planning Permit, P003/22 for the Use and Development of land for a distillery (industry), cellar door and sale and consumption of liquor on Lot 2 on Plan of Subdivision 444132F, commonly addressed as 126 Godwills Road, Mansfield, In accordance with the endorsed plans and subject to the following conditions:

Amended Plans Required

1. Prior to the endorsement of plans, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plan submitted to Council on 5 May 2022, Drawing No. 220236, but modified to show:
 - (a) Details of works required to upgrade the internal access
 - (b) Details of any cut/fill required to accommodate the location of all buildings and works.

Endorsed Plans Condition

2. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.

Amenity Condition

3. The use must not detrimentally affect the amenity of the neighbourhood to the satisfaction of the Responsible Authority, including through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials; or
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Waste Management

4. Prior to the commencement of the use, a Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. The Plan must include, but not limited to the following:
 - a) Calculations showing the amount of waste and recycling expected to be generated;
 - b) A statement of whether the industry waste and recycling will be collected by Council or a private collection, stating the size of bins, frequency of collection and hours of collection;
 - c) State where and when the bins will be placed for waste collection; and
 - d) Confirm that the bins will be removed from the street promptly after collection.When submitted and approved to the satisfaction of the Responsible Authority, the Waste Management Plan and associated notated plans will form part of this permit.

Hours of Operation

5. The use allowed by this permit must operate only between the following hours:
 - Distillery
 - i. Production - Monday to Sunday: 7am – 9pm
 - ii. Tours – Monday to Sunday: 10am – 7pm
 - Tasting pods (cellar door)
 - i. Thursday to Sunday: 10am - 7pm

Maximum Number of Patrons

6. Each pod/cellar door structure may have no more than 8 persons at any one time (excluding staff).
7. Except with the written consent of the Responsible Authority, the distillery tours must not have more than 10 persons at any one time (excluding staff).

Noise

8. Noise levels associated with the use must at all times comply with the Environment Protection Regulations under the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826.2, Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues, Environmental Protection authority, March 2021), or any other superseding regulation.

Should the Responsible Authority deem it necessary, the owner and/or occupier of the land must submit an Acoustic Report to the satisfaction of the Responsible Authority which demonstrates compliance, or which outlines any measures considered necessary to achieve compliance.

The recommendations of the Acoustic Report must be implemented no later than three (3) months after the date that the Responsible Authority advises in writing that it is satisfied with the report, or as otherwise agreed in writing by the Responsible Authority. The endorsed plans must also be amended within three (3) months, or as otherwise agreed

in writing by the Responsible Authority, to accord with the recommendations contained in the Acoustic Report to the satisfaction of the Responsible Authority.

External Materials

9. The external materials of the building allowed under this permit, including the roof, must be constructed of materials that are of muted colours. No materials having a highly reflective surface must be used.

For the purpose of the condition “highly reflective” includes unpainted or unpainted aluminium, zinc or similar materials. Cladding materials must be coloured or painted in muted colours.

Tree Protection

10. Prior to the commencement of works, a Tree Protection Zone must be set up around all trees within 15 metres of any works to be undertaken. The Tree Protection Zone must be established in accordance with the relevant Australian Standard and maintained until all development works are completed.
11. The owner and/or occupier of the site must ensure that, prior to the commencement of works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained and are advised of any obligations in relation to the protection of trees.
12. No trenching or soil excavation is to occur within the Tree Protection Zones of retained trees unless shown on the endorsed plans without the written consent of the Responsible Authority.

Licensed Premises

13. Liquor must only be sold and consumed in the red-line area shown on the endorsed plan, to the satisfaction of the Responsible Authority.
14. Except with the prior written consent of the Responsible Authority, the consumption of alcohol on the premises must only be undertaken between the following hours:
(a) Thursday to Monday: 10am – 7pm

Car Parking and Access

15. Prior to the commencement of use of the building/s hereby approved, all car parking spaces and access lanes shown on the endorsed plans must be:
 - Constructed in an all weather surface;
 - Properly formed to such levels that they can be used in accordance with the plans;
 - Drained; and
 - Marked to indicate each car space and all access lanes;

to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

Bushfire Emergency Management Plan

16. Before the commencement of the use, a Bushfire Emergency Management Plan to satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority in consultation with the Country Fire Authority. The plan must address the following matters:
 - Site management to reduce the impact of bushfire in the area on the site;
 - Management actions during the declared Fire Danger Period;

- Management responses to the forecast Fire Danger Rating on each day of operation, including closing the site on days of Extreme and Code Red;
- Actions in the event of a bushfire threatening or impacting on the site, including details of the location/s for emergency assembly, evacuation and shelter-in-place (in the event that evacuation from the site is not practicable).
- Measures to reduce the risk of fire starting on the site;
- Transport arrangements for staff and visitors;
- The need for any additional arrangements for persons with special needs;
- Training for staff, visitors on emergency procedures;
- The nature and frequency of emergency procedure exercises
- Actions for other emergencies (non-bushfire);
- Emergency procedures including the assignment of roles and responsibilities to staff. This must include assigning responsibility for the:
 - i. Management and oversight of emergency procedures
 - ii. Training of employees in emergency procedures
 - iii. Reviewing the effectiveness of emergency procedure exercises and implementing procedure improvements
 - iv. Accounting for all persons during the emergency procedures
 - v. Monitoring and review of the Emergency Plans at least annually.

Engineering Conditions

17. Appropriate measures must be implemented throughout the construction stage of development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land to the satisfaction of the Responsible Authority.
18. Before the commencement of use of the cellar door/tasting pods, 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, vehicle access ways 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;
 - b. The areas shown on the endorsed plans for vehicle access to the permitted buildings and works must be constructed in accordance with the endorsed plans and be surfaced with concrete, reinforced concrete, brick paving, gravel, crushed rock or hot mix asphalt so as to prevent mud or other debris from being carried onto the road to the satisfaction of the Responsible Authority.
19. Any damage to Council managed assets (such as roads and stormwater infrastructure) as a result of the development must be repaired at the cost of the developer to the satisfaction of the Responsible Authority.
20. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991) to the satisfaction of the Responsible Authority.

Wastewater Conditions

21. Prior to the commencement of works associated with the toilet and kitchenette, an *Application for a Permit to Install* a septic tank system must be submitted and approved by Council prior to any installation.

22. Stormwater from the works must not be permitted to enter the effluent disposal field, septic tank or any associated wastewater infrastructure to the satisfaction of the Responsible Authority.

Goulburn-Murray Water Conditions

23. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
24. All wastewater from the kitchenette and toilet facilities must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must be an EPA approved system, installed, operated and maintained in accordance with the relevant EPA Code of Practice and Certificate of Conformity.
25. As required by the current EPA – Code of Practice *On-site Wastewater Management*, Publication 891.4, July 2016, the wastewater disposal area must meet minimum setback distances of 100m from the nearest waterway, 60m from any dams, 20m from any bores and 40m from any drainage lines. Reduced setbacks may be applied in accordance with the requirements of the current EPA – Code of Practice *On-site Wastewater Management*, Publication 891.4, July 2016, where wastewater is treated to a secondary standard.
26. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

Permit Expiry

27. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two (2) years of the date of this permit
 - b) The development is not completed and use commenced within four (4) years of the date of this permit.
- The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with the *Planning and Environment Act 1987*.

Support Attachments

1. P003 22 Revised Delegate Report for Amended Application 126 Godwills Road [13.2.2.1 - 26 pages]

Considerations and Implications of Recommendation

Sustainability Implications

No impacts to native vegetation are proposed as part of this development. 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. No natural hazards issues (such as flooding or bushfire management) apply to the site.

Community Engagement

The application for a planning permit was advertised to adjoining and nearby property owners and occupiers in accordance with Section 52 of the Planning and Environment Act 1987. Eleven objections were received to the application.

Following Councils meeting on 19 April 2022, additional consultation was held between Council officers, objectors and the permit applicants at the Council Offices. This resulted in an amended proposal being presented, which forms the subject of this report. On the basis of this amended proposal, all objections have been withdrawn.

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 notice of decision to grant a permit be issued, the permit applicant may seek a review at the VCAT of any conditions placed on the permit and the objector may seek a review of the decision. 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

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.

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

Strategy 3.2 Enhance township character

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

Strategy 5.2 Enable land use and base infrastructure that stimulates commercial activity

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. Property Leasing and Licencing Policy - Adoption

File Number	E513/2	Responsible Officer	Manager Planning & Environment, Melissa Crane
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Purpose

To present the updated Property Leasing and Licencing Policy 2022 for Council endorsement.

Executive Summary

The existing Property Leasing and Licencing Policy has been updated to include relevant information for the formation or review of leases and licences over Council owned or controlled property. The policy also includes details on the way that subsidised rents are determined.

Key Issues

The updated policy (Attachment 1) details the rent model that is proposed to be applied to all Council leases and licences. This model was applied in the previous policy as part of the procedures section and was not specified in the policy itself.

The policy has now been updated to include the following additional matters:

- Definitions of rent and the inclusion of the rent model.
- Inclusion of the matrix used to determine the subsidy to be applied to different community groups.
- Amendment of the matrix to include the provision for Council to enter into a different agreement by negotiation, which was in the previous procedures but now included in the policy.

The current policy has predominantly transferred to the new policy, but with the new format for Council policies. In terms of items removed from this policy, the following is noted:

- Amendments to the related policies to refer to the relevant current policies.
- Removal of the procedures from the policy as these are operational matters not specific to the policy itself. The items from the procedures that have been included in the policy itself are:
 - Details on how the rent model is determined
 - The matrix for determining the value of leases
 - Details on draft maintenance schedules

The procedures will remain current; however, they will now be separated from the policy.

The matrix included in the policy is as follows:

Category	Description	% of market value to be charged
1	Community Groups who: <ul style="list-style-type: none"> • Hold a liquor licence, AND 	17%

	<ul style="list-style-type: none"> • Hold a food registration certificate; AND • Hire their facilities for functions/social events. <p>OR</p> <ul style="list-style-type: none"> • Charge entry to the premises 	
2	Community groups who conduct sporting activities for members and guests	14%
3	Community groups that meet the following criteria: <ul style="list-style-type: none"> • Non-sporting groups that provide a community service; AND • Predominantly volunteer based; AND • Receive external recurrent grant funding 	5%
4	Community groups that meet the following criteria: <ul style="list-style-type: none"> • Non-sporting groups that provide a community service; AND • Are 100% volunteer based; AND • Do not receive external recurrent grant funding 	1%
5	Other: Council reserves the right to enter into an agreement and negotiate the terms and conditions, annual rent and operating subsidy on a case-by-case basis.	Not specified

Recommendation

THAT COUNCIL endorse the Mansfield Shire Council Property Leasing and Licencing Policy 2022.

Support Attachments

1. Property Leasing and Licensing Policy 2022 (1) [13.2.3.1 - 4 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not applicable to this policy review as the content of the policy is essentially unchanged from what was previously applied in the policy and procedures.

Collaboration

Not Applicable

Financial Impact

The updated Policy will not impact on Council’s current resourcing or operational budget as it maintains the existing budget allocations and is supported by existing council staff resources.

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

This policy is in accordance with the following themes:

- 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
- 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.

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

File Number	E408	Responsible Officer	Manager Planning & Environment, Melissa Crane
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Purpose

To seek Council endorsement of the 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

Attached for Councils consideration is the 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.
5. The lease has been reviewed by Council's lawyers and by the Men's Shed Inc. lawyers.

All parties agree to the terms of the lease as attached to this report.

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.

Recommendation

THAT COUNCIL

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.
2. Receives rental of \$1 per annum plus outgoings.

Support Attachments

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:
 - a. any GST or like tax imposed because this Lease is a taxable supply; and
 - b. any income tax or capital gains tax;
3. Insurance premiums for:
 - a. public liability;
 - b. loss of rent and outgoings insurance for a period of twelve (12) months; and
 - c. 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*.

13.2.5. Planning Scheme Amendment - 104 Dead Horse Lane, Mansfield

File Number	E9561	Responsible Officer	Manager Planning & Environment, Melissa Crane
Purpose			

To seek a Council resolution to:

1. Request authorisation from the Minister for Planning to prepare Amendment C54mans to the Mansfield Planning Scheme as a proponent driven amendment to rezone land at 104 Dead Horse Lane to General Residential; and
2. When authorised by the Minister for Planning, exhibit the amendment

Executive Summary

At the request of MKP Superfund, Council have been asked to facilitate a proponent driven amendment for 104 Dead Horse Lane. It is proposed to rezone part of the land from Farming Zone to General Residential Zone, Schedule 1.

This proposal was submitted to Council in February 2022, but was refused authorisation by the Department of Environment, Land, Water and Planning.

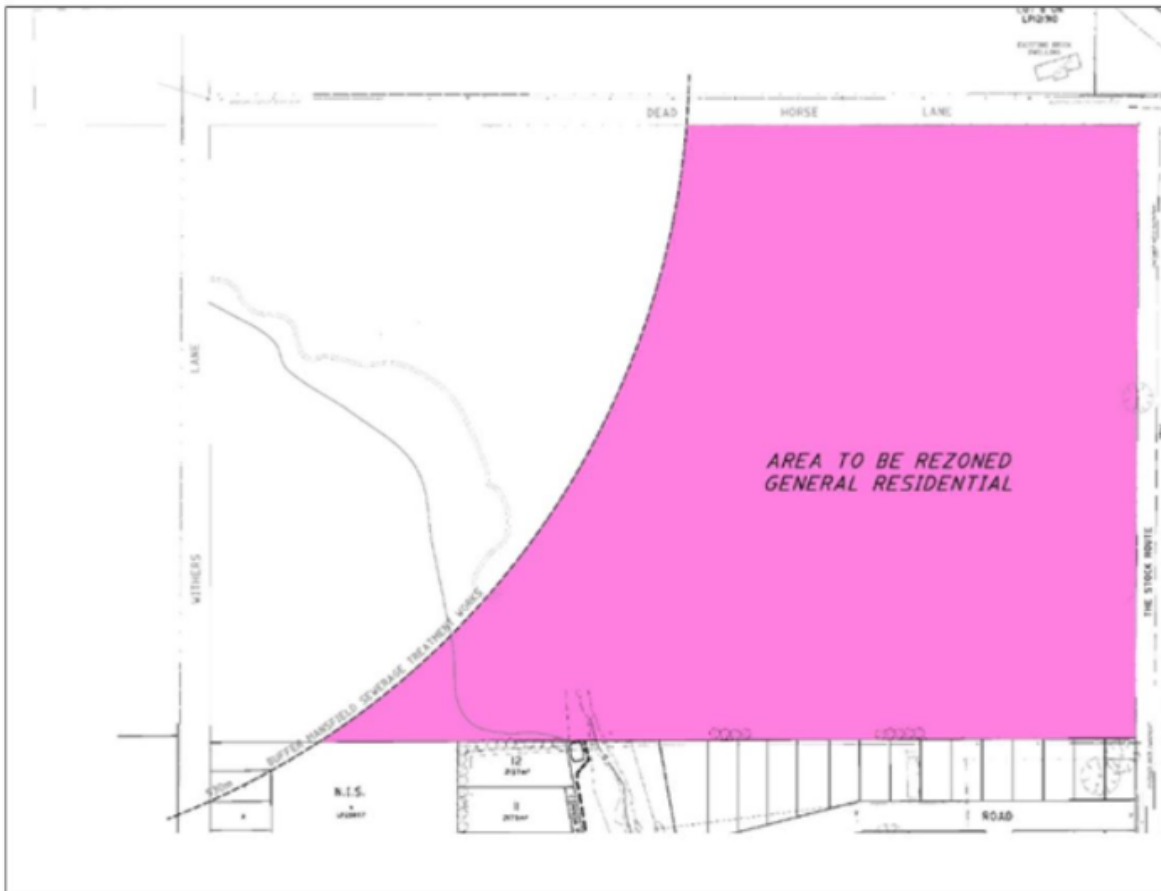
Further information has now been provided and supports the application to be resubmitted for consideration by the Minister for Planning.

Key Issues

The property at 104 Dead Horse Lane, Mansfield (The Land) is a 24.471-hectare parcel of land in the Farming Zone, with part of the land affected by a buffer for the Goulburn Valley Water (GVW) Wastewater Treatment Facility at 114 Withers Lane, Mansfield. In 2015, the land was earmarked as part of the Mansfield Structure Plan to be considered for rezoning to Low Density Residential Zone. In recent strategic work undertaken by Council it has been highlighted that there is a housing shortage within the Mansfield Shire. This parcel of land has again been identified for rezoning in the draft Mansfield Planning Strategy. The draft Strategy recommends the land be partially rezoned outside of the GVW buffer to General Residential Zone Schedule 1 to assist in the reduction of housing stresses.

The proposed amendment seeks to promote the orderly and sustainable urban expansion of Mansfield Township through facilitating fully serviced residential development at conventional densities. Rezoning of land to General Residential 1 will assist in containing and intensifying residential development in an identified residential area within the Mansfield township boundary. The amendment seeks to improve the supply, diversity and affordability of land and housing opportunities in Mansfield township on land with access to Mansfield’s commercial, community, recreation, and employment facilities. The amendment assists in meeting projected future housing demand for a growing population in Mansfield township.

The extent of the area to be rezoned is indicated on the below map, on the corner of Dead Horse Lane and the Stock Route. Please note that land parcels within Stockman's Rise have not yet been development, so the lot boundaries shown are indicative only.



Upon the refusal from the Department of Environment, Land, Water and Planning to authorise the amendment, further information was sought and has now been provided. It was also highlighted that it would be better if the amendment was supported by an adopted Strategic Plan. In this case, the Mansfield Planning Strategy is proposed for adoption in this council meeting and will further support this request. The issues required to be addressed included the following:

- Clause 11.01S Settlement – The application needed to provide an indication of current land supply, any constraints to developing the current supply and demand to justify rezoning. An indicative lot yield was also requested. The data in the Mansfield Planning Strategy assisted with this element.
- Clause 13.01-1S Natural hazards and climate change – The application needed to demonstrate that natural hazards that exist on the land have been considered, including the Land Subject to Inundation Overlay. The new application includes support from the Goulburn Broken Catchment Management Authority to address this element.
- Clause 13.02-1S Bushfire planning - The land is in a designated bushfire prone area and the application needed more information on how the fire hazard had been addressed. This is now included in the Explanatory Report. The applicant also sought advice directly from the Country Fire Authority.

- Clause 18.01S Transport – The applicant was requested to describe potential traffic impacts on the local road network and adjoining proposed Heavy Vehicle Alternate Route. The application needed to include information about how the road network could accommodate the additional traffic.
- Clause 11.01-1L-01 Mansfield township - The proposal was required to address the strategies detailed in the existing strategy, particularly the ones to contain and intensify residential development within existing residentially zoned land, encourage infill and redevelopment and discourage any GRZ rezonings in the short to medium term. This information was able to be provided from the work recently completed on the Mansfield Planning Strategy.
- In light of the fact that the land is in a declared catchment, the supporting material needed to outline that the land could be serviced by reticulated sewer so there would be minimal risk to the catchment. The applicant sought advice from Goulburn Valley Water and this is included in the new amendment documents.

This further detail was required to address why it is acceptable to rezone agricultural land to general residential in this instance. This has been supported with the identification of the land in the settlement boundary of Mansfield.

The updated and improved amendment documents can be found at Attachment 1.

Recommendation

THAT COUNCIL:

1. Adopt the 104 Dead Horse Lane Rezoning Amendment, resolving to implement the proposal generally in accordance with the adopted documents through Amendment C54mans to the Mansfield Planning Scheme.
2. Request under Section 8A (2) and (3) of the Planning and Environment Act 1987 that the Minister for Planning authorise Mansfield Shire Council to prepare amendment C54mans to the Mansfield Planning Scheme that is generally in accordance with the proposal.
3. Notify the Minister for Planning that when it exhibits Amendment C54mans, Mansfield Shire Council intends to give full notification of the amendment under Section 19 of the Planning and Environment Act 1987 for a minimum statutory exhibition period of one month.
4. When authorised by the Minister for Planning, exhibit Amendment C54mans to the Mansfield Planning Scheme under Section 19 of the Planning and Environment Act 1987.

Support Attachments

1. C54mans Amendment Documentation - 104 Dead Horse Lane Authorisation May 2022 [13.2.5.1 - 18 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The proposed rezoning will allow more intensive development of the land with a loss of agricultural area. However, the land is near the centre of Mansfield Township and has potential for allowing sustainable modes of living through the potential provision of community infrastructure should development occur.

Rezoning the land will result in positive economic change for the Mansfield Shire by allowing the development of dwellings close to the Mansfield Township. It also allows additional residents to become part of the township and may relieve rental stresses in addition to addressing the current elevated housing demand.

The land lies southwest of the current Goulburn Valley Water Wastewater Treatment Facility. It is considered that the general environment of the area may be heavily impacted by this. A buffer proposed between these areas will alleviate possible problems. There also lies a waterway within the site. Although the section where this is located will not be rezoned, relevant referral agencies will be consulted to ensure environmental and climate impacts are avoided.

Community Engagement

The community has been previously engaged while developing the Mansfield Township Framework Plan in 2015, where this site was earmarked for rezoning to Low Density Residential Zone. However, the current proposal is not for rezoning the land to this same zone, but one that allows higher density.

In accordance with Section 19 of the *Planning and Environment Act 1987*, adjoining and nearby landowners will be notified during the exhibition period of the amendment to allow them to make a submission. Additionally, the amendment will be exhibited via the Victorian Government Gazette, Mansfield Courier and have relevant documents available within the municipal office at 33 Highett Street Mansfield, and through Council's website during the exhibition period.

Collaboration

In addition to the above, notification will also be given to relevant statutory referral bodies, affording them the opportunity to comment on the proposed amendment.

Financial Impact

The proposed amendment is proponent driven. As such, the applicant will bear the fees associated with the amendment. The perceived cost for council will be the added work placed on council officers.

Legal and Risk Implications

The amendment will be assessed and processed in accordance with the *Planning and Environment Act 1987*.

Regional, State and National Plans and Policies

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

A Council resolution is required to seek authorisation from the Minister for Planning for Council to formally prepare the amendment, and when authorised, to exhibit the amendment. Exhibition would take place for a minimum statutory period of one (1) month, with advertising to potentially affected agencies, groups, and landowners. Once exhibition has taken place, the proposal will then be reported to Council for:

- Consideration of any submissions.
- Referral of any submissions that cannot be resolved to an independent panel for consideration.
- Resolution, which is either adoption with or without changes, or abandonment.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

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

Strategy 3.4 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. Targa High Country February 2022 Report

File Number	E8043	Responsible Officer	Economic Development Officer - Tourism & Events, Gareth MacDonald
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Purpose

This report provides Council with an overview of the February 2022 Targa High Country Event, economic yield, issues and recommendations.

Executive Summary

In 2010 Mansfield Shire Council and Mt Buller Mt Stirling Resort Management signed a 12-year partnership contract with Targa Australia to run the Targa High Country (THC) event until 2022. This agreement specified that all participant overnight stays must occur within either Mansfield Shire or Mt Buller.

The November 2021 event was held 11 – 13 February 2022 due to the cancellation of the event the previous year because of COVID restrictions. Typically, 30% of competitors are from interstate and during November 2021 COVID restrictions prevented interstate travel.

The February 2022 event was the second last event in the 12-year contract, with the final event due to be held in November 2022.

Both Mansfield Shire Council and Mt Buller Mt Stirling Resort Management each invested \$30,054.82 to host the THC event for February 2022. The Targa Fest celebrations in Mansfield on the Saturday afternoon, is separately funded and presented by Council at a cost of \$8,339. Further setup costs including scrutineering and road sign placement cost Council an additional \$3,070.

The 3-day February event this year traversed through Mt Buller and Mansfield Shire with some legs of the race through Strathbogie and Whitfield (no financial contribution is provided by Strathbogie or Wangaratta shires).

210 vehicles entered initially, the highest ever for THC, however that decreased to 187 vehicles due to COVID vaccination requirements and other issues by the time the event was held.

THC 2022 faced some extra hurdles after the tragic death of three competitors in the April 2021 Targa Tasmania Rally. This led to a report from an investigatory tribunal that made 23 recommendations to Targa and Motorsport Australia to enact by the end of February 2022. 17 of these were put in place and 6 were in the hands of motorsport Australia to act upon by the time of the High-Country Event. Understandably, these tragic deaths also led to a more stringent approach in the approval process from Regional Roads Victoria (RRV). In turn the approval for Targa was delayed until 14 January, just under one month from the event commencing.

The event was marketed over this 4-week period including newspaper advertisements, mail outs, social media, High St poster drops and street closure information sheets.

THC February 2022 ran to plan with no major incidents and was deemed a success with internal stakeholders, participants, spectators, and businesses.

As part of THC there was coverage on Channel 9 and 9Now in the form of Targa TV. Broadcasted nationally with an average of 285,000 viewers. This is then re-broadcast on FOX however no data is available on viewing numbers for minor programming. The show is also distributed via Boulder Creek International to over 150 countries, over 600 million screens in total.

Post event, Mansfield Shire Council conducted a survey completed by 87 shire businesses to understand business sentiment to inform our review process and to inform future discussions about THC.

Council also included four questions in the Targa competitor survey to collect data on expenditure, which was completed by 49 out of 187 competitors.

A debrief was held on 30 March 2022 including representatives from Mansfield Shire Council, TARGA, Motorsport Australia, Victoria Police, RRV, and Mt Buller with areas for improvement identified which are included in this report.

Key Issues

Approval timeframe

The main issue this year was a late approval due to the fatalities at Targa Tasmania which impacted event planning, communication, marketing and operations.

Marketing and Communication

Due to delays in RRV approval all communications had to be completed within a four-week period. Identified issues include:

- ▶ late release of event information to businesses and residents.
- ▶ Aus post mailout from Targa did not reach all event impacted areas.

Through the debrief process a timeline has been established for the November event between Targa, RRV, and Council to ensure permits are received in time for appropriate information and marketing of the event. Targa has also been informed of critical areas for mailouts.

RRV Targa Submission

RRV identified multiple weaknesses in the event submission from Targa that needed to be rectified. This, combined with the Targa Tasmania report, resulted in the delay in issuing permits. Issues identified by RRV were as follows:

- ▶ Sub-standard traffic management plans
- ▶ More staff at street stage positions required
- ▶ Barrier materials and suitability to be addressed
- ▶ Speed limits during street stages to be addressed

Through the debrief process Targa has requested more detailed information of what is required as they engage a traffic management company for their planning and will pass on feedback to them to ensure a more thorough application for November.

Street Stage

Motorsport Australia and Victoria Police had risk mitigation issues and feedback regarding the street stage portion of THC.

- ▶ Communication to residents who are having front yard Targa Parties around safety
- ▶ Level or risk acceptance around alcohol and bad decisions
- ▶ Speed limit
- ▶ Barrier positions and materials
- ▶ Marshall and staffed points to increase

Through the debrief process Motorsport Australia raised the issue of speed and they believed the street stage speed limit should be lowered. Victoria Police and RRV would like to see more staffed points and to consider other materials for barrier points.

COVID

As the information around COVID was constantly evolving and changing, Council sought advice from the relevant authorities regarding the complexities of the event and COVID restrictions.

- ▶ Vic Health, Covid hotlines and business Victoria information informed Cars being deemed an event space and therefore drivers and participants needed to be double vaccinated. This resulted in competitors withdrawing from the event.

Targa Fest

A change to reinvigorate Targa Fest saw a successful event with a large turnout of approx. 1,100 over the course of the event. Some concerns raised were:

- ▶ A perceived link between motor sport and alcohol consumption needs to be considered
- ▶ Although the two sites at the Targa Fest were practicing RSA guidelines, hotels need to be reiterated of the requirement
- ▶ Need for additional security at surrounding venues was raised as the incidents with police involvement occurred at the Hotel not in the Targa Fest.

Mansfield Shire TARGA Business Survey

Council conducted a 10-question survey of local businesses to understand business sentiment to feed into its review process and to inform future discussions about THC, receiving 87 responses. Full survey results and questions are attached.

Through this survey council can present the following main points:

- ▶ 57% of those surveyed took part in Targa in some form
- ▶ 74% of business did not need to adjust their operating hours around Targa
- ▶ 26% of businesses believe there was a positive impact on their immediate business. This is in line with approx. 70% of respondents being from a sector not relevant to the event or tourism or were not located near the event site.

TARGA driver survey questions

As part of their post event procedure TARGA send a questionnaire to their participants. They received 47 responses out of 187. (Above the industry benchmark of 20%). Council approached Targa to include four questions with the following key results:

- ▶ During reconnaissance 35 respondents stayed in Mansfield.
- ▶ During the race 24 respondents stayed in Mansfield.

- ▶ During reconnaissance:
 - 36% of respondents stayed 1 night,
 - 33% of respondents stayed 2 nights,
 - 14% of respondents stayed 3 nights,
 - 9% of respondents stayed 4 nights,
 - 3% of respondents stayed 7 nights, and
 - 5% of respondents stayed 8 or more nights in Mansfield.
- ▶ During the race:
 - 27% of respondents stayed 1 night,
 - 17% of respondents stayed 2 nights,
 - 12% of respondents stayed 3 nights,
 - 26% of respondents stayed 4 nights,
 - 13% of respondents stayed 5 nights, and
 - 5% of respondents stayed 6 nights in Mansfield.
- ▶ Local expenditure by participants (excluding accommodation and event fees)
 - 26.42% of respondents spent Under \$300
 - 20.75% of respondents spent \$300 - \$399
 - 7.55% of respondents spent \$400 - \$499
 - 9.43% of respondents spent \$500 - \$599
 - 11.32% of respondents spent \$600 - \$699
 - 24.53% of respondents spent \$700+

Recommendation

That COUNCIL notes the report on the February 2022 Targa High Country event.

Support Attachments

1. TARGA HIGH COUNTRY 2022 Business Survey (Preview) Microsoft Forms - Questions [13.3.1.1 - 3 pages]
2. TARGA HIGH COUNTRY 2022 Business Survey results [13.3.1.2 - 6 pages]
3. Targa Debrief Wednesday 30 03 22 Senior Sergeant 34092 Steve Carden Victoria Police [13.3.1.3 - 3 pages]
4. TH C 22 Survey Results Mansfield Shire Questions [13.3.1.4 - 4 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The economic benefit of THC as outlined in the financial impact.

Community Engagement

The event was marketed over this 4-week period including newspaper advertisements, mail outs, social media, High St poster drops and street closure information sheets.

A survey was conducted with local businesses and participants to gain feedback on social and economic impacts.

Collaboration

Not Applicable

Financial Impact

The event is covered within the existing budget.

Both Mansfield Shire Council and Mt Buller Mt Stirling Resort Management each invested \$30,054.82 to host the THC event for February 2022. The Targa Fest celebrations in Mansfield on the Saturday afternoon, is funded and presented by Council at a cost of \$8,339. Further setups costs including scrutineering and road sign placement were to the cost of \$3,070 bringing the total cost for Council for the February event to **\$41,463.82**.

Although hard to put a number on, the economic yield received from the exposure received through the national and internal broadcast cannot be dismissed.

Currently we have not received the Targa event organisers expenditure data, it is however known TARGA used local suppliers where possible including Mansfield Party Hire, Mansfield Hire, Mansfield Signs, Various food and beverage, catering and accommodation, Mansfield Mt Buller towing, petrol suppliers and mechanics.

	February 2022 Event
Total Cars	187
Total people including support crew – averaged at 3 people per team	561
Totals spend per car – averaged at \$550 per person as per survey data	\$308,550
Estimated Accommodation nights for participants during recce (@ \$150 per night x 330 nights) *	\$49,500
Estimated Accommodation nights for participants during event (@ \$150 per night x 250 nights x 3 people)*	\$112,500

**estimated from participant survey results.*

The total cost for Council for the February event is **\$41,463.82**. The estimated economic yield is **\$470,550** (this is excluding event organiser's expenses and revenue from exposure through TV broadcasts).

Legal and Risk Implications

People Risk – the risk of a reduction in volunteers and TARGA personnel due to COVID and other factors presented a challenge with less staffed checkpoints.

Safety Risk – The obvious safety risks involved with car racing were highlighted by the three deaths in Tasmania in 2021. Furthermore, another death has occurred in the 2022 running of Targa Tasmania on 27/4/2022.

Currently we have not had confirmation if the November event will go ahead. The additional death will impact decision making from Regional Roads Vic and potentially the previous safety recommendations will be reviewed/ increased.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Continuation of data collection from local business, community, and TARGA competitors to form a full picture and assist in future decision making.

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 2.1 Support our arts community and facilitate the delivery of festivals and events.

Strategy 2.3 Enhance the social and economic value of tourism to Mansfield.

Theme 2: Vibrant Livability

Strategic Objective 5 Prosperous: Industries, businesses, and workforces of the future

Strategy 5.1 Create conditions that enable local businesses

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.

13.3.2. Highline 2022 Event Report

File Number	E9612	Responsible Officer	Economic Development Officer - Tourism & Events, Gareth MacDonald
Purpose			

This provides Councillors with an overview of the 2022 Highline mountain bike event.

Executive Summary

In 2020, as part of the Bushfire Recovery Exceptional Assistance and Immediate Support Funding program, Council released the opportunity for businesses to apply for up to \$100,000 to support startup/new events in their most critical preliminary stages.

After an assessment process including, at the time, the Business and Community Recovery Advisory Committee, Mansfield Shire Council awarded Narelle & Shannon Rademaker of Xventure Pty Ltd \$100,000 in April 2021 to run the “Highline” event for three consecutive years.

At the time Highline Mountain Bike Festival was a new mountain bike festival displaying the best parts of mountain bike freeride culture. It is now recognised as one of the most popular disciplines within mountain biking.

Highline has also been able to secure major international sponsors including Trek bicycle corporation, Red bull, Fox, Smith, Etnies, Michelin, Dharco, Shingleback, Reckless, Paton helicopters, Super B, Bridge Rd Brewers, and local companies Krush and Mansfield Constructions.

Held 24 - 27 March 2022 Highline was a sellout for competitors, with entries breaking their website and being snapped up in eight minutes. This included over 428 competitors in the Mountain Bike disciplines. Across the four days there was an estimated average of 2,500 attendees across the event with many attending multiple days.

The event is held on private property under a three-year lease agreement (with an option to extend 3 years), off Rifle Butts Road in Mansfield. The event includes an event village setup with sponsor tents, local food and beverage vendors and demonstrations.

Leading up to and including the 2022 event, significant media coverage was undertaken with a live stream, social media, and coverage across a range of mountain bike sites, magazines, and sponsor streams. All of this was broadcast out to the international mountain bike community. Over 5,900 video views across social media campaigns and streaming. Tourism North East (TNE) also shared content to their channels receiving over 93,000 views.

Highline made a point of using local suppliers and contractors where possible. This included Mansfield Hire, Mansfield Construction, Mal Ryan & Glen, Mansfield Power Ag, Chippy's Timber, Yenckens, Stick It and multiple other local businesses. Local food and beverage suppliers were used for catering, official after party and the event village.

Overall, the 2022 event was extremely successful.

The 2022 event built on the previous year's small event doubling in size. This significant uplift in participants and spectators presented some on-site challenges which have been discussed in detail with the event organisers and other key stakeholders at debrief meetings and are outlined below in further detail. From a risk perspective, the greatest challenges and issues with the 2022 event were issues previously identified from the 2021 event that had not been addressed adequately.

Council survey

Council conducted an on-site survey on Saturday with 97 responses from a range of competitors and spectators and can present the following findings from those surveyed. See attachments for full survey and results:

Location

- 48% were from Melbourne, 37% were from regional Victoria
- 2% from South Australia, 2% from NSW and 9% from other states or countries

Attendance

Of those attending more than one day, 83% were staying in Mansfield.

- 9% were attending for one day
- 59% were attending for two days
- 25% were attending for three days
- 6% were attending for four days

84% of those surveyed said this event would make them return to see more of Mansfield another time.

98% of those surveyed said they would return for this event in 2023.

Key Event Issues

Debrief

An internal debrief was held on 20 April with the Senior Coordinator Community & Economic Development, Economic Development Officer – Tourism & Events, General Manager of Infrastructure and Planning, Manager Planning & Environment and the Project Officer Waste and Resource Recovery.

A further debrief was held on 22 April with Highline, Senior Coordinator Community & Economic Development, Economic Development Officer – Tourism & Events and Statutory planning and General Manager of Infrastructure and Planning Officer.

At the allocation of the funding in 2021, Council identified several issues post the 2021 event to be rectified by the 2022 event. Some of these remain unresolved.

The main issue is with the incorrect representation of the event site and traffic management by the event organisers, increasing risk and community impact dramatically. These changes were only communicated three days prior to the event resulting in Council needing to step in and assist in several areas.

Communication

Inconsistent and delayed communication from the event organiser about last minute changes caused major impacts on traffic management. The through road and shuttle buses that had been planned were cancelled three days before the event. This was not communicated to Council and only discovered due to questioning from the Economic Development Officer.

Open lines of communication and planning timeframes from the event organisers will be paramount for 2023 with decisions called earlier. Leading up to the 2023 event a project team with Council representatives will be established with monthly meetings.

Event Management

The late engagement of an event management team by Highline only a few weeks prior to the event (although this had been recommended by Council at the time of the funding allocation in 2021) resulted in Council's unexpectedly filling this gap. These included matters relating to the event village, hire equipment including toilets and waste management, assisting with parking organisation and further on-site activities.

For 2023 Highline has engaged the services of the event organisers from the beginning of the process with planning already underway.

Planning Permits

Planning permits that consider multiple events will be sought from Council to cover all aspects and scenarios for future events. These will ensure event organisers meet all requirements.

Waste Management

Waste management for 2022 was suitable for the event again though due to Council's considerable input.

Recommendation for 2023 included a larger skip bin at the bottom of the hill to speed up the process and reduce traffic on the event site.

Traffic Management – Internal

There were several parties involved in providing traffic management and although managed well during the event, inconsistent communication between parties has highlighted another improvement opportunity.

The through road is recommended for the 2023 event to alleviate issues around one road access.

If this does not occur, communication needs to be improved, parking options need to be reviewed, and shuttle buses and ticketing away from the event need to be considered.

Traffic Management – External

The last-minute cancellation of the through road meant Council had to step in to manage traffic risks. They called on the good will of many Council staff volunteering to be available at short notice to set up and manage Rifle Butts Rd traffic flow and safety.

The 2023 event permit will include a comprehensive Traffic Management Plan for both options; with a through road and without the through road.

Improved communication between the event organisers, all staff, traffic management and competitors and spectators are paramount to ongoing success.

Data Collection

After discussions with State funding bodies, Council had recommended to the event organisers that they collect data on participants and expenditure, exposure from broadcast and local economic yield to support the creation of a business case. A business case and data are essential requirements for future funding. Unfortunately, this data was not collected at the time and Council is now working with the event organisers to collect as much information as possible post event.

Links to articles below for the event will attract future competitors.

<https://www.ambmag.com.au/news/highline-returns-to-the-high-country-577764>

<https://www.ambmag.com.au/gallery/highline-mtb-festival-mega-gallery-577967/page4>

<http://www.fmbworldtour.com/en/News/The-2022-FMB-World-Tour-Season-is-off-to-a-Strong-Start.html>

Recommendation
THAT COUNCIL receive and note the overview of the 2022 Highline event including improvement opportunities for the 2023 event.
Support Attachments
<ol style="list-style-type: none"> 1. Highline Mountain Bike Festival 2022 (Preview) Microsoft Forms [13.3.2.1 - 4 pages] 2. Highline Mountain Bike Festival 2022 1 97 [13.3.2.2 - 1 page]

Considerations and Implications of Recommendation

Sustainability Implications

Council provided \$100,000 as seed funding and is not able to fund the event at this same level on an ongoing basis. A requirement of the funding guidelines was that the event needs to run for a minimum of three years. Council has committed to provide ideas on how to generate income to make it sustainable. Council has discussed the event with potential funding body Visit Victoria. They see value but mentioned a strong business case will be required. Council provided this info to the event organisers pre-event to allow them to obtain the correct data.

Community Engagement

Council received two complaints regarding the traffic along Rifle Butts Rd during the event. One community member offered his paddock for parking to assist and general, the community response was positive with many commenting on the town being busier.

Collaboration

The ongoing success of Highline relies on collaboration between the event organisers and Council. Council mentioned the need for the development of a project team including major stakeholders including Council (tourism and events, planning, infrastructure, waste, outdoor) meeting monthly starting soon and more frequently closer to the event date.

Financial Impact

The event received \$100,000 seed funding from Council via the Bushfire Recovery Exceptional Assistance and Immediate Response Fund.

In addition, Council had initially offered the following in kind support for the event:

- Waste assistance - \$955
- Mansfield Shire Council branded umbrellas for event - \$650 (based on equivalent hire costings)
- Water truck for roads and event village - \$1,251.25
- PA System and generator - \$700 (based on equivalent hire costings)

However, with the late traffic decisions relating to the proposed exit road and cancellation of the shuttle buses, additional staffing costs were incurred by Council at a cost of \$6,825:

- Economic Development Officer – Tourism & Events – \$3,000
- Traffic Management Staff - \$3,825

Legal and Risk Implications

From the 2022 event it is evident that a professional event company is required to be engaged early in organising next year's event with a strong focus on traffic management and promotion.

Regional, State and National Plans and Policies

Tourism North East is the Regional Tourism Board of Council.

Primarily funded by the Victorian State Government and delivered by Tourism North East, the Ride High Country 2018/19 – 2021/22 Marketing Strategy provides the overarching strategic direction for the delivery of a \$4.4 million marketing campaign designed to drive regional cycle tourism growth.

Highline fits within this strategy and will be supported by the Ride High Country Brand.

Innovation and Continuous Improvement

At the time of funding allocation, pre-event and again at the debrief post event, a few areas were identified with required improvements.

- Communication – internal and external
- Waste management – use big skip to reduce traffic
- Traffic management - on and around site, leading with the development of the through road
- Event management – event team to be established
- Budget management – sustainable model to be implemented
- Permit – applications to be submitted for all events on site
- Data collection – to ensure ongoing funding

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 2.1 Support our arts community and facilitate the delivery of festivals and events.

Strategy 2.3 Enhance the social and economic value of tourism to Mansfield.

Theme 2: Vibrant Livability

Strategic Objective 5: Prosperous: Industries, businesses, and workforces of the future
Strategy 5.1 Create conditions that enable local businesses
Strategy 5.2 Enable land use and base infrastructure that stimulates commercial activity

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. Tourism North East Quarterly Report 2021 - 2022 Q3 (April 2022)

File Number	E1945	Responsible Officer	Economic Development Officer - Tourism & Events, Gareth MacDonald
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Purpose

To present Council with an overview of the Tourism North East (TNE) performance report for the third quarter of financial year 2021/22.

Executive Summary

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.

At the end of each quarter, TNE produces a report that provides an overview of all the regional activities that Mansfield Shire Council invests in, and key deliverables within that period.

The COVID-19 pandemic is still wagging its tail with the Omicron variant appearing in mid-December which presented many challenges for the region’s residents and community. This in turn has led to businesses having to close for periods and alter operational hours which has impacted the quality of the visitor experience across the High Country. Businesses are running low on cash reserves, staffing and mental health is continuing to be an area of concern.

The State Government declared the state “open for business” in late October 2021 and even through the challenges Mansfield saw a 46% increase in visitation year on year however this is still a 29% decrease on 2019, pre bushfires and COVID. Visitor expenditure has increased an impressive 106.6% year on year however is still down 18% on 2019 pre bushfires and COVID. A significant increase of 89.9% of Domestic Overnight visitors year on year can be attributed to accommodation restrictions easing along with a 122% Domestic Overnight expenditure increase.

Key Issues

Industry and product development

Across the High Country, TNE delivered 193 sessions across 125 businesses (in Mansfield, 33 sessions to 19 businesses) in Q3 via Zoom and F2F, primarily supporting tourism business operators with digital skills and business development opportunities

TNE quarterly actions and business attendance numbers within Mansfield were:

- Industry Forum Maximizing Opportunities – 11 operators
- Tourism training and development Mentor Program – 19 operators
- Photoshoots – 4 operators
- Facebook social campaign – 10 operators
- Developing tourism packages and experiences – 5 operators
- Digital marketing intensive series – 2 operators

Ride High Country

Ride High Country (RHC) activity overall was low with the assumption that Summer and Autumn would be high following pre-Christmas lifting of lockdown. Surplus budget will be held over to FY23.

- Highline event partnership included brand presence and sponsorship of the live video stream. Paid Facebook content led to a reach of 130,767 with 3,584 click throughs to the event page. Highline was also the highest performing listing on ridehighcountry.com.au.
- Static billboards on Citylink and Airport Drive for RHC.

Walk High Country

An integrated campaign to promote walking in the High Country using funding from Bushfire Recovery running from 16 Jan – 31 March 2022. Aiming to see 4,500 visitors during February and March with a combined spend of \$1.8m through a range of bookable walks and self-guided walks to reposition the High Country as the #1 “must-walk” destination in Victoria. This also included a new experience from BullerRoo & High Country Hiking Tours - “An Evening at Craig’s Hut.”

The campaign and activity attracted an estimated 25,193 visitors to the High Country with an average spend of \$563 per trip, equating to a visitor spend of \$14.2m over the course of the event throughout the North East region.

PR and Victorian High Country Marketing – Mansfield

February - Polestar and Audi photoshoots with Swiftcrest Distillery, Bullerroo, Delatite Winery and Global Ballooning

March - Tourism Australia National Experience Content Initiative (NECI) photoshoot with Bullerroo and High Country Hiking Tours to promote the ‘Evening at Craigs’ experience to domestic and international tourists

Social Media – Mansfield Mt Buller

Mansfield Mt Buller channels have grown to 7,800 followers on Facebook (4.9% growth) and 5,600 on Instagram (4.7% growth). The average growth for High Country LGA’s social accounts is 2.3%. Council had advised TNE they would like to see more original content rather than user generated. This was taken onboard and alongside paid campaigns from the Mansfield Tourism Mentor Program with the combined total reach up 415% on Q3 last year.

www.mansfieldmtbuller.com.au

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, down 25.8% and page views, down 30.8% 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.

- Four of the top ten pages were accommodation related, which lines up with the increase in overnight visitation for the quarter. Outdoors remain the highest searched activity with Craigs Hut, Hiking & Walking being the other top three search topics.
- Events & Festival searches continue to be inside the top ten searches and pages viewed.

The Great Victorian Rail Trail (GVRT) website saw a decline in sessions, down 32.8%, but an increase in pages per session, up 11.6% 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 regarding trail maps, distances, gradients, and accommodation.
- The management of the website will be removed from Mansfield's buy in and move to the GVRT committee from 2022/2023 onwards.

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.

Recommendation
THAT COUNCIL receives and notes the Q3 report from TNE for 2021-22.
Support Attachments
1. Mansfield Quarterly Report, Q 3 2021-22 Final [13.3.3.1 - 33 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 2.1 Support our arts community and facilitate the delivery of festivals and events.

Strategy 2.3 Enhance the social and economic value of tourism to Mansfield.

Theme 2: Vibrant Livability

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.

13.3.4. Finance Report: 1 January 2022 to 31 March 2022

File Number	E39	Responsible Officer	Manager Business & Performance, Anthony Smith
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Purpose

This report provides information on Council's financial performance against the 2021-22 Updated Budget for the period 1 January 2022 to 31 March 2022.

Section 97 of the Local Government Act 2020 requires quarterly reporting as soon as practicable after the end of each financial quarter.

This report is for noting only and no decision is required.

Executive Summary

Council adopted the budget for the 2021-22 financial year at its meeting of 22 June 2021.

Subsequently Council approved carry forward projects from the 2020-21 year which have now been included and form part of the Updated Budget 2021-22.

This report explains material variances between the year-to-date actual financial results and the Updated Budget 2021-22. Favourable variances are reported as positive values, while unfavourable variances are shown as negative values.

Key Issues

Operating Finance Report

Operating Income & Expenditure Actual against Updated Budget

The year-to-date operating result is favourable (underspent) against the 2021-22 Updated Budget by \$2.3m (49%).

Major variances are summarised below.

Favourable Variances (underspend or increased income)

- ▶ \$1,014k Financial Services – \$833k income received in prior year which is required to be accounted for in 21/22. This is an accounting adjustment required under AASB1058 which was not budgeted.
- ▶ \$127k Salaries & Wages Clearing – Timing only due to year end accrual adjustments and timing of public holidays.
- ▶ \$508k Economic Development – Business & Industry – Activating Outdoor Dining unbudgeted Grant of \$300K received and the Council Assistance Fund underspent \$165k.
- ▶ \$136k Building – Employment of Contract staff underspent and grant received earlier than anticipated.
- ▶ \$366k Road Network Maintenance – \$179k under budget YTD in salaries due to vacancies and leave taken not backfilled. Material under budget \$122k. Plant hire under budget \$68k, however this is an internal charge only.
- ▶ \$115k Strategic Planning – Strategic planner position was vacant and consultants under spent \$53k.

Unfavourable Variances (overspend or decreased income)

- ▶ \$108k Plant Operating – Internal charge only, offset by reduced expenditure in Parks & Gardens and Road Maintenance.
- ▶ \$186k Working for Victoria – Timing. Final grant payment yet to be received.

Capital Works Report

Capital Income & Expenditure Actual against Budget

The net year to date capital works variance (net of capital income) is \$6.021m (80%) underspent compared to the 2021-22 year to date Updated Budget. This year's capital works program is predominately in the planning stages. Works completed YTD mainly relate to carry forwards from 2020-21.

Major variances are summarised below.

Favourable Variances (underspend or increased income)

- ▶ \$1.596m Dual Court Indoor Sporting Stadium – Project yet to be invoiced.
- ▶ \$419k Plant, Machinery & Equipment – Timing of budget. No new vehicles or plant yet invoiced \$300K YTD and Plant Sales Income received \$118k.
- ▶ \$2.85k Heavy Vehicle Alternative Route – Timing, project yet to be completed/invoiced. Noting stage 2 will be carried forward to 2022/23.
- ▶ \$666k Drainage Works – Drainage works for Apollo and High Streets to be completed in 2022/23.
- ▶ \$298k Heritage Facility (Station Precinct) - project not yet commenced.
- ▶ \$286k Living Libraries Project – project yet to be completed/invoiced.

Unfavourable Variances (overspend or decreased income)

- ▶ \$543k Living Libraries Project Income – Grant funding was paid in advance, received in prior year (2020-21).
- ▶ \$24k Kerb & Channel Renewal – Timing, works carried out earlier than planned.
- ▶ \$789k Resheets – Timing only, carry forward from prior year spent earlier than budgeted.
- ▶ \$78k Resheets Income - 50% of the Local Roads and Community Infrastructure grant funding was paid in advance, received in prior year (2020-21).
- ▶ \$130k High Street Mansfield – Unbudgeted land purchase

Overall Position YTD

Operating Variance Favourable/(Unfavourable) \$2,323,695

Capital Variance Favourable/(Unfavourable) \$6,020,802

Total Variance Favourable/(Unfavourable) \$8,344,494

Working Capital Ratio YTD

The working capital ratio (WCR) compares current assets to current liabilities and is an indicator of Council's capacity to meet its immediate debts when they fall due. A WCR of more than 1:1 (or 100%) is considered healthy.

WCR = 6.25 (625%)

The high working capital ratio is reflective of the full year rates income being raised in August and reported as a current asset (debtors).

Recommendation
1. THAT COUNCIL receive the Year-to-Date Finance Report for the period 1 January 2022 to 31 March 2022.
Support Attachments
1. Quarterly Finance Report - 31 March 2022 [13.3.4.1 - 8 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The 2021-22 budget engagement process facilitated opportunities for community input to and feedback on Council's budget. There has been no community engagement around the actual results against the budget.

Collaboration

Not Applicable

Financial Impact

There is no direct financial impact in relation to this report. The financial reports attached provide the opportunity for regular monitoring of Council's financial position to ensure compliance with budgets.

Legal and Risk Implications

Financial Risk: Regular financial reporting is part of Council's financial strategy to ensure budgets are complied with and the short to medium term financial sustainability of Council is maintained.

Regional, State and National Plans and Policies

Not Applicable

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

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
3 May 2022	<p>Councillors’ Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb • Cr James Tehan <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate Services, Dena Vlekkert • Manager Planning and Environment, Melissa Crane • Strategic Planning Officer, Oscar Yencken 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Mansfield Closed Landfills • Mansfield Planning Strategy • Public Bin Audit Property • Leasing and Licencing Policy • Bonnie Doon Structure Plan
10 May 2022	<p>Mansfield Community Budget Information Session:</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb • Cr James Tehan <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate Services, Dena Vlekkert • Business and Performance Managers, Tony Cooper and Anthony Smith 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • 2023-2023 Budget
11 May 2022	<p>Melbourne Non-Resident Ratepayers Meeting:</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe 	<p><i>Conflicts of Interest:</i> NIL</p>

	<ul style="list-style-type: none">• Cr Steve Rabie• Cr Paul Sladdin• Cr Rohan Webb• Cr James Tehan <p>Apologies:</p> <ul style="list-style-type: none">• CEO, Kaylene Conrick <p>Officers:</p> <ul style="list-style-type: none">• Acting CEO, Dena Vlekkert• GM Infrastructure and Planning, Kirsten Alexander• Acting GM Community and Corporate Services, Anthony Smith• Business and Performance Manager, Tony Cooper	<p><i>Issues Discussed:</i></p> <ul style="list-style-type: none">• 2023-2023 Budget
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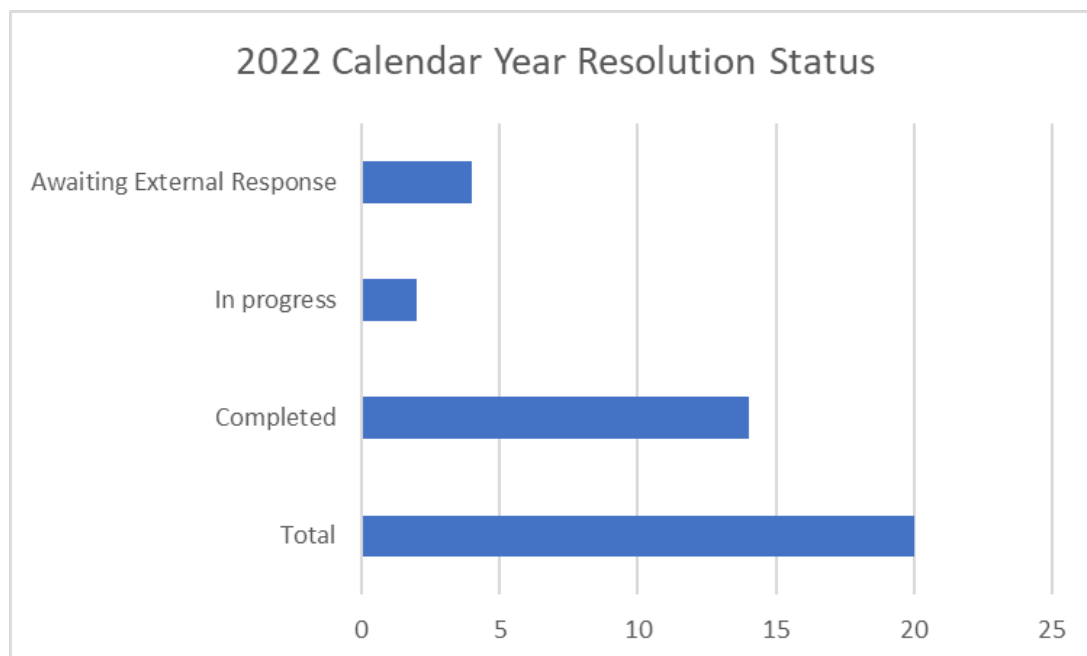
Recommendation

THAT COUNCIL receive and note the Assembly of Councillors report for the period 13 April to 12 May 2022.

15. Council resolutions report

This report presents to Council a schedule of outstanding actions and those recently completed from Council meetings held from 1 July 2021 to 5 May 2022.

A summary of the status of the implementation of the Council resolutions for February to April 2022 can be seen below:



Details of the actions and their status are in the attachment. There is only one outstanding action from 2021. This relates to the completion of the purchase of 'Police Paddock' in Jamieson from DELWP.

Recommendation
THAT COUNCIL receive and note the Council Resolutions Register as at 5 May 2022.
Support Attachments
1. Council Resolution Action Register for Meeting 17 May 2022 [15.1.1 - 6 pages]

16. Advisory and Special Committee reports

Nil

17. Authorisation of sealing of documents

Nil

18. Closure of meeting to members of the public

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

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

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

Recommendation

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

19. Confidential Reports

19.1. Mansfield Library Refurbishment Tender Award

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(g) - private commercial information, being information provided by a business, commercial or financial undertaking that:(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage

19.2. Employment Matters

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(k) - information prescribed by the regulations to be confidential information for the purposes of this definition.

20. Reopen meeting to members of the public

Recommendation

THAT COUNCIL reopen the meeting to members of the public.

21. Close of meeting