

OFFICIAL



Mansfield Shire

Council Meeting

Tuesday 15 April 2025 5:00 pm
Mansfield Council Office

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 Steve Rabie (Mayor)
Cr James Tehan (Deputy Mayor)
Cr Mandy Treasure
Cr Bonnie Clark
Cr Tim Berenyi

Officers

Kirsten Alexander, Chief Executive Officer
Melissa Crane, General Manager Investment & Planning
Janique Snyder, Executive Manager People, Communications & Governance
Tas Clingan, Acting Executive Manager Capital Works & Operations
Nola Cleeland, Executive Manager Community Health & Wellbeing

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, their 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 Model Councillor Code of Conduct.

5. Acknowledgement of Country

The Council affirms its recognition of the Taungurung people being traditional custodians 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 their 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 Council considers a report from the Chief Executive Officer on the current operations, activities and projects undertaken with each department over the past month

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

14. Council resolutions report

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

15. Advisory and Special Committee reports

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

16. Authorisation of sealing of documents

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

17. Closure of meeting to members of the public

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

18. Presentation of confidential reports

19. Reopen meeting to members of the public

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

20. Close of meeting

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

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Agenda

1. Opening of the meeting

2. Present

The Chair will call on any Councillor/s attending the meeting virtually and ask them to confirm verbally that they can see all Councillors and hear the proceedings.

Councillor/s attending virtually will respond to their name with: *"I can hear the proceedings and see all Councillors and Council officers"*.

The Chair will ask the Councillor/s 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 Model Councillor Code of Conduct. We will, at all times, faithfully represent and uphold the trust placed in us by the community."

5. Acknowledgement of Country

The Deputy Mayor will recite Council's Acknowledgement of Country:

"Our meeting is being held on the traditional lands of the Taungurung people. We wish to acknowledge them as the traditional custodians and pay our respects to their Elders past and present. We extend that respect to all members of our community."

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 Berenyi
- Councillor Clark
- Councillor Tehan
- Councillor Treasure

7. Confirmation of minutes

Recommendation

THAT the Minutes of the Mansfield Shire Council meeting held on 18 March 2025 be confirmed as an accurate record.

8. Representations

9. Notices of motion

Nil

10. Mayor's report

Mayor Steve Rabie will present the monthly Mayor's report to the Council as follows:

It has been a challenging month as Mayor of Mansfield Shire this month. I've been feeling like there have been battles on every front, with state-wide planning reforms diminishing the power of local governments to work toward the unique vision of their communities and the new state government tax going through parliament.

The Emergency Services Volunteers Fund was put to parliament that would have increased the cost of living for everyone in our community. From those who grow the food to put on our tables to all of those who open their wallets at the grocery checkouts, everyone would have paid extra for this hastily cobbled together cash grab from the state government.

Council has a responsibility to manage ratepayer funds with the utmost care. When we make a decision that affects the community or how those funds are managed, we consult with our community. It is also our responsibility to advocate for our community and be a strong voice that represents the concerns of our community. Although it was challenging, I was pleased that we came together as a Council and agreed to be strongly united in our position to advocate on behalf of our community and have our voices heard relating to these issues.

Speaking of cost of living pressures, I'd like to remind everyone that these are tough times and I encourage you to reach out to us if you need help. We have hardship assistance if you're struggling to pay your rates and financial counselling services if you are struggling generally. This is one of the many ways Council serves our community. Yes, we focus on the basics of Council services but we also offer services to ensure every community member has access to what they need to thrive.

As much as it was a challenge, Autumn is also a time that is busy with opportunities for celebrating as a community. The landscape changes colour, there is a relief in cool nights and crisp air, and events like the Jamieson Autumn Festival and other community activities to enjoy. Now we just have to pray for rain!

Thank you to the Tolmie Sports Association for their Certificates of Appreciation to Council, acknowledging Council's support in their delivery of this important community event. It was an honour to receive this on behalf of Council. These moments all remind me of the reason I go to work every day as the Mayor of the best little Shire in Victoria.

*Cr Steve Rabie
Mayor*

Recommendation

THAT COUNCIL receive the Mayor's report for the period 18 March 2025 to 8 April 2025.

11. Reports from council appointed representatives

Councillors appointed by Council to internal and 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 Steve Rabie • Cr James Tehan • Cr Mandy Treasure
Goulburn Murray Climate Alliance (GMCA)	<ul style="list-style-type: none"> • Cr Tim Berenyi
Hume Regional Local Government Network (HRLGN)	<ul style="list-style-type: none"> • Mayor Cr Steve Rabie
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none"> • Mayor Cr Steve Rabie • Cr Mandy Treasure
Mansfield Shire CEO Employment Matters Committee	<ul style="list-style-type: none"> • Mayor Cr Steve Rabie • Cr James Tehan • Cr Bonnie Clark
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none"> • Mayor Cr Steve Rabie • Substitute - Deputy Mayor Cr James Tehan
North East Local Government Waste and Recovery Forum	<ul style="list-style-type: none"> • Cr Tim Berenyi
Rural Councils Victoria (RCV)	<ul style="list-style-type: none"> • Cr James Tehan
Station Precinct Museum Community Asset Committee	<ul style="list-style-type: none"> • Mayor Cr Steve Rabie
Taungurung-Local Government Forum	<ul style="list-style-type: none"> • Mayor Cr Steve Rabie

Recommendation

THAT COUNCIL note the verbal reports provided by Councillors in relation to their representation on internal and external Committees.

12. Public question time

Council welcomes questions from the community. A question must be submitted by midday on the Monday prior to the Council meeting. The [‘ask a question’ form](#) is available from Council's website.

The Mayor will read out the question and answer at the meeting.

13. Officer reports

13.1. Chief Executive Officer's report

File Number: E103

Responsible Officer: Chief Executive Officer, Kirsten Alexander

Introduction

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

The Chief Executive Officer report will provide information relation to:

- ▶ Customer Service
- ▶ Governance
- ▶ Capital Works
- ▶ Statutory & Strategic Planning
- ▶ Regulatory Services
- ▶ Waste Services
- ▶ Property
- ▶ Field Services
- ▶ Community Health and Wellbeing
- ▶ Library
- ▶ Visitor Services (Tourism, Events, Youth and VIC)
- ▶ Communications
- ▶ Digital Transformation Project

Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 March 2025 to 31 March 2025.

Support Attachments

1. CEO Monthly Report - March 2025 [13.1.1.1 - 49 pages]

13.2. Investment and Planning

13.2.1. Planning Scheme Amendment C56mans

File Number	E10616	Responsible Officer	Strategic Planner, Esther Perkins
Purpose			

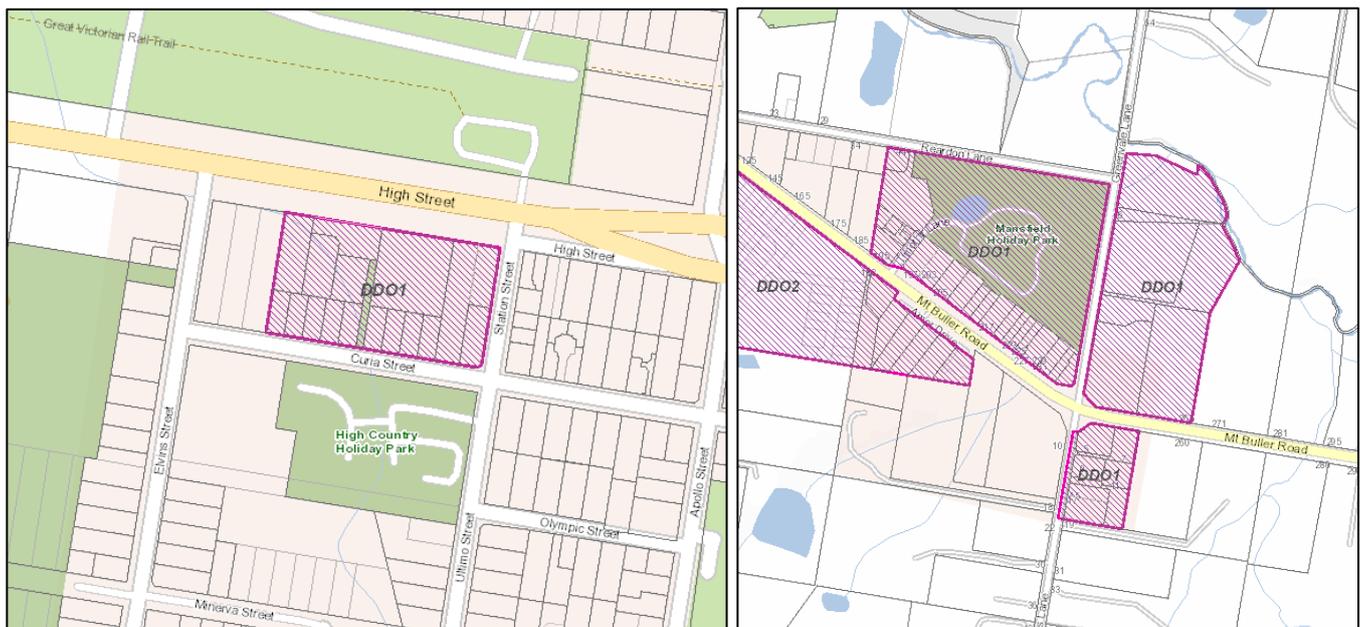
To provide Council with updated information on the exhibited amendment to the Mansfield Planning Scheme, C56mans, which seeks to apply design and development controls to ensure appropriate design outcomes along Mansfield’s four main township approaches in accordance with the adopted Mansfield Design Guidelines 2018.

The report includes information on the submissions received and seeks a Council determination to split amendment C56mans into 2 parts, adopting Part 1 into to the Mansfield Planning Scheme while officers review the submissions relating to Part 2.

Executive Summary

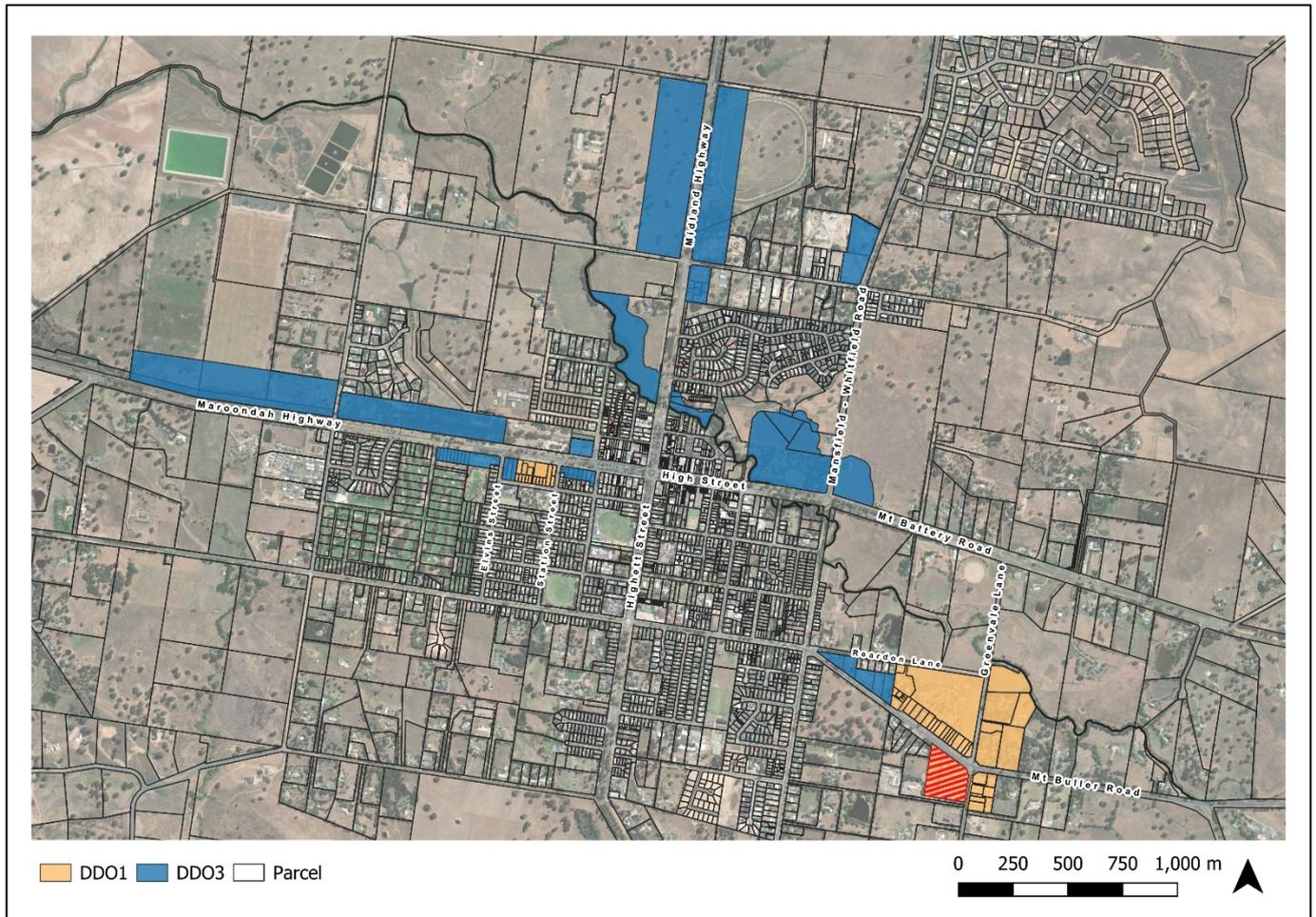
Protection of the Mansfield Township Approaches is being done with the use of the Design and Development Overlay, using three versions of the schedule to apply different parameters across the approaches. These parameters are specific to the zones in the areas. The three different schedules are as follows:

1. DDO1 – This is an existing overlay, with the sites already afforded a level of protection for the township approaches. The application of the current DDO1 is relatively small, with C56mans proposing to strengthen the control and extend it to include two additional properties in Mt Buller Road.



2. DDO2 – This overlay was applied through Amendment C48mans and was formally incorporated into the Mansfield Planning Scheme on 20 January 2023. This overlay applies to all residential zones in all four approaches. C56 does not propose any changes to DDO2.

3. DDO3 – This overlay is proposed to be applied to any property on the township approaches not in a residential zone and not already covered by the DDO1 (except for the two properties proposed to be included in the DDO1). The proposed application of DDO3 is shown blue on the map below.

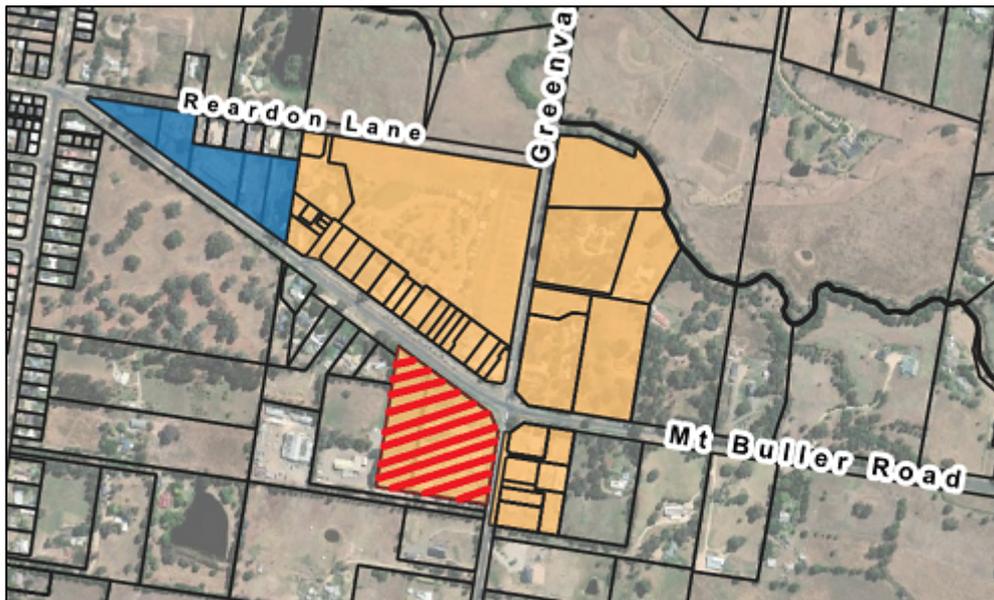


The exhibition period for amendment C56mans closed on 31 January 2025, with Council receiving a total of eight submissions and comments from four referral authorities. Five of the community submissions were in support of the amendment, while three had objections, one of which has since been withdrawn following mediation with Council officers. One of the remaining submissions had concerns with both DDO1 and DDO3, however it was noted that an error in the mapping for the DDO3 could resolve that part of their concern. Council officers are actively working with the remaining objectors to address their concerns regarding the DDO1.

The amendment predominantly does two things, the first being introducing Schedule 3 to the Design and Development Overlay and applying it to the non-residential areas along the four main township approaches. The second is it proposes to make changes to strengthen the existing controls at Schedule 1 of the DDO, which currently protects prominent sites identified along these approaches, and to slightly extend the application of the DDO1 onto two additional properties on Mt Buller Road. By splitting the amendment Council will be able to provide formal

protection of all of the properties in the approaches, with the exception of the two properties on Mt Buller Road.

The two sites proposed to be included in the DDO1 are dashed red as follows:



Previous amendment C48mans, Part 1 has already applied the DDO – Schedule 2 to the residential areas along these approaches, and these controls are already in place in the Mansfield Planning Scheme.

Splitting the amendment will mean that additional protection will not be applied to the two properties in Mt Buller Road. However, it is noted that the sites are already developed and being used for industrial purposes, and the DDO1 controls would only be applied should the landowner decide to redevelop the lots in some way in the future (i.e. demolish all existing buildings and reconstruct), and this would be subject to a planning application that would need to give due consideration to the character of the area. The use of the DDO1 would give more weight to that consideration and will continue to be pursued for these sites.

Key Issues

One of the submissions objects to the application of the DDO3 to 27 Kitchen Street, Mansfield. Officers have assessed this against the Design Guidelines and agree that the inclusion of this site is not correct and can be removed. Officers are of the opinion that if this change is agreed to, the objection will be withdrawn in relation to the DDO3. As such, there would be no objections to the proposed DDO3 implementation; it is proposed to split the amendment and to proceed with DDO3, noting there will be a small change to the mapping to fix an error. All outstanding submissions will then only relate specifically to the changes to the DDO1.

In relation to the concerns raised by submitters that the guidelines are out of date, it is noted that the nature of these documents is to set a preferred future character for these areas. In this regard, the guidelines aim to “ensure that the future design of developments and subdivisions along the four approaches contribute to an attractive, inviting and memorable entry experience for residents, businesses and visitors.” The guidelines outline a preferred future character for each approach and provide built form and landscaping objectives aimed at achieving that character.

These guidelines have now been on exhibition twice since they were adopted in 2022 with Amendment C48, and again in 2024-25 where no submitters questioned or requested a change to the preferred future character or the objectives that have been identified for these township approaches. In contrast, there has been general support for the application of the DDO2 and DDO3 as part of these processes. It is also noted that since the guidelines were developed, most of the permits issued in the approaches have been from within the existing DDO1 areas and have been required to address the existing controls.

To progress the amendments to the DDO1, Council officers will look to review the guidelines as they relate to the existing DDO1 areas.

As noted, the main policy concerns in the submissions received following the exhibition of C56mans were related to the revised DDO1, applicable to the areas shown in yellow on the western approach, on the map below.



While Council officers are actively working with submitters to address their concerns, this is expected to be a lengthy process and could delay the implementation of the DDO3 in the Mansfield Planning Scheme if the amendment remains as a whole. By splitting out the policy that relates to DDO3, Council can progress the uncontested part of the policy while taking the time to address the submitters' concerns with DDO1.

The main concerns with the DDO1 relate to the nature of the provisions being proposed. Essentially, the existing DDO1 has mandatory controls that Council officers are proposing to retain and strengthen.

Most schedules consist of performance-based provisions, not mandatory provisions. Mandatory provisions provide greater certainty and ensure a preferred outcome and more efficient process however, the current planning practice discourages the use of them. The existing DDO1 currently has mandatory provisions, which officers do not want to see “watered down” as a result of a change to performance-based provisions. A review of the guidelines as they relate to the existing DDO1 area along the western approach is proposed to provide this evidence-base.

Design and Development Overlay – Schedule 3

The implementation of DDO3 is considered of high priority given the pending approval of an industrial subdivision at 175 Dead Horse Lane Mansfield which could provide for a 70-80 lot subdivision with lots prominent along the Midland Highway approach. Without the Design and

Development Overlay on the northern approach development may continue to occur without being able to be appropriately considered in line with the Township Approaches Guidelines.

One submission has requested that 27 Kitchen Street be removed from the proposed Overlay, as it was not included in the Guidelines, and it will be removed to address this concern.

DEECA have suggested that the use of the overlay could be leveraged to provide protection for existing mature native trees in the area. It is noted that the way a DDO operates is that any provisions in the overlay can only be applied if a planning permit is required for buildings and works. There is no opportunity to provide a permit trigger specifically for native vegetation removal under this particular overlay, so should there be an application for vegetation removal on its own, the overlay could not be considered as it cannot be a permit trigger. While Council officers agree that protection of mature native trees is a desired outcome for the municipality, the DDO is not the best vehicle for this protection and would likely give the impression that the DDO is controlling something that it can't.

Design and Development Overlay – Schedule 1

The submissions regarding DDO1 raise different concerns. Both relate only to the western approach along Maroondah Highway / High Street. The second submission relates specifically to the land at 140 High Street and 2-4 Station Street, Mansfield and raises concerns about the proposed building height restrictions in DDO1. The proposed changes to DDO1 include mandatory height controls, rather than being prescriptive.

Recommendation

THAT COUNCIL:

1. Having been authorised by the Minister for Planning to prepare Amendment C56 to the Mansfield Planning Scheme under Section 8A(4) of the Planning and Environment Act 1987 ('the Act'); and
2. Having prepared and exhibited Amendment C56 to the Mansfield Planning Scheme under Section 19 of the Act; and
3. Having considered all submissions to Amendment C56 under Section 22 of the Act; Mansfield Shire Council resolves to:
 - a. Split Amendment C56mans to the Mansfield Planning Scheme into two parts, Part 1 to include the DDO3 policy to be adopted and applied to the areas shown on the attached maps titled C56mans Part 1, and Part 2 to include the DDO1 and all content included in the attachment title C56mans Part 2.

PART 1:

 - b. Adopt Amendment C56mans, Part 1, to the Mansfield Planning Scheme in accordance with Section 29 of the Act, adopting the amendment with the following changes;
 - c. The removal of the proposed DDO3 to 27 Kitchen Street Mansfield as outlined in the attached Amendment C56mans, Part 1 documents.
 - d. Submit Amendment C56mans, Part 1, to the Mansfield Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with Section 31 of the Act.

PART 2:

 - e. Undertake further investigation to resolve the outstanding submissions in relation to Planning Scheme Amendment C56mans, Part 2, and report back to Council.

Support Attachments

1. C56mans - proposed amended Ordinance [13.2.1.1 - 32 pages]
2. C56mans Part 1 - DDO Map 9, 11 and 12 [13.2.1.2 - 1 page]
3. C56mans Part 1 Ordinance track changes [13.2.1.3 - 26 pages]
4. C56mans Part 2 - DDO Map 11 and 12 [13.2.1.4 - 1 page]
5. C56mans Part 2 Ordinance track changes [13.2.1.5 - 10 pages]
6. Township Approaches Design Guidelines 2018 [13.2.1.6 - 43 pages]
7. CONFIDENTIAL - Submissions [13.2.1.7 - 37 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Community Engagement has been undertaken in accordance with Council's Community Engagement Policy with community submissions helping to form the direction and recommendations outlined in the Township Approaches Study & Mansfield Design Guidelines 2018.

Community engagement pertaining to these guidelines was again undertaken through the exhibition process for planning scheme amendment C48mans.

C56mans also underwent community engagement through the exhibition process where both key stakeholders and affected parties were directly notified as well as advertising to the wider community.

Collaboration

Not Applicable

Financial Impact

All work to create the policy has been undertaken internally by Council Officers within existing staff resources.

By splitting out the amendment, Part 1 can progress without proceeding to Planning Panels Victoria. There are no other financial implications for Council given that the remainder of this project will be completed within existing resources.

Legal and Risk Implications

Strategic Risk: Should Council resolve to split the amendment and submit C56mans part 1 to the Minister, it will, with the Ministers approval, form part of the Mansfield Planning Scheme and become part of the legal framework governing future development in Mansfield Shire.

Regional, State and National Plans and Policies

Is in accordance with the State Policy in the Mansfield Planning Scheme.

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 3.1 Protect natural vistas and farmland

Strategy 3.2 Enhance township character

Strategy 3.4 Plan for and encourage appropriate housing

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

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

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

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

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.

13.2.2. Advocacy Position on Glass Kerbside Service

File Number	E10138	Responsible Officer	General Manager Investment & Planning, Melissa Crane
Purpose			

To seek a resolution of Council to advocate to the Victorian Government for the postponement of the mandatory implementation for Councils to provide a glass only bin service to households. Currently the Victorian Government requires all local governments to implement this service by 1 July 2027 under the kerbside reform program to roll out a standardised four-stream household waste and recycling system to all homes in Victoria.

Executive Summary

All Victorian councils are required by the State Government to implement a four-stream waste and recycling system, with a glass bin to be rolled out for all households by 1 July 2027, as outlined in the Victorian Government’s ten-year action plan “Recycling Victoria: A new economy” to establish a circular economy. The four-streams include:

- ▶ General rubbish (red bin)
- ▶ Mixed recycling (yellow bin)
- ▶ Food and garden waste (green bin)
- ▶ Glass recycling (purple bin)

Council officers have been provided an opportunity to join in a group advocacy, led by Maroondah City Council, to the State Government, requesting that they agree to postpone the mandatory implementation of a glass only bin to households, currently required to be implemented by 1 July 2027.

Key Issues

Since the release of the Recycling Victoria Policy, local governments including Mansfield Shire have been calling on the Victorian Government to release the business case for the glass only bin, to help effectively communicate the benefits of this change to their residents. The State advised the business case would be provided in the Regulatory Impact Statement (RIS) for the Service Standards (a subordinate regulation to the Circular Economy Waste Reduction and Recycling Act 2021 which legislates local governments to provide a ‘standard service’).

The draft Service Standards were released in August 2024 (still to be finalised in 2025), more than 4 years into the delivery timeframe for Councils to implement the new service. The Service Standards and RIS did not provide clarity on why the glass only service was chosen as the preferred option, and the financial assumptions throughout the RIS did not accurately reflect the overall cost of local government providing the services.

In the absence of any cost benefit analysis or a business case and no clear evidence to suggest that the glass only service would address a clearly defined problem, a group of 22 Victorian Councils commissioned an independent study. The research assessed four options for glass recovery, assessing the costs and benefits of the two main systems for glass collection:

- ▶ Glass only bin service, plus Container Deposit Scheme (CDS),
- ▶ Mixed recycling bin service, plus CDS,
- ▶ Glass only bin service, plus expanded CDS to include wine and spirit bottles,
- ▶ Mixed recycling bin service, plus expanded CDS to include wine and spirit bottles

The research found, in alignment with the findings of the South Australian and New South Wales Governments, that expanding the existing CDS to include wine and spirit bottles, would have similar environmental and circularity benefits to a glass only bin service. Expanding the CDS would also support the work of state Environment Ministers who are collaborating to nationally align the CDS across Australia.

An expanded CDS would have the benefits of:

- ▶ Producing a pure glass only stream of higher quality and less contamination than a glass only bin service.
- ▶ Increased resource recovery, for example, the Queensland Government who has also gone down the path of expanding CDS over a glass only bin, found a 13.4% increase in glass bottles returned via the scheme when CDS expanded to include wine and spirit bottles.
- ▶ Less fleet emissions from the introduction of new fleets across 79 Victorian Councils which would be collecting very small volumes of glass.
- ▶ Avoided implementation, collection and processing costs from a new glass only service, which would be borne by local communities, rather than the producers of the packaging waste, which is how the CDS is funded.

The group of Councils advocating for this delay include a range of Victorian Councils from across metropolitan and regional areas, who are all concerned about the cost implications the glass only bin service will have on their community. As part of this advocacy, a group of Councils wrote a letter to the Minister for Environment, the Hon. Steve Dimopoulos, in late 2024 outlining their research findings and appealing for the system to be reviewed.

On 3 February 2025, Mansfield Shire CEO, Kirsten Alexander, and General Manager Investment & Planning, Melissa Crane met with Kirstin Coote, DEECA Director Circular Economy Programs and Briony Ruse, Recycling Victoria Director – Regulation and Oversight. At this meeting information was again requested regarding the business case for introduction of the glass only bin service, and concerns were raised over the additional cost of this service to Mansfield Shire ratepayers. Council officers advocated strongly for a review of the need for a glass only bin service post-introduction of the CDS and the associated reduction in glass volumes. At this meeting, Council was informed that it was critical that councils engage with bin suppliers and bin delivery and implementation contractors to avoid incurring fines due to the late implementation of the glass only service.

Extending the deadline for implementation of the glass service would provide Councils with more time to understand the positive impact of the CDS on recycling volumes, which are steadily declining with the successful uptake of the CDS, and to create a national approach that aligns with all states and territories.

An example are the business cases released by the Queensland and South Australian Governments that assessed the net benefits of a glass only bin. As a result of this research, they opted to expand the CDS to include wine and spirit bottles instead of implementing a glass only bin service.

Postponing the implementation date for the glass only bin would provide Councils more time to work with the Victorian Government on the research findings and find a way forward that maximises recycling efforts but minimises the financial impact on local communities during what are challenging economic times for households. Delaying the implementation date will also allow states and territories time to create a national standard for household bins.

The current group of Victorian Councils are asking for the Victorian Government to listen to these concerns and delay the mandatory implementation date so that alternative options that already exist (such as the CDS) can be appropriately considered before forcing the implementation of a fourth kerbside glass recycling bin at a significant cost to Council ratepayers. They are also encouraging other Councils to take the following position:

- ▶ Reconsider the need for the glass only service.
- ▶ Delay the implementation date.
- ▶ Wait until national harmonisation of kerbside and CDS's has been completed, and Councils are able to assess the impact.
- ▶ Seek expansion of the CDS to include wine and spirit bottles, which research has found would have similar benefits to the glass only bin but would avoid the cost being worn by local communities.
- ▶ Seek increased flexibility on the way in which the service can be provided.

With due consideration for the significant additional cost to residents and ratepayers and based on the community engagement undertaken prior to the implementation of the FOGO bins, Council officers are recommending that Mansfield Shire Council join the advocacy position in relation to the review and delay of the introduction of a glass only bin for properties within Mansfield Shire.

Recommendation

THAT COUNCIL supports the Maroondah City Council's submission to the Municipal Association of Victoria May 2025 State Council meeting and calls on the Victorian Government to review and amend the new waste service standards to mitigate the negative impacts on local governments, specifically that the MAV advocates for:

1. The separate glass recycling bin requirement no longer be mandated, given the successful Container Deposit Scheme (CDS) already diverts most glass, making a fourth bin costly, inefficient, and largely redundant.
2. Provision for adequate funding and resources to Councils to implement the new standards without placing undue financial burden on ratepayers. This could come in the form of the State Waste Levy, which is projected to increase by 30% over the next four years, generating an estimated \$1.8 billion in revenue for the Victorian Government.
3. A delay in implementing the State's new household waste service standards, urging the Victorian Government to provide councils with greater flexibility and an extended timeline to roll out service changes at a practical pace.
4. Promotion of sustainable waste management practices that are economically viable and environmentally sound, ensuring long-term benefits for the community.

Support Attachments

1. CONFIDENTIAL: Kerbside Reform - Transitioning during the final phase (State Government Presentation) [13.2.2.1 - 8 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Effective and efficient recycling of waste materials and minimisation of waste are key sustainability considerations for Council. The cost of collecting glass materials for recycling, including the bins, labour, transport and fuel costs, needs to be carefully considered against the perceived benefits of a glass only recycling stream.

Community Engagement

Council has previously completed significant community engagement over the mandatory introduction of the Victorian Government's four-stream waste and recycling system to all Victorian households. This engagement included a deliberative process which influenced Council's previous successful rollout of the FOGO green bins through an opt-in system outside of urban areas and townships.

Based on previous engagement results, it is anticipated that introduction of a new glass only purple bin is unlikely to be welcomed by Mansfield Shire ratepayers due to the increased service costs and lack of perceived benefit post-introduction of the CDS. Council officers have therefore requested information from DEECA on the cost-benefit of the glass only service for use in future community engagement processes. Officers have also requested that a review is undertaken post-introduction of the CDS.

Collaboration

This advocacy is a partnership with 31 other Victorian Councils seeking to extend the implementation date of the glass only recycling service.

Financial Impact

This report has been prepared within existing council resources. Joining in the advocacy program is also expected to involve officer time in attending meetings. The estimated cost of introducing a glass only kerbside collection service, should this be mandated, is approximately \$769,380 in the first year (upper end estimate covering bin purchase and kerbside collection, based on 7000 bins), followed by \$346,440 annually for kerbside collections (excluding rise and fall increases).

Information has been received from DEECA that 15 rural and regional councils have adopted a drop off only service. It is estimated that the cost of this service, if approved, would be approximately \$16,200 annually (excluding rise and fall increases) which covers the skip bin rental, collection and transport to the processor.

Legal and Risk Implications

The working group have gained legal advice regarding the risks of not complying with the mandated changes to kerbside services under the Circular Economy (Waste Reduction and Recycling) Act 2021.

A council does not commit any offence under s60 of the Act if, on or after the prescribed date, it does not introduce a glass only collection and disposal service. It does however contravene s60. This, in turn, enables the Head of Recycling Victoria or an Authorised Officer to issue an Improvement Notice under s125 of the Act.

If an Improvement Notice is issued but not complied with, an offence would then be committed, and Council could be fined up to \$47,421.60 (or slightly higher, given that the amount of a penalty unit alters on 1 July each year). Failure to comply with an improvement notice could also result in a civil penalty order of maximum \$47,421.60. Combined, Council's financial liability would be \$95,000.

If Council began a process to purchase bins, and there was a delay past the implementation date due to the volume of bins required across the state, Council could still be liable. As mentioned above, if Mansfield Shire adopted a drop off only service like that already implemented by 15 other rural and regional shires, the risk of fines due to delayed bin delivery would be reduced or eliminated.

To repeal the legislation in the *Circular Economy (Waste Reduction and Recycling) Act 2021*, another Act of Parliament is required, this would then need to be passed through both houses to be given royal assent. The regulations (which stipulate the start date for the glass only service) can be revoked through executive action.

Regional, State and National Plans and Policies

Household waste and recycling services are regulated by Recycling Victoria (RV) through regulations and a service standard established under the *Circular Economy (Waste Reduction and Recycling) Act 2021*.

Innovation and Continuous Improvement

Innovation and continuous improvement in waste management is undertaken through collaboration and information sharing with other councils, suppliers and industry partners, including through forums such as the re-formed North East Local Government Waste and Recycling Forum, chaired by Mansfield Shire Councillor Tim Berenyi.

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 8.2 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. Executive Services Directorate

13.3.1. Proposed Revenue and Rating Plan 2025-29

File Number	E11754	Responsible Officer	Financial Controller, Michael McCormack
Purpose			

To present the Draft Revenue and Rating Plan 2025-29 for Council endorsement for community consultation. The Draft Revenue and Rating Plan 2025-29 will be made available for public exhibition prior to adoption at the Council Meeting to be held in June 2025.

Executive Summary

The *Local Government Act 2020* (the Act) requires each Council to prepare a Revenue and Rating Plan (the Plan) for a period of at least 4 years by 30 June after a general election.

The Plan establishes the revenue raising framework within which the Council proposes to operate.

The purpose of the Revenue and Rating Plan is to determine the most appropriate and affordable revenue and rating approach for Council to generate income to deliver on the Council Plan, services, and the capital works program.

The Plan contains the necessary statutory information in accordance with the Act and outlines Council's primary components of the revenue raising framework including:

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

Key Issues

The Draft Revenue & Rating Plan 2025-29 (the Plan) seeks to determine an equitable rating structure that provides rating fairness through the use of differential rates in accordance with Section 161 of the *Local Government Act 1989*.

Rating fairness is measured by a consistent sharing of rates charges between rating sectors. It is a method called the ‘pie model’. This reflects the intent of section 101(1) (c) of the Act which requires that Councils seek to provide stability and predictability in the financial impact on the municipal community.

The Valuer General Victoria (VGV) oversees valuations for Victorian Government property transactions and rating valuations. This includes valuations for Council rate assessments. The VGV is responsible for valuing all properties as of 1 January each year and the resulting Capital Improved Values are used to allocate Council rates.

LG Valuation Services were appointed by VGV to carry out the 2025 General Revaluation and the preliminary valuation outcomes have been provided and utilised in determining the rating components of the Plan and preparing the Proposed Budget 2025-26.

The Plan proposes the following rating differentials for the financial years within 2025-29:

Type or class of land	Differential percentage (%)			
	2025-26	2026-27*	2027-28*	2028-29*
Residential	100%	100%	100%	100%
Commercial	166%	166%	166%	166%
Vacant properties	195%	195%	195%	195%
Rural residential	86%	86%	86%	86%
Farmland	61%	61%	61%	61%

*Differential percentages will be reviewed annually with changes in valuations.

The final certified valuations will be returned to Council by the end of May 2025 and any changes will be incorporated into the final versions of the Plan and Budget presented to Council for adoption in June 2025. There are not expected to be significant changes required.

Recommendation

THAT COUNCIL:

1. Endorses for release the Draft Revenue and Rating Plan 2025-29 for community consultation from 18 April 2025 until 16 May 2025.
2. Gives public notice of the preparation of the Draft Revenue and Rating Plan 2025-29 in the Mansfield Courier and on Council’s website making it available for public inspection and seeking written submissions via Engage Mansfield.
3. Notes that the Revenue and Rating Plan 2025-29, with consideration of the community engagement outcomes, will be considered for adoption at the Council Meeting to be held Tuesday 24 June 2025.

Support Attachments

1. Mansfield Shire Council Revenue and Rating Plan 2025-29 [13.3.1.1 - 27 pages]

Considerations and Implications of Recommendation

Sustainability Implications

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

Community Engagement

Community consultation over the Proposed Revenue and Rating Plan inviting feedback and submissions will be open from 18 April 2025 until 16 May 2025 on Council's engagement platform, Engage Mansfield, and advertised via Facebook and local media.

Collaboration

Not Applicable

Financial Impact

The Revenue and Rating Plan does not set revenue targets for Council. The Plan outlines the strategic framework and decisions that inform how Council will determine and collect its revenue.

Legal and Risk Implications

Not Applicable

Regional, State and National Plans and Policies

The *Local Government Act 2020* requires each Council to prepare a Revenue and Rating Plan for a period of at least 4 years by the next 30 June after a general election.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council
Strategic Objective 7 Financial sustainability and value for money

Governance - Disclosure of Conflicts of Interest

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

14. Council Meeting Resolution Actions Status Register

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

Recommendation
THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 3 April 2025.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield Shire Council Action Register as at 3 April 2025 [14.1.1 - 5 pages] 2. CONFIDENTIAL Mansfield Shire Council Action Register as at 3 April 2025 [14.1.2 - 2 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 13 March 2025, are attached for Council's information.

Recommendation
THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 13 March 2025.
Support Attachments
<ol style="list-style-type: none"> 1. Audit and Risk Committee Meeting Minutes - 13 March 2025 [15.1.1 - 7 pages] 2. CONFIDENTIAL Audit and Risk Committee Meeting Agenda - 13 March 2025 [15.1.2 - 222 pages]

15.2. Audit & Risk Committee - Chairs Report to Council

File Number	E10900	Responsible Officer	Governance & Risk Officer, Chelsea Young
Purpose			

To present Council with a biannual report from the Mansfield Shire Audit and Risk Committee for the six months ending 31 December 2024.

Executive Summary

The Audit & Risk Committee Charter, endorsed by Council on 19 March 2024, and the *Local Government Act 2020* requires the Audit & Risk Committee to present a biannual report on its activities, findings, and recommendations to Council.

This Annual Report of the Audit and Risk Committee fulfils the requirements of the governing legislation.

Key Issues

The role of the Audit and Risk Committee is to provide independent assurance and assistance to the Council (and management) on Council's risk, control and compliance framework, and its external accountability responsibilities as defined in the governing legislation and in adherence to the various requirements of the Victorian Auditor-General's Office (VAGO).

The Audit and Risk Committee considered the attached report at its meeting on 13 March 2025 and has recommended the report to be presented to Council. The report presents an overview of the activities of the Mansfield Shire Audit and Risk Committee for the six months ending 31 December 2024, structured as follows:

- ▶ Overview
- ▶ Introduction
- ▶ Role of the Audit and Risk Committee
- ▶ Membership of the Audit and Risk Committee
- ▶ Meeting Attendance
- ▶ Annual Highlights
- ▶ Summary of the Work of the Committee
- ▶ Overall Assessment of Council's Risk, Control and Compliance Framework.

The Chair of the Audit and Risk Committee offers the attached report as fulfilling the requirements under section 9.4 (d) of the charter to facilitate a biannual audit and risk report that describes the activities of the Committee and includes its findings and recommendations.

Recommendation

THAT COUNCIL receives and notes the Mansfield Shire Audit and Risk Committee report describing the activities, findings and recommendations for the six months ending 31 December 2024.

Support Attachments

1. Audit and Risk Committee - Report to Council (June - December 2024) [15.2.1 - 7 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

Not Applicable

Legal and Risk Implications

Not Applicable

Regional, State and National Plans and Policies

It is a requirement under the *Local Government Act 2020* that the Audit and Risk Committee present a biannual report on its activities, findings, and recommendations to Council.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

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

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

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

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

Governance - Disclosure of Conflicts of Interest

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

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

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

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

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

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 18 below.

18. Confidential Reports

18.1. Tender Award: Purchase of Water Cart

Confidential

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

18.2. Rates Arrears - Section 181 Action

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

19. Reopen meeting to members of the public

Recommendation

THAT COUNCIL reopen the meeting to members of the public.

20. Close of meeting