



Mansfield Shire

Council Meeting

Tuesday 20 September 2022 5:00 pm
ZOOM

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

Our aspiration for our Shire and its community

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

Councillors

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

Officers

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

Order of Business

1. Opening of the meeting

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

2. Present

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

3. Apologies

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

4. Statement of commitment

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

5. Acknowledgement of Country

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

6. Disclosure of conflicts of interest

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

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

7. Confirmation of minutes

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

8. Representations

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

9. Notices of Motion

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

10. Mayor's report

The Mayor provides a report on his activities.

11. Reports from council appointed representatives

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

12. Public question time

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

13. Officer reports

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

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

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

Planning and Environment

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

A Council position is adopted on the matters considered.

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

Business and Performance

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

A Council position is adopted on the matters considered.

14. Council resolutions report

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

15. Advisory and Special Committee reports

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

16. Authorisation of sealing of documents

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

17. 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 16 August 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:

Firstly, I would like to thank Bill Millard for all his work as acting Chief Executive Officer over the last two months. His experience and knowledge of the local government sector was invaluable. It was great to hear his views and opinions and most pleasing was he thought the organisation generally was in good shape. We now look forward to working with our new CEO Kirsten Alexander and her team.

Council updated and passed the Footpath Strategy 2022 in the August meeting. This strategy was put out for public consultation, and the response was incredible, especially from our outlining townships of Jamieson, Bonnie Doon and Merton. This strategy prioritises the footpath's, both upgrades and renewals, that the community most wants. This strategy can be viewed on the Council website and further responses are welcome any time.

Council approved the amendment to the 140 Highton Lane (Highton Manor) Development Plan. The original plan was passed back in 2008 and was last changed in early 2020. This amendment will see the number of lots increase by 10 to a total of 28. These lots range in size from 350 to 960 m² which will give a variety of options to potential purchasers.

Council approves the refund of rates on the Community Centre at the Beolite Village for the last three years. Councils' legal advice indicated that the Centre met the threshold for being classified as non-rateable and have responded accordingly. Council very much appreciates the work and contribution that Beolite makes and gives to this community and will encourage and support its continued growth in the future.

Lastly some changes to our Governance Rules will now mean Council can meet both in person and electronically. The latter was only allowable under temporary measures during the pandemic. These changes give the public enhanced accessibility to Council meetings by cutting out the need to travel and been able to view Council meetings from the comfort of their own homes.

*Cr James Tehan
Mayor*

Recommendation

THAT COUNCIL receive the Mayor's report for the period 4 August 2022 to 7 September 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 reports

13.1. Chief Executive Officer's report

File Number: E103

Responsible Officer: Chief Executive Officer, Kirsten Alexander

Introduction

The Chief Executive Officer's report allows a short briefing to be provided to the Council on the current operations, tasks and projects undertaken within each department over the past month.

The Chief Executive Officer report will provide information relation to:

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

Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 5 August 2022 to 13 September 2022.

Support Attachments

1. CEO Monthly Report August 2022 [13.1.1.1 - 35 pages]

13.2. Infrastructure and Planning Directorate

13.2.1. Statutory Planning Services Review - Annual Update

File Number	E6358	Responsible Officer	Acting General Manager Infrastructure & Planning, Melissa Crane
Purpose			

To provide Councillors with a progress update on the implementation of Road Map actions associated with the Statutory Planning Services Review over the past 12 months.

Executive Summary

Council received a report in September 2021 with a progress update for the first 12 months after the Statutory Planning Services review completed in 2020. A further 12 months has now passed, and this report outlines the actions that have been undertaken in the Statutory Planning Unit (SPU) since the last update, summarised as follows:

- All staff have had annual performance reviews completed, with training needs identified.
- Internal mentorship program has been established for all staff as they require it.
- The planning unit is currently staffed in accordance with the organisational structure, with overflow work being undertaken by consultant planners provided by the Regional Planning Hub.
- All planning applications are now managed electronically.
- Improved templates have been designed and implemented.
- Planning processes are subject to continuous improvement.
- Planning Software is proposed as part of the ICT strategy, and the Regional Council's Transformation Program has planning software in year 3 (2024/25), but not funded. Council officers are looking at alternative funding opportunities to implement a cloud based, web enabled software system to be implemented sooner.
- Objector meetings have been implemented for applications with unresolved issues. Engagement plan on matters of interest is to be developed.

Key Issues

Grosvenor Performance Group were engaged by Council in February 2020 to undertake a review of the processes and procedures of the Statutory Planning Unit (SPU). This review was part of an organisation-wide review that was initiated as the result of decreasing levels of community satisfaction, which were highlighted by the Local Government Community Satisfaction (LGCS) Survey. The review report found that there were areas of opportunity for efficient and effective delivery of statutory planning services and developed 27 recommendations. To further assist with the implementation of the recommendations a road map was established to provide a timeline for the implementation of suggested recommendations and to support the practical and successful implementation of improvements.

Council received the review and associated Road Map at the 15 September 2020 Council Meeting, and a further update on the actions completed was provided at the Council meeting held on 21 September 2021.

A recommendations action list was created based on the Road Map, providing timeframes and highlighting the responsible person for ensuring the actions are undertaken. In addition to the action list, an analysis of the key findings has been undertaken and a 12-month progress update is provided as follows:

No.	Finding	Response
1	SPU does not have an agreed and shared purpose and is currently lacking a focus on strategic planning.	<p>SPU has an agreed Mission and Team Charter. Council has appointed a Strategic Planner, working 0.6FTE, supported by a Planning Support Officer, also working at 0.6FTE. While this is not a lot of resources, the team performs at a high level with significant output and has cleared a backlog of strategic work over the year.</p> <p>The Strategic Planning program over the past 12 months has included delivery of the following:</p> <ul style="list-style-type: none"> • Completion of Amendment C51 – Implementation of the Commercial and Industrial Land Use Strategy • Adoption of the Mansfield Planning Strategy • Exhibition of the Mansfield Open Space Strategy, with changes now incorporated and soon to be reexhibited. • Completion of Amendment C44 – Station Precinct Incorporated Plan • Completion of Amendment C45 – Rezoning of land at Stockmans Rise • Completion of Amendment C47 – Implementation of the Planning Policy Translation • Completion of Amendment C49 – Rezoning of land in New Street, Mansfield. • Completion of Amendment C50 – Development Plan Overlay Review • Commencement of Amendment C54 – Rezoning of land at 104 Dead Horse Lane, Mansfield • Commencement of Amendment C55 – Rezoning of land in Redgum Estate • Commencement of the Planning Scheme Review • Commencement of the preparation of the Bonnie Doon Plan
2	The previous structure of SPU did not support operational requirements due to the span of control expected of the Development Services Manager and lack of clear accountability within the SPU team	<p>Following the restructure in 2020, which addressed this action, the following responsibilities remain under the Manager Planning and Environment:</p> <ul style="list-style-type: none"> • Statutory Planning • Strategic Planning • Planning Compliance • Environment Programs • Waste

		In the last 12 months the Property Management program was added to the portfolio of the Manager Planning and Environment.
3	Significant issues with the capacity of the Development Services Manager has consideration downstream impacts on the SPU team including an inability to adequately delegate tasks, develop team, performance manage and perform both statutory and strategic planning responsibilities	<p>The current structure of the Statutory Planning Team is as follows:</p> <ul style="list-style-type: none"> • Coordinator Statutory Planning • Planning Officer 0.8FTE • Planning Officer 1.0FTE • Compliance Officer 1.0FTE • Planning Administration Officer 1.0FTE <p>Planning Support officers working in the strategic planning program also assist the statutory team with phone enquiries. There has been a significant increase in workload over the last twelve months. Council has received assistance from the Regional Planning Hub to have delegate reports completed by an external contractor. Council officers are currently reviewing the projected level of applications being lodged and processed by the team against the available resources to determine ongoing staffing requirements.</p>
4	The current team culture within SPU features siloes, poor behaviours, lack of respect and support	The team are continuing to work well together, and actively engaged with improving both processes and procedures. These works have delivered improved outcomes for customers in terms of time frames for enquiries and permits.
5	Planning application and communication processes are not clearly defined, nor do they meet operational requirements regarding stakeholder satisfaction, quality and timeliness.	<p>Timeframes for issuing permits have improved and more detail on this is provided later in this report. Improved rigour has been applied to planning assessments to ensure better compliance with the purpose and intent of the Mansfield Planning Scheme. Templates have been updated to provide a visual understanding of where in the process applications are, and Council officers will continue to look for ways to improve communications.</p> <p>Meetings of parties have been initiated, to work with both applicants and objectors to find appropriate and balanced resolutions for planning applications.</p>
6	Systems are largely manual, and one person is responsible for managing the database for applications. The VicSmart system enables streamlined applications, particularly for subdivisions within the SPEAR system.	<p>The SPU moved to paper independent planning processing, with increased use of existing systems in Synergy and TRIM, and the addition of Trapeze to allow for digital signing and endorsement of plans.</p> <p>Council was successful in a funding application to digitise all planning files and are currently looking at a funding opportunity through the Business Acceleration Fund to implement a cloud based, web enabled permitted system to streamline the systems and provide a portal for customers to keep track of applications in real time.</p>
7	Stakeholder engagement is haphazard, communication is infrequent and customer service is inconsistent.	<p>Processes have been updated, and will continue to be developed, to provide more regular updates to permit applicants.</p> <p>The “Duty Planner” system is still operating with a planner available for call and counter enquiries every day</p>

There are a range of parameters that can be used to determine the overall performance for the unit, including performance statistics and the LGCS Survey.

In the LGCS survey, Council received an improved score of 45 for the 2021 result, compared to 40 in 2020 and 36 in 2019. In 2022, the score for Planning and building permits increased further to 50, another significant increase. Town planning policy also received an increased score, going to 54, up from 53 the previous year.

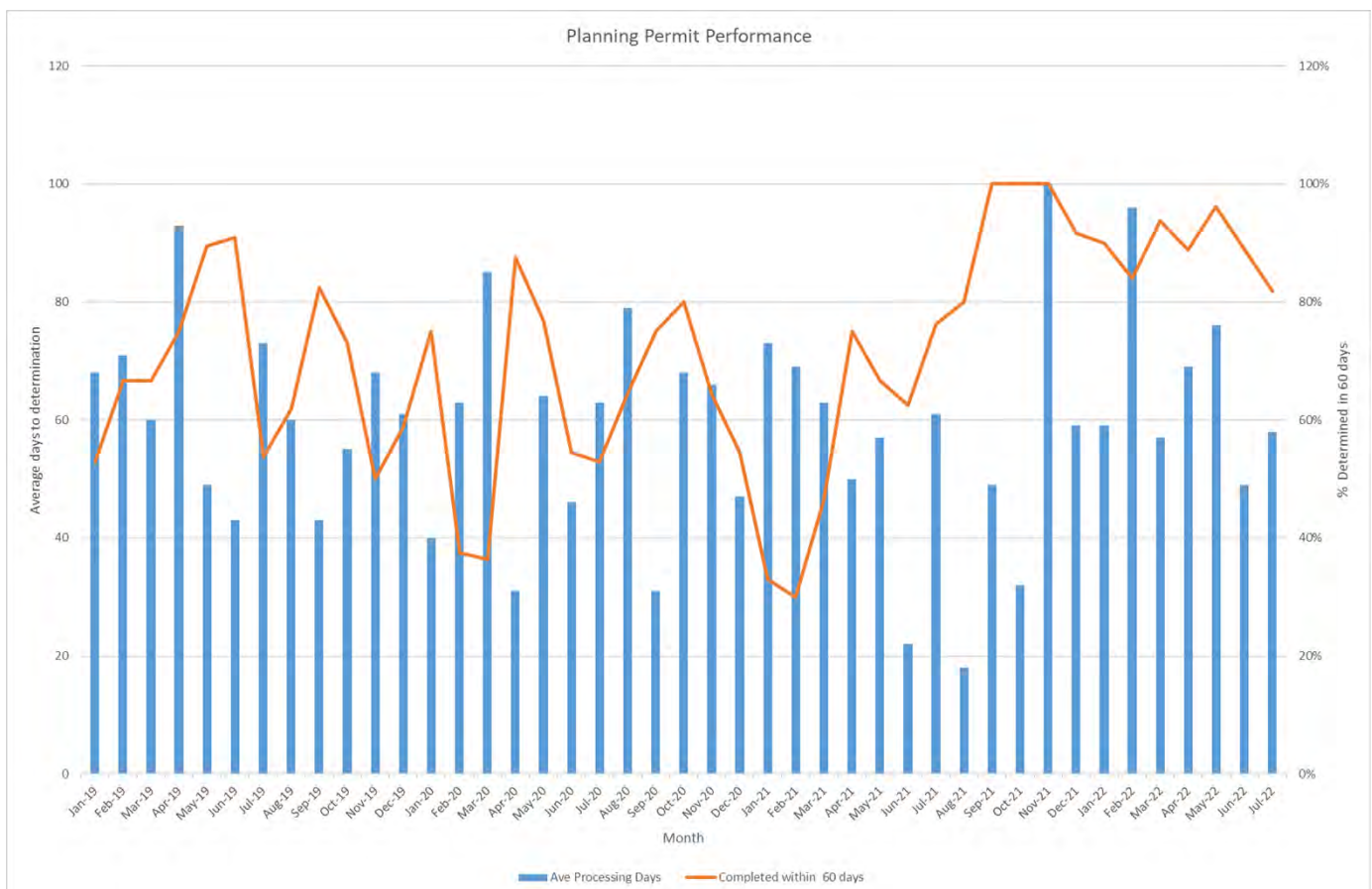
In terms of the planning permit statistics, the following is noted:

- In 2021, 237 new applications were received, which was 10% more than the year before. For 2022 year to date, Council has received 188 applications. This is on track to be nearly 20% more applications received than in 2021.
- In 2021, the total value of permits received was \$44,578,856, which is over \$12 million more than the previous year. For the 2022 year to date, Council has already received \$49,034,518 worth of applications.

The two key indicators for performance in Statutory Planning are:

1. The number of permits issued within the statutory time frame of 60 days.
2. The average number of days to issue a planning permit.

The chart on the following page details performance against both of these statistics since January 2019.



It is noted that more applications are being determined within 60 days, but that the average days to determine a permit has been higher. This reflects the increased workload, higher level of complexity of the applications and the fact that the planners are trying to manage more open applications on a regular basis.

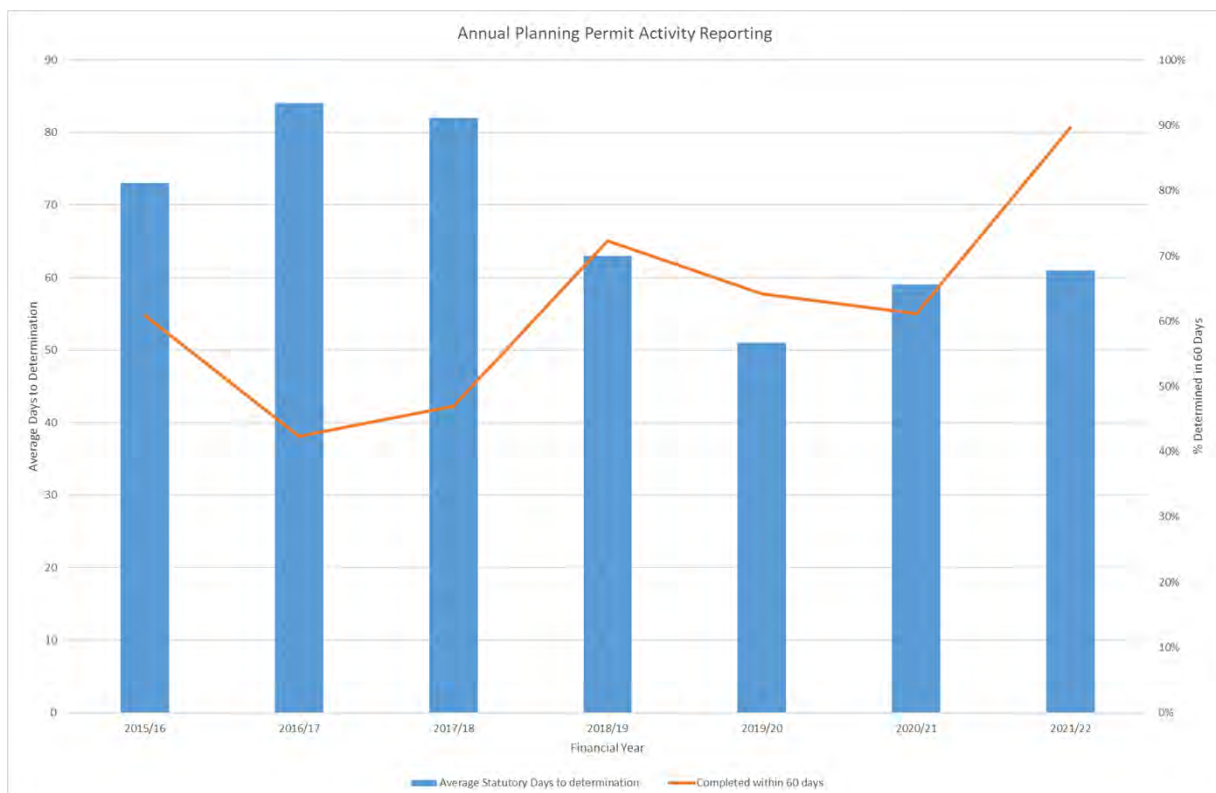
Planners would normally issue approximately 70-80 permits per annum if that is their predominant role, with a Coordinator looking to issue approximately 50. With the current resources in the team, this would enable a level of 180-210 permit per annum. With current application levels projected at approximately 280 permits lodged this year, it is considered that resourcing in the Planning team will need to be adjusted to manage this increased workload, should applications remain at this level. Council officers will review this as part of the 2023/2024 Budget process. In the meantime, the planning team is being assisted by the Planning Support Officers and external consultants to manage the extra applications.

Planning permit activity reporting is available from 2015/2016, and the following is provided for information on how Mansfield have performed over time:

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Applications received	230	204	171	184	191	222	283
Permits issued	186	181	172	159	145	194	234
Total est. of costs for issued permits	\$23.2M	\$26.9M	\$27.7M	\$23.3M	\$20.3M	\$33.7M	\$60.6M
Average gross days to determination	106	117	124	94	71	91	88
Average Statutory Days to determination	73	84	82	63	51	59	61
Completed within 60 days	61%	42%	47%	72%	64.2%	61.1%	89.6%
VicSmart completed within 10 days	NA	NA	NA	NA	68.4%	82.1%	95.9%

The above data shows that both the number of permits being submitted, and the value of works has been steadily increasing since 2017, with the most significant growth occurring in the last two years.

When considering financial years, the data presents as follows:



Council officers have been working to even out the variance throughout each year to provide greater certainty for customers, and to decrease the average time to determine an application. The focus going forward for the unit will be on reducing the elapsed time for dealing with applications.

Recommendation
THAT COUNCIL receive and note the Statutory Planning Services Review progress update.
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

This report demonstrates the improvements undertaken in the Statutory Planning Unit. While none have any specific sustainability implications, the overall improvement in the area will result in an improved outcome for planning permit applicants, which will have ongoing economic and social benefits.

Community Engagement

Engagement was undertaken as part of the Statutory Planning Services Review.

Collaboration

Not Applicable

Financial Impact

The Statutory Planning Service Review was undertaken at a cost of \$50,000. The Planning Unit has maintained resources in accordance with the organisational structure over the last year, but the increased workload associated with the increased number of permits has impacted on time taken to issue permits.

The Review recommended the introduction of new Planning software. This was also identified as a need in Council's endorsed Digital Transformation Strategy. Although there is currently no budget allocation for planning software, Council officers are looking for grant funding opportunities to implement this action.

Legal and Risk Implications

There are no specific policy considerations at this point, however, all works on the processes with the SPU have given due consideration to council's legislative obligations under the *Planning and Environment Act 1987*.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

The review and resultant action plan provide for innovation and continuous improvement in the Statutory Planning Unit, which have been demonstrated through the results detailed in this report.

Alignment to Council Plan

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

Strategy 6.2 Building organisational capacity through its people

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.

13.2.2. Resource Recovery Centre – Increase in Commercial/Industrial Waste Charge

File Number	E8597	Responsible Officer	Coordinator Waste Management, Shaun Langlands
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Purpose

The purpose of this report is to seek Council approval to increase the commercial waste charge at the Mansfield Resource Recovery Centre (MRRC) from \$100 per cubic metre to \$250 per cubic metre.

Executive Summary

As of 1 July 2022, the gate charge for commercial waste increased to \$100 per cubic metre. This increased from \$62 per cubic metre in the previous financial year following review in the 2022/23 Budget process. Following further assessment of the actual costs for the disposal of commercial waste, and increases in landfill levies and disposal costs, it is now recommended that this charge be increased to \$250 per cubic metre.

While council charges by cubic metre, disposal of waste to landfill from the MRRC to Benalla is charged to Council by weight. Council offers a commercial waste disposal option to assist local builders and the like by providing a convenient location for disposal of smaller amounts of commercial waste, not to take the place of the landfill operation in Benalla.

In the absence of a weighbridge at the MRRC an estimation of the volume of the waste is the only way that charges can be applied. Commercial waste can be heavy, and it has been found that the volume assessment for charges is not accurately reflecting the actual cost of disposal.

It is recommended that Council update the charges at the Mansfield Resource Recovery Centre to reflect the true cost of disposal of commercial/building waste.

Key Issues

Part of the 2022/23 Budget considerations included the increase in gate charges at the Mansfield Resource Recovery Centre. The commercial waste charge was approved to increase from \$62 cubic metre to \$100 cubic metre as part of the adopted Budget. Council officers have since undertaken a detailed assessment of the commercial waste being taken to the MRRC to ensure that these increased charges sufficiently cover the costs of disposal, as the waste service operates on a cost recovery basis.

Costs for disposal of waste to landfill have increased significantly over the past few years. For commercial waste, the main issue facing Council with the acceptance of this waste is the weight of this waste stream – it is extremely heavy and has little resource recovery value. In most circumstances, 100% of this stream goes straight into the residual waste skip bin for transportation and disposal at the Benalla landfill.

A typical load of commercial/building waste includes unwanted building materials, timbers, plaster, rubble and other general waste. For most of the commercial waste disposed of at the MRRC, the recyclable and re-usable components, and those with any value such as metals,

have already been removed. What is left is generally heavily weighted residual waste that goes straight into the landfill bin.

The residual waste skip bins are approximately 30 cubic metres by volume and weigh roughly 4 tonnes empty. To maximise the value in the cost of transportation to Benalla, the skip bin needs to be as full as possible. However, safe weight limits are required to ensure the safety of all road users.

The below photo shows approximately 5 cubic metres of commercial waste. The weight is unknown but is estimated to be approximately 5 tonnes. For context, this load will only take up about 17% of a residual waste skip bin (capacity of 30 cubic metres) but will weigh roughly half of the allowed weight. Council staff often must send bins to Benalla below the full level in terms of cubic metres to ensure they comply with maximum weight requirements.



A typical load sent from the Mansfield RRC to Benalla will weigh somewhere between 9 and 11 tonnes (not including the skip weight), with current disposal and cartage costs as follows:

1. Costs of disposal to Benalla landfill - \$189.09 per tonne
2. Cleanaway cartage costs per 30 cubic metre skip - \$536.25 (assuming maximum weight for the skip at 10 tonnes)

Council officers have analysed commercial waste disposals over several months to determine whether the current charges are covering costs. At the current charges, Council incurs unrecovered costs of \$470.86 for a skip bin that contains 4 tonnes, and \$713.58 for a skip bin that weighs 5 tonnes. In order to ensure that the charge is set correctly, Officers have based the recommended charges on the 5-tonne scenario.

There is a risk that this increase in the commercial waste charge will result in customer dissatisfaction for those utilising the service. In order to mitigate this risk, Council officers will prepare communications and engage with affected parties and the broader community prior to formally introducing the charge, to explain the reason for the increase. Customers disposing of commercial waste will be able to minimise the amount they pay by separating recyclable material from the residual waste.

Recommendation
THAT COUNCIL increases the charge associated with the disposal of commercial/building waste materials at the Resource Recovery Centre from \$100 per cubic metre to \$250 per cubic metre to reflect the true cost of handling, processing and disposing of this waste stream.
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

One of the targets set out in the Mansfield Shire *Waste Management Strategy 2020-2025* is to reduce residual waste sent from the Mansfield Resource Recovery Centre to landfill. As the charges are proposed to be set assuming a 5 tonne (worst case) scenario weight, larger commercial operators may decide to take their waste direct to Benalla and have the disposal charges based on weight and no longer bring it to the MRRC.

Community Engagement

Council officers will provide advice to regular users of the commercial waste disposal charges prior to increasing the price.

Collaboration

Not Applicable

Financial Impact

Waste disposal operates on a cost recovery model, and the current practice is resulting in costs to Council not being fully covered by the charges for this service. An increase in the commercial waste charge will ensure cost recovery of the disposal as well as cover the wages of staff to support the disposal.

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 2: Vibrant Liveability

Strategic Objective 4 Clean and green: Waste and energy sustainability

Strategy 4.1 Minimise and re-use waste

Governance - Disclosure of Conflicts of Interest

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

13.2.3. Planning Permit Application P057/22 - 2-4 and 8-10 Station Street Mansfield

File Number	DA7883/P057/2 2	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 P057/22, relating to the development of land for food and drink premises, shops (including ancillary uses for distillery and place of assembly), sale and consumption of liquor and alteration of access to a Road in a Transport Zone 2 at 2-4 and 8-10 Station Street, Mansfield.

This application is being referred to Council for determination given significant community interest in the development of the subject site and history of past planning applications on the site.

Executive Summary

<i>Application Details</i>	
APPLICANT	140 High Street Pty Ltd C/- Ratio Consultants
PROPOSAL	Development of land for food and drink premises, shops (including ancillary uses for distillery and place of assembly), sale and consumption of liquor and alteration of access to a Road in a Transport Zone 2
APPLICATION LODGED	29 March 2022
STATUTORY DAYS	119
NOTICE AND SUBMISSIONS	3 objections and 2 submissions at the time of writing
<i>Property Details</i>	
PROPERTY ADDRESS	2-4 and 8-10 Station Street, Mansfield
LAND DESCRIPTION	Lot 1 and 2 LP145122 and Lot 2 Block 1 LP3436 Parish of Mansfield
RESTRICTIVE COVENANTS	Nil
LAND AREA	Combined area of 3,848sqm across the 3 lots
EXISTING USE	2 dwellings and vacant land
<i>Planning Provisions</i>	
MUNICIPAL PLANNING STRATEGY AND PLANNING POLICY FRAMEWORK	Clause 11.01-1L – Mansfield Township Clause 13.07-1S – Land use compatibility Clause 15.01-1S – Urban design Clause 15.01-1L – Urban design in Mansfield Township CBD Clause 15.01-2S – Building design Clause 17.02-1S – Business Clause 17.04-1S – Facilitating tourism Clause 17.04-1L – Facilitating tourism in Mansfield Shire Clause 18.02-4S – Roads

	Clause 19.03-3S – Integrated water management
ZONE	Commercial 1 Zone (C1Z)
OVERLAYS	Design and Development Overlay – Schedule 1 (DDO1)
PARTICULAR PROVISIONS	Clause 52.06 – Car Parking Clause 52.27 – Licenced Premises Clause 52.29 – Land Adjacent to the Principal Road Network Clause 52.34 – Bicycle Facilities Clause 53.18 – Stormwater Management in Urban Development
<i>Permit Triggers</i>	
	Clause 34.01-4 – A permit is required to construct a building or construct or carry out works. Clause 43.02-2 – A permit is required to construct a building or construct or carry out works. Clause 52.27 – A permit is required to use land to sell or consume liquor. Clause 52.29-2 – A permit is required to create or alter access to a Road in a Transport Zone 2 (High Street)
<i>Other</i>	
CULTURAL SENSITIVITY	The subject land is not in an area of Aboriginal Cultural Heritage Sensitivity.

This application seeks Council approval for the development of land for food and drink premises, shops (including ancillary uses for distillery and place of assembly), sale and consumption of liquor and alteration of access to a Road in a Transport Zone 2 at 2-4 and 8-10 Station Street, Mansfield.

The subject land comprises three (3) lots with a total area of 3,848 square metres, and is currently improved by 2 dwellings and otherwise vacant land. The proposal seeks to develop the land with an integrated food and drink premises (café and restaurant/bar), 4 shops, associated (ancillary) activities for a microbrewery/distillery and education centre, and associated works.

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. As a result of public notice, three (3) objections and two (2) submissions to the application have been received.

Key Issues

The plans used in the assessment of this application can be found at Attachment 1. A detailed delegate report with the full officer assessment of the proposal can be found at Attachment 2. In summary, the key issues considered as part of this assessment are as follows:

Built Form: The proposal exceeds the preferred height of the Design and Development Overlay – Schedule 1 (DDO1), with concerns also raised regarding the extent of built form on the western elevation. Assessment of the application concludes that the additional height continues to achieve the underlying objectives of the DDO1 and provides for a positive development outcome for the site that complements the alpine approach and provides visual interest. It is agreed that the extent of the western elevation requires softening, with recommended permit

conditions requiring additional material variation and/or windows to the western elevation to address this concern.

Car parking and access: The proposal provides for 59 on-site car parking spaces and 14 bicycle spaces, which exceeds the planning scheme requirements for the development. All car parking spaces are sized and accessed in accordance with the design requirements of the scheme, with no concerns raised from Council’s engineers. Recommended permit conditions will ensure that no vehicles larger than an 8.8m medium rigid truck may enter the site, and that all vehicles must enter and exit in a forward direction. Council’s engineers have also required works to Station Street, including footpath, kerb and channel and if necessary, improvements to the road pavement as a result of additional traffic generation.

Amenity impacts: Concerns have been raised regarding proposed hours of operation and noise emissions from the site. In terms of hours of operation, the proposed uses are ‘as of right’ and as such, not being assessed by Council (however the permit applicant has provided an operational management plan to show how the uses will be undertaken on site). In terms of the design of works and amenity from noise, traffic and the like, acoustic fencing has been proposed by the applicant to mitigate noise impacts from the development. Permit conditions require an additional acoustic fence to further protect the amenity of the dwellings at 134 High Street and 5 and 7 Station Street.

A full response to all concerns raised is contained in the attached officers report.

Recommendation

THAT COUNCIL, having considered all matters under Section 60 of the *Planning and Environment Act 1987*, determine to issue a Notice of Decision to Grant a Permit for Planning Application P057/22 for the development of land for food and drink premises, shops (including ancillary uses for distillery and place of assembly), sale and consumption of liquor and alteration of access to a Road in a Transport Zone 2 on Lot 1 and 2 LP145122 and Lot 2 Block 1 LP3436 Parish of Mansfield, commonly addressed as 2-4 and 8-10 Station Street, Mansfield in accordance with the endorsed plans and subject to the following conditions:

Amended Plans

1. Before the commencement of works, 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 drawn to scale and must be generally in accordance with the plans submitted to Council dated 9 May 2022, but modified to show:

- a. The changes reflected in the ‘without prejudice’ plans provided to Council on 16 August 2022 and dated 21 July 2022 (except where variation is specifically required as a result of other conditions of this permit).
- b. Natural timber cladding and/or windows on the eastern and western elevation upper levels.
- c. The location of external plant and equipment including but not limited to service units for heating, cooling and hot water, solar panels, service shafts, ventilation systems, waste chute, television antennae and communication devices, service metres or the like, which is to be located and designed so as not to be visually prominent from the public realm or neighbouring properties. Where visible from the

public or neighbouring properties, the plant and equipment must be appropriately screened.

- d. The car parking area abutting Station Street to have landscaping strips with spacings of no more than 5 car parks per strip.
- e. One way vehicle movement through the internal car park with directional arrows at appropriate intervals.
- f. A notation that car parking spaces 55 to 59 will be for staff parking only.
- g. An acoustic fence on the boundary of the subject land between the northern side of the vehicle crossover and the start of the corner splay on the northern boundary, with minimum height of 1.5 metres.
- h. An additional bicycle space in the packing/distribution area for employees in accordance with Clause 52.34.
- i. At least 1 electric vehicle charging station in the car parking area.
- j. A solar energy facility on the roof of the development with minimum generating capacity of 15kW.

Endorsed Plans

2. The endorsed plans forming part of this permit must not be altered or modified except with the written consent of the Responsible Authority.

Landscaping

3. Concurrent with the plans required by Condition 1 of this permit, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit.

The landscaping plan must be drawn to scale must be generally in accordance with the landscaping depicted on the plan submitted May 2022, but modified to show:

- a. A mixture of lower, middle and upper storey vegetation within the front setback of the development to High Street, including provision for at least three (3) canopy trees with a minimum mature height of 8 metres.
- b. Vegetation (incorporating a mixture of lower, middle and upper storey vegetation) that will provide an effective visual screen of at least 4 metres height on the western boundary of the development.
- c. At least 50% species selection by type and number must be indigenous to the local Ecological Vegetation Class to the satisfaction of the Responsible Authority.
- d. A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant; and
- e. Watering systems for landscaping areas, including stormwater re-use where practicable.

All landscaping and associated infrastructure must be carried out and completed within three (3) months of the completion of the development or commencement of the use hereby approved.

The landscaping and associated infrastructure shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority for the life of the use and development and any dead, diseased, dying or damaged plants must be replaced with like for like replacements of the same or greater size.

Stormwater Management

4. Concurrent with the plans required by Condition 1 of this permit, a Stormwater Management Plan (SMP) to the satisfaction of the Responsible Authority must be

submitted to and approved by the Responsible Authority. Once approved, the plan will be endorsed and will form part of the permit.

The Stormwater Management Plan must ensure that stormwater and drainage discharge from the development site meets current best practice performance objectives for stormwater (Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999)) and must provide for the following matters:

- a. Incorporate on-site retention/infiltration, storage and re-use stormwater management techniques where practicable to reduce pollutant export and peak discharge from the site;
- b. Calculations of all stormwater detention required for the development.
- c. Filling and grading of the land to prevent stormwater discharge into adjoining properties.

Consolidation of Titles

5. Prior to the commencement of works, Lots 1 and 2 LP145122 and Lot 2 Block 1 LP3436 Parish of Mansfield must be consolidated under the *Subdivision Act 1988* and a single title issued.

Amenity

6. Noise emissions from the site must comply with the recommended noise levels as set out in *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Values (EPA Publication 1826, March 2021)* or as amended to the satisfaction of the Responsible Authority.
7. Prior to the commencement of use of the development hereby permitted, all findings of the acoustic report prepared by Marshall Day Acoustics, dated 24 March 2022 must be implemented to the satisfaction of the Responsible Authority and maintained for the life of the development.
8. Any exterior lighting must comply with Australian Standard 4282-2019 '*Control of the obtrusive effects of outdoor lighting*' and must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Responsible Authority.
9. All external materials and finishes must be treated so as to be muted and non-reflective to the satisfaction of the Responsible Authority.
10. All waste areas must be sited and screened so as to not be visible from the Maroondah Highway (High Street), Station Street, Curia Street or adjoining properties to the satisfaction of the Responsible Authority.
11. Waste collection must be undertaken in accordance with the Waste Management Plan prepared by Ratio (dated 24 March 2022) to the satisfaction of the Responsible Authority.
12. Loading and unloading of vehicles may only occur within the following times, except with the written consent of the Responsible Authority:
 - a. Monday to Saturday: 7am – 6pm
 - b. Sundays and public holidays: 8am – 6pm
13. No live music may be played on the premises at any time.
14. No amplified music may be played so as to be audible outside of the property boundaries to the satisfaction of the Responsible Authority.
15. The use of the development hereby approved must be conducted to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected by the use or development, through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Appearance of any buildings, works or materials;

- c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
- d. Presence of vermin.

Car Parking and Access

16. No delivery vehicles larger than an 8.8m rigid truck may enter the site.
17. All vehicles must enter and exit the site in a forward direction.
18. No vehicular access is to be provided between the site and the abutting site to the west (140 High Street).
19. Before the commencement of use of the development hereby approved, the areas set aside for car parking, loading and unloading of vehicles and internal access lanes as shown on the endorsed plans must be:
 - a. Constructed;
 - b. Property formed to such levels that they can be used in accordance with the endorsed plans;
 - c. Formed with an all-weather surface;
 - d. Drained; and
 - e. Clearly marked to show the direction of traffic flow along access lanes and driveways;

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

Plant and Equipment

20. All plant and equipment must be screened so as to not be visible from the public realm or adjoining properties to the satisfaction of the Responsible Authority.
21. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans may be erected above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

Liquor Conditions

22. Liquor must only be sold and consumed in the red-line area shown on the endorsed plan, to the satisfaction of the Responsible Authority.
23. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor must only be undertaken between the following hours:
 - a. Monday to Wednesday to Monday: 10am – 10pm
 - b. Thursday to Sunday: 10am – 12am/midnight

Engineering Conditions

24. Before the use of the development commences, the existing road (Station Street) from High Street to Curia Street must be upgraded and the design plans must be submitted to Council for approval. The upgrade must include the following:
 - a. Kerb and Channel on Station Street along property frontage.
 - b. Stormwater pipeline connected to existing stormwater pits along property frontage.
 - c. Concrete footpath 1.5m minimum along property frontage.
 - d. The Station Street pavement to be designed by a qualified CPEng Civil Engineer on the National Engineers Register (NER) based on the additional traffic to the Station Street and constructed accordingly.

OR

An assessment to be made of the existing pavement on Station Street determining its residual life and demonstrate that additional traffic does not warrant upgrading the pavement and does not affect the maintenance cycle of the road.

25. Prior to the commencement of works on the development hereby approved, design plans in accordance with the requirements of Condition 22 must be submitted to and approved by the Responsible Authority.
26. No industrial or commercial waste liquids are to be allowed to enter the drainage system. An EPA approved waste collection system must be installed on site to collect such waste and if required, a trade waste agreement entered into with the relevant authority.
27. Prior to the commencement of works, application must be made to Council to obtain a Legal Point of Stormwater Discharge.
28. Prior to the issue of Certificate of Practical Completion for required engineering works, the Developer is to lodge a security bond to the Responsible Authority for 5% of the total actual documented cost of the engineering works (external infrastructure) based on actual tender fees. This bond will be released following a satisfactory inspection, 52 weeks after a Certificate of Practical Completion is issued.
29. Following completion of all works, and prior to commencement of use of the development hereby permitted, "as constructed" drawings for Council Assets must be submitted and accepted by the Council. The preferred format of the drawings are AutoCAD *.DWG or *.DXF.
30. Any damage to Council assets such as street trees, roads and stormwater infrastructure, must be repaired at the cost of the developer to the satisfaction of the Responsible Authority, prior to the commencement of use of the development hereby permitted.
31. All construction and ongoing activities must be in accordance with sediment control principles outlined in '*Construction Techniques for Sediment Pollution Control*' (EPA, 1991).

Department of Transport Conditions

32. No access will be permitted from the subject land to the Maroondah Highway. All access is to be provided via Station Street as shown on the plan appended to the application.
33. Prior to the commencement of the use the following must be completed to the satisfaction of and at no cost to Head, Transport for Victoria:
 - a. A Functional Layout Plan must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must show:
 - i. Details of information signage for westbound traffic on Maroondah Hwy to alert motorists to the service road
 - b. All the works must be undertaken in accordance with the approved Functional Layout Plan.

Goulburn Valley Water Conditions

34. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.

All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;

35. Discharge of trade waste from the development shall be subject to a Trade Waste Consent Agreement

The Owner and or occupier is required to submit a completed Trade Waste Application, and install the required pre-treatment facility to the satisfaction of Goulburn Valley Water's Trade Waste Section, before approval to discharge trade waste from the development into the Corporation's sewer is granted;

Permit Expiry

36. This permit as it relates to the development of land will expire if any of the following circumstances arise:

- a. the development does not start within two (2) years of the date of issue of the permit; or
- b. the development is not completed within four (4) years of the date of issue of the permit.

This permit as it relates to the sale and consumption of liquor will expire if any of the following circumstances arise:

- c. the use does not commence within two (2) years of the completion of the development; or
- d. the use ceases for a period of two (2) or more years.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

Support Attachments

1. P 057 22 - Assessed Plans - 2-4 and 8-10 Station Street Mansfield - A 8960 - 140 High Street Pty Ltd [13.2.3.1 - 11 pages]
2. P057 22 Delegate Report 2 4 and 8 10 Station Street Mansfield [13.2.3.2 - 31 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Included in the proposal are matters addressing stormwater discharge, energy efficiency (including solar and electric vehicle charging) and landscaping. There are no natural hazard issues (such as bushfire or flooding) applicable to the property.

Community Engagement

The proposal was advertised for an extended period of 4 weeks, with a 'drop in' session held attended by representatives of the permit applicant and Council officers. This exceeds the statutory requirements for notification prescribed in the *Planning and Environment Act 1987*.

Collaboration

Not Applicable

Financial Impact

Not Applicable

Legal and Risk Implications

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

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

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

Strategy 3.2 Enhance township character

Theme 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.

13.3. Community and Corporate Services Directorate

13.3.1. Annual Financial Statements 2021-22

File Number	E7397	Responsible Officer	Manager Business & Performance, Tony Cooper
Purpose			

This report presents the Financial Statements 2021-22 to Council for certification.

Executive Summary

The Financial Statements 2021-22 have been prepared by Council officers in line with the requirements of Sections 98 and 99 of the Local Government Act 2020, and the Local Government (Planning and Reporting) Regulations 2020. The Financial Statements 2021-22 have been audited by the Victorian Auditor General's Office (VAGO).

The Financial Statements 2021-22 were considered by the Audit and Risk Committee on 14 September 2022 where the Committee resolved to recommend its adoption to Council.

Section 99 of the Local Government Act 2020 requires Council to pass a resolution at the September Council Meeting giving its approval in principle to the Financial Statements 2021-22 prior to submitting the statements to the auditor so that they may prepare their reports. The Financial Statements 2021-22 must be certified by Council after any amendments or changes requested by VAGO have been made, prior to adoption by Council.

In a change from previous requirements, Section 100 of the Local Government Act 2020 now requires the Mayor to report on the implementation of the Council Plan by presenting the Annual Report at a Council meeting open to the public, no later than 31 October 2022. The final, signed Financial Statements will become part of the Annual Report.

Key Issues

The Financial Statements 2021-22 have been reviewed by the Victorian Auditor General's Office and received verbal clearance.

The Financial Statements were presented to the Mansfield Shire Council Audit and Risk Committee, at the 14 September 2022 meeting, where the Committee resolved to recommend its adoption to Council.

The Financial Statements 2021-22 show the following key statistics:

- Surplus of \$4.54m for the year
- Net asset revaluation increment of \$15.4m (bridges, drainage and land under roads)
- Net assets of \$254m including \$231m in property, infrastructure, plant and equipment
- Cash of \$16.0m including term deposits

Net Asset Revaluation

For the 2021-22 financial year, actual revaluations were undertaken on Land, Roads and Footpaths. The revaluations are in line with best practice ensuring that carrying amounts in the accounts are relevant. These revaluations saw an increase in the Net Asset Revaluation reserve.

Waste Management Reserve

A Waste Management Reserve was recognised in the financial statements for the first time in 2019-20. Significant increases in landfill disposal and Environment Protection Authority (EPA) levies charged by the Victorian Government have contributed to increases in the waste charges. Landfill levies increase each year well above the cost of living and increased by 91% between 2019 and 2022.

The Waste Management Reserve should be in surplus however has been in deficit for 3 years. As at 30 June 2021 the reserve was in deficit to the value of \$425k. During 2021-22, the reserve moved by a further \$332k, to leave the reserve in deficit to the value of \$757k. The negative balance reflects that council has not been fully cost recovering the increased waste management charges from rate payers.

Through the 2022-23 Budget, Council has increased the waste charges significantly to ensure that Council recovers the costs associated with waste disposal.

Interest Bearing Liabilities

There has been a significant increase in interest bearing liabilities due to a March Council decision to borrow \$2.6m from Treasury Corporation Victoria to fund the completion of the Heavy Vehicle Alternative Route. The loan was received in June 2022 and will be repaid over the following ten years.

Recommendation

THAT COUNCIL:

1. Approves in principle the Financial Statements of Mansfield Shire Council for the year ended 30 June 2022; and
2. Authorises Cr _____ and Cr _____ to certify the Mansfield Shire Council Financial Statements for the year ended 30 June 2022 on behalf of Council, subject to any amendments or changes made as required by the Victorian Auditor General's Office.

Support Attachments

1. DRAFT Annual Financial Statements- GPF S-2022 (run 15 September 2022) [13.3.1.1 - 61 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

The Financial Statements 2021-22 show that Council is financially sustainable.

Legal and Risk Implications

The Financial Statements 2021-22 have been prepared by Council officers in line with the requirements of Sections 98 and 99 of the Local Government Act 2020, and the Local Government (Planning and Reporting) Regulations 2020.

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 8 A consultative Council that represents and empowers its community

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

Governance - Disclosure of Conflicts of Interest

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

13.3.2. Performance Statements 2021-2022

File Number	E3627	Responsible Officer	Manager Business & Performance, Tony Cooper
Purpose			

This report presents the Performance Statements 2021-22 to Council for certification.

Executive Summary

The Performance Statement is a required document under the Local Government Act 2020 as part of the Local Government Performance Reporting Framework. The statement is published within Council’s Annual Report and contains some of the statistics that are publicly available through the Know Your Council website managed by Local Government Victoria.

The Performance Statement 2021-22 has been prepared by Council officers in line with the requirements of Sections 98 and 99 of the Local Government Act 2020, and the Local Government (Planning and Reporting) Regulations 2020. The Performance Statement 2021-22 has been audited by the Victorian Auditor General’s Office (VAGO).

The Performance Statement 2021-22 was considered by the Audit and Risk Committee on 14 September 2022 where the Committee resolved to recommend its adoption to Council.

Section 99 of the Local Government Act 2020 requires Council to pass a resolution at the September Council Meeting giving its approval in principle to the draft Performance Statement 2021-22 prior to submitting the statements to the auditor so that they may prepare their reports. The Performance Statement must be certified by Council after any amendments or changes requested by VAGO have been made, prior to adoption by Council.

In a change from previous requirements, Section 100 of the Local Government Act 2020 now requires the Mayor to report on the implementation of the Council Plan by presenting the Annual Report at a Council meeting open to the public, no later than 31 October 2022. The final, signed Performance Statement will become part of the Annual Report.

Key Issues

The final, signed Performance Statement 2021-22 will form part of the Annual Report 2021-22 which will be a publicly available document.

The information on the Performance Statement 2021-22 will also be publicly available via the Know Your Council website.

The information in this report has been submitted to Know Your Council (through Local Government Victoria) for review.

Recommendation

THAT COUNCIL:

1. Approves in principle the Performance Statements of Mansfield Shire Council for the year ended 30 June 2022; and
2. Authorises Cr _____ and Cr _____ to certify the Performance Statements of Mansfield Shire Council for the year ended 30 June 2022, subject to any amendments or changes made as required by the Victorian Auditor General's Office..

Support Attachments

1. Mansfield Shire Council Draft- Performance- Statement-2021-22 [13.3.2.1 - 18 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

The Performance Statements 2021-22 show that Council is financially sustainable and that services are being delivered within expected parameters.

Legal and Risk Implications

The Performance Statement 2021-22 has been prepared by Council officers in line with the requirements of Sections 98 and 99 of the Local Government Act 2020, and the Local Government (Planning and Reporting) Regulations 2020.

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

Governance - Disclosure of Conflicts of Interest

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

13.3.3. TNE Quarter Four Report

File Number	E9790	Responsible Officer	Economic Development Officer - Tourism & Events, Gareth MacDonald
Purpose			

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

Executive Summary

TNE is the regional tourism board for Victoria’s High Country (VHC). They provide regional marketing, industry development, infrastructure and product development, strategic planning, advocacy and research, and work 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 tourism activities that Mansfield Shire Council supports through their investment with TNE, and key deliverables within that period. A total amount of \$100,000 was contributed to TNE activities by Mansfield Shire in 2021/22.

The fourth quarter of 2021/22 (April to June) was reminiscent of a pre-pandemic operating environment: steady visitation, no pandemic restrictions and people making the most of the Victorian and New South Wales school holidays. Accommodation bookings were strong, snow resorts were regularly at capacity, and a solid start to the snow season supported increased visitation after two years affected by pandemic restrictions. Visitation was up 46.1% for domestic overnight visits compared to the previous year, and domestic day visitors were up 16.4%. Visitor spend has increased with domestic day visitor spend up 127% and overnight up 69.8%.

However, challenges with finding and hiring staff and the ongoing impacts of the COVID-19 pandemic on supply chains and prices, were felt by businesses. The prevalence of the virus in the community and isolation requirements caused interruptions to businesses forcing them to close or reduce hours to look after their staff.

Despite these ongoing challenges, the future looks bright for the industry as visitors and regional travel are very much back on the agenda.

Key Issues

Industry & Product Development

Across the High Country, TNE delivered 472 sessions across 195 businesses (in Mansfield, 92 sessions to 31 businesses) in Quarter 4 via Zoom and face-to-face, primarily supporting tourism business operators with digital skills and business development opportunities. Mansfield was the highest engaged shire in this quarter across the North East with 19.4% of the services delivered.

TNE quarterly actions and business attendance numbers within Mansfield were:

- April Industry Forum – Put your best digital foot forward – 10 operators

- June Industry Forum – Reigniting the passion for the High Country this winter – 15 operators
- Optimise your ATDW listing – 12 operators
- Industry Immersion Day – eight operators – Mansfield Mini Golf, Mansfield Bushwalks, BOMA, Delatite Winery
- “An Evening at Craig’s” collaborative offering by BullerRoo and High-Country Hiking
- Tours selected as a feature experience for the Tourism Australia National Experience
- Content Initiative (NECI) project for future international marketing campaigns

Wine Kickstart

Wine Kickstart Program 2022 is an initiative managed by Tourism North East, designed to support the increasing tourism opportunities presented by wine tourism, and improve the region’s product offering to ensure that visitation to wineries remains a core driver for this growing market.

The primary aims of the program are to:

- Accelerate the development of new products/services that better meet the needs of the existing visitors and work to attract new visitors.
- Support demand-driving activations that position the region’s wineries as a premium offering, building brand equity and long-term consumer advocacy.
- Build resilience across the industry, improving diversification of place-based revenue streams.

The program is designed to accelerate the delivery of tourism products by private operators in and around the six High Country wine regions. Up to 20 successful applicants will be led and supported through a process of product development, customer testing, asset development and promotion.

The program will be tiered to allow for varying levels of product maturity and investment and underpinned by a 2:1 (TNE = 2: Operator = 1) cash investment model.

- Tier 1 - will receive up to \$10,000 cash contribution
- Tier 2 - will receive up to \$5,000 cash contribution
- Tier 3 - will receive up to \$2,500 cash contribution

Altitude221 in Merrijig has been selected to participate in Wine Kickstart 2022.

The program includes:

- Full day Inception Workshop - completed
- Design Sprints - completed
- Concept Card - Market testings - completed
- Think Tank sessions
- Finance consulting
- Marketing workshop
- Professional Photoshoot
- Launch Presentation
- PR and marketing support to develop go-to-market strategy

In addition to the formal sessions, participants have been offered several 1-1 business development sessions with members of the TNE Industry team to advance their product concepts and assist businesses to navigate and leverage the process.

Tourism Training & Development Mentor Program 21/22

This project was rolled out as an extension to the TNE Industry and Product Development program, with Gina Elliott managing the bespoke program with 19 businesses across the Shire

The focus in Q4 was improving ATDW listings, with a targeted Facebook campaign to drive traffic to these listings on www.mansfieldmtbuller.com.au, with results as follows:

- Total Facebook spend: \$7.5k
- Total Reach: 1,575,433 views
- Total Results (clicks): 59,155
- Av Cost per Result: \$0.17 (KPI: <\$0.30)
- Av Click Through Rate: 5.09% (KPI: >3.5%)
- Total ad clicks: 137,115

A detailed report for the complete campaign will be received in September 2022.

Victorian High Country Marketing

During the last two quarters trends have seen Australian intrastate and interstate consumer confidence, travel and booking intention steadily increase. To capitalise on the growing confidence, record annual leave balances, accommodation capacity and our regional food, drink and cold weather activity strengths, two campaigns aimed at the Lifestyle Leader target audience were launched during Quarter Four.

TARGET AUDIENCE | LIFESTYLE LEADER

Lifestyle Leaders are the lead consumer segment in VHC, accounting for 40% of the visitor market and approximately 32% of the Australian population. Lifestyle Leaders are predominately 25 - 49 years of age with an average household income of \$115K+ and are generally progressive, educated and influential individuals who actively seek out new experiences.

CAMPAIGN - MAKE IT MIDWEEK

Dates: May - September

This campaign capitalises on the excitement for travel and snow to encourage visitation during the traditionally quieter midweek and off-peak periods at Mt Buller/Mt Stirling, Mt Hotham and Falls Creek. It also promotes longer multi-day stays focusing on both on and off slope activities to encourage spend. Flow on effects include increased visitation in all VHC regions from drive traffic and road trip experience activity add-ons.

CAMPAIGN - MORE THAN MOUNTAINS

Dates: June - August

This campaign focuses on driving awareness and consideration of VHC as a winter destination to non-skiers/boarders by heroing VHC's unique food and beverage offering, encouraging them to step out of the everyday. The campaign tagline 'More Than Mountains' leverages what VHC

is known for, whilst creating intrigue into what else the region has to offer (cosy valleys, wood fires, local produce etc).

Social Media

The Visit Mansfield Mt Buller socials achieved their best quarterly results in Q4, primarily driven by the Facebook Ad campaigns that TNE ran for the 19 tourism businesses that participated in the Mansfield Mentoring Project (which began in Q3).

The Reach and Engagement of the paid content flowed through to significant increases in audience growth and engagement on the Mansfield Mt Buller social feeds. The Facebook audience grew almost 40% in the quarter to 10.3k followers and 9.5% on Instagram to almost 6k followers. The social content achieved 1.4 million paid views and 995k organic views. A 200% increase on Q3.

Recommendation
THAT COUNCIL receives and notes the Quarter 4 report from Tourism North East for 2021-22.
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

The \$100,000 contribution to TNE activities was accounted for in the 2021/22 Budget. Each member of the North East Victoria Tourism Board Inc. contributes a baseline membership fee per year that secures a seat on the Board and support for ongoing activities. 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 2021/22 Mansfield Shire contributed an additional \$62,000 for the following:

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

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 Liveability

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

Strategy 5.1: Create conditions that enable local businesses

Governance - Disclosure of Conflicts of Interest

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

13.3.4. Rural Councils Transformation Program - MOU and Governance Structure

File Number	AG1389	Responsible Officer	General Manager Community & Corporate Services, Dena Vlekkert
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Purpose

To provide Council and the community with an update on the Rural Council Transformation Program (RCTP) Grant funding, along with details of the proposed governance structure including the Memorandum of Understanding (MOU) and associated Terms of Reference and Governance Framework.

Executive Summary

The RCTP project offers a significant opportunity for the four participating councils to create and implement efficient and streamlined services and business processes.

At its November 2021 meeting Council resolved to approve participation, with a group of councils, in an application for funding under the Victorian Government’s Rural Council Transformation Program (RCTP) entitled ‘*Lifting Service Performance Through Shared Technology and Collaboration*’.

The funding application outlined a collaboration between Mansfield Shire Council (as the lead Council), the Benalla Rural City Council, Murrindindi Shire Council and Strathbogie Shire Council to procure new information technology systems and re-engineer internal processes to maximise service delivery efficiency to the community.

On 18 May 2022 Minister Shaun Leane wrote to Cr James Tehan, Mayor Mansfield Shire Council, informing councils that the funding application had been successful.

The Department of Jobs, Precincts and Regions is providing the four councils with a combined \$1 million of funding over a two-year period. The funding application outlined a co-contribution of \$361,450 from each of the four councils, taking the total funding for the project to \$2.45 million over two years.

It is noted that all four Councils have committed to a three-year project, with Year 3 being self-funded, to procure new systems relating to:

1. Records management
2. Finance systems (including customer, property and rating functions)
3. Council Agenda management
4. Planning, building and regulatory services.

Following discussions with councils that participated in Round 1 of the RCTP funding stream, it was decided that a MOU was required to define governance structures to meet the terms of the funding agreement, including reporting and acquittal of funds to the Department. The MOU is also designed to provide a clear decision making and reporting structure to deliver this project.

The signing of the MOU by the respective Chief Executive Officers signifies the commencement of the project, which will be guided by a comprehensive governance structure to ensure the terms of the funding agreement are met and the goals of the project achieved.

Key Issues

Draft MOU

The draft Memorandum of Understanding attached to this report outlines how the four councils will deliver the RCTP project and seek to maximise collaboration.

The MOU ensures a common understanding of roles and responsibilities for all stakeholders and outlines how the project will be delivered.

The project is to be overseen and delivered by a range of groups, set out in the Governance Structure. A project manager will be recruited to drive project delivery and will report to the Project Control Group, consisting of senior executives from the four councils. An overall Steering Committee will be comprised of the four CEOs and representatives from Local Government Victoria/Digital Victoria. These groups will form the decision-making bodies for the project and ensure oversight over the expenditure of funds.

The identification of information technology systems and development of streamlined business practices for the four focus areas outlined in the Funding Agreement (financial management, records management, agendas, customer/property/rating) will be developed by Project Teams, with the assistance of a Technical Reference Group (IT experts) and a Project Management Group.

This means that there is involvement across each council in the development of new systems and processes to ensure that the staff who deliver the service have input into its design.

Overall, the Project Manager is the lynchpin of the project, responsible for the overall project planning and delivery as well as ensuring effective communication from all the groups involved in the governance structures outlined in the MOU.

Management of Funds

As lead council, Mansfield Shire will be receiving the funding from the Department on behalf of all participating councils.

It has been determined that the most efficient and transparent way of managing the funds is through Mansfield Shire managing the funding rather than dispersing it to the four individual councils.

All expenses will be forwarded to Mansfield Shire Council for payment from the grant. Mansfield Shire will also coordinate the recruitment of the Project Manager and any support staff, which will be funded from the \$1 million allocation by the State government.

Reporting of progress and the acquittal of funds as required under the funding agreement will be undertaken by Mansfield Shire but supported by the other three participating councils.

Joint Meeting of Councils

Discussions with other councils participating in Round 1 of the RCTP funding stream indicated that it was often beneficial to hold joint meetings of councils to brief Councillors on project updates.

Clause 9 of the draft MOU outlines that from time-to-time joint meetings may be held in relation to this project. As a minimum, three Councillors from each participating council would form this

joint meeting. Mansfield Shire’s Governance Rules would be used to run any such meeting held.

System design principles

The MOU also outlines the principles which will underpin the decision making around the nature, design and customer interface for any new systems or information technology infrastructure, which are:

- Cloud based systems
- Strategic ICT investment
- Designing processes for best practice
- Minimising manual processes
- Maximising user experience and equal access.

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Notes the receipt of a grant of \$1million for the Rural Council Transformation Program (RCTP) entitled ‘Lifting Service Performance Through Shared Technology and Collaboration project’ from the Department of Jobs, Precincts and Regions. 2. Authorises the Chief Executive Officer to sign the Memorandum of Understanding between Mansfield Shire Council (the lead Council) and the Rural City of Benalla, Murrindindi Shire Council and Strathbogie Shire Council.
Support Attachments
<ol style="list-style-type: none"> 1. Draft MO U- Funding agreement- TOR for RCTP [13.3.4.1 - 33 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

This project involves collaboration between four Councils being Benalla Rural City Council, Mansfield Shire Council, Murrindindi Shire Council and Strathbogie Shire Council.

The participation of the Department in the Steering Committee and the need for regular reports on the progress of the project and expenditure of funds to the State government serves to ensure that broader collaboration is also achieved.

It is considered that the involvement of other State departments such as Digital Victoria and Services Victoria is beneficial. This is because both Digital Victoria and Services Victoria are deploying significant resources to develop information management solutions for key council

services as part of their Business Acceleration initiatives and the implementation of their Digital Strategy 2021-25.

Financial Impact

Council contributions for the RCTP grant form part of the respective adopted budgets for the 2022-23 financial year and future budget allocations for 2024-25. All costs relating to the project are to be met from the grant funding and the co-contributions from the four councils.

A template for the MOU was provided by Maddocks, with the four councils clarifying roles and responsibilities for the project to ensure that all parties are clear about their participation in the project.

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 3: A Trusted, Effective and Efficient Council

Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations

Strategy 6.2 Building organisational capacity through its people

Further, one of the overarching governance principles in section 9 of the Local Government Act 2020 is that regional, state and national plans and policies are to be taken into account in strategic planning and decision-making.

The RCTP project is informed in part by the State government's Digital Strategy 2021-25. It is noted that some of the design principles identified in the State strategy have been used to guide the System Design Principles outlined in section 10 of the MOU.

Governance - Disclosure of Conflicts of Interest

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

13.3.5. Nomination of Substitute: MAV State Council Meeting 14 October 2022

File Number	E364	Responsible Officer	EA Mayor & CEO, Chelsea Young
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Purpose

To nominate a substitute representative to attend the Municipal Association of Victoria (MAV) State Council meeting on Friday 14 October 2022.

Executive Summary

The Municipal Association of Victoria (MAV) State Council is made up of representatives from each member Council. The MAV is a membership association and the legislated peak body for local government in Victoria.

The State Council is the governing body of MAV and meet at least twice each year to consider and vote upon member business. A MAV State Council meeting will be held on Friday 14 October 2022.

MAV representatives and Council CEOs from each Council are invited to attend. Where the two representatives nominated by Council (currently Cr James Tehan and Cr Mark Holcombe) are unable to attend, Council must nominate a substitute representative.

By formally nominating Cr Paul Sladdin to act as Council's substitute representative, this will allow him to cast a vote at the meeting.

Key Issues

Only representatives, as resolved by Council, are entitled to vote on matters before State Council in accordance with the MAV rules.

Recommendation

THAT COUNCIL appoint Councillor Paul Sladdin as the substitute representative to the Association for the State Council Meeting to be held on Friday 14 October 2022.

Support Attachments

1. Nomination of a Substitute Representative Form 14 October 2022 [13.3.5.1 - 1 page]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

Not Applicable

Legal and Risk Implications

Not Applicable.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 8 A consultative Council that represents and empowers its community

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

Governance - Disclosure of Conflicts of Interest

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

14. Council Meeting Resolution Actions Status Register

This report presents to Council a schedule of outstanding actions and those recently completed from Council meetings held from 1 July 2021 to 15 September 2022.

At the 16 August 2022 meeting five actions were assigned by Council and one has been completed: the refund to Beolite Village.

Since 1 July 2021, there are now only 14 incomplete items on the Register, of which ten are in progress and four are awaiting external response.

Recommendation
THAT COUNCIL receive and note the Council Resolutions Register as at 15 September 2022.
Support Attachments
1. Council Resolution Action Register for Meeting 20 September 2022 (1) [14.1.1 - 12 pages]

15. Advisory and Special Committee reports

15.1. Audit & Risk Committee Meeting Agenda & Minutes

The Agenda & Minutes of the Mansfield Shire Audit and Risk Committee, held 14 September 2022, are attached for the Councils information.

Recommendation
THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 14 September 2022.
Support Attachments
1. Audit and Risk Committee Meeting Agenda 14 September 2022 [15.1.1 - 54 pages]
2. MINUTES Audit & Risk Committee Meeting 14 September 2022 [15.1.2 - 7 pages]

16. Authorisation of sealing of documents

Nil

17. Close of meeting