

OFFICIAL



Mansfield Shire

Council Meeting

Tuesday 17 February 2026 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 Community Health & Wellbeing
Justin Hotton, Acting Executive Manager Capital Works & Operations
Maya Balvonova, Executive Manager Development & Customer Service

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

13.2-13.5 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 Tehan
- Councillor Treasure
- Councillor Clark
- Councillor Berenyi

7. Confirmation of minutes

Recommendation

THAT the Minutes of the Mansfield Shire Council meeting held on 17 December 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:

2026 began in the most challenging way imaginable for the communities here in the north east of Victoria.

The Longwood fire broke out on 7 January and over the following days, days of extreme and catastrophic fire danger, it spread through our neighbouring shires and reached Mansfield Shire's western borders.

The fire suppression efforts of hundreds of CFA, FFMVIC and FRV firefighters saw the fire come to a halt in the west of our shire but the communities at Merton, Woodfield, Maintongoon, Ancona and Bonnie Doon were impacted to varying degrees.

I'd like to thank the private firefighters who left their homes in the early hours of the fire to go and defend the farms and properties of others. More than once, I've been told they had a huge impact on firefighting efforts.

We've been fortunate. The fire burned around 140,000 hectares of land and claimed hundreds of homes, 15,000 animals and the life of one human. The impact we've seen here in Mansfield Shire is dwarfed by the impact recorded in Murrindindi Shire and Strathbogie Shire.

I was pleased to see the Mansfield Shire Emergency Relief Centre open in the early hours of the emergency. Over 1000 fire-impacted people came through its doors seeking shelter, food, water and access to emergency relief services with another 100 people, along with nearly 200 animals, visiting the Mansfield Shire Emergency Relief Centres for animals at the Mansfield Showgrounds, McCormack Park and Mansfield Zoo.

Council was well prepared for this emergency and it showed in the response. I'd like to thank the staff who coordinated the response and those who stepped out of their day-to-day roles to work at the Emergency Relief Centre, around the clock, to make sure those who needed help, received help.

The community showed resilience, spirit and self-reliance in the face of overwhelming adversity. They came together to support each other. People opened their doors and homes to those in need of shelter. People donated their time, efforts, money and goods to the relief cause. As the Mayor of Mansfield Shire, I'm grateful to those who've helped out and I'm very proud to be part of such a special community.

Through decades of experience with the Barjarg CFA brigade and involvement in complex operations on dangerous firegrounds such as Corryong during the Black Summer Bushfires, I've learned the need for strong, present leadership as well as clear and timely communication during emergencies.

I joined the shire's Municipal Emergency Management Team, advocating for the needs of community and working to bring the community regular updates through Council's Facebook page, through interviews with Mansfield Radio 99.7 and through conversations with the Mansfield Courier. I hope my updates provided the community some clarity during a difficult time.

As a result of the bushfires, we have welcomed Minister Steve Dimopoulos, Minister for Environment, Minister for Tourism, Sport and Major Events as well as Minister Nick Staikos, Minister for Consumer Affairs and Minister for Local Government, to Mansfield. These visits gave us an opportunity to advocate on behalf of our community for immediate financial assistance to aid relief and recovery efforts.

We also stressed the need for an Emergency Services Precinct that gives our emergency services the facilities they deserve. Our shire's going to experience emergencies in the future, bushfires and floods. We have to be prepared. We've asked the Ministers to advocate on our behalf and we're hopeful that they will prove to be allies in our critical mission to get the Emergency Services Precinct over the line.

The news that the fire was finally contained came just in time for the Australia Day long weekend which was good news for our shire's small business owners who have been impacted by the town's closure during the peak tourist season. Despite having to go the long way via Benalla, visitors returned to Mansfield Shire in large numbers. It felt like the place to be for the Australia Day long weekend.

I'm really pleased Council's Australia day celebration at the Botanic Park was so well attended and well received. It's an event that Council looks forward to every year. It gives us an opportunity to celebrate what is so great about our country and our little shire.

We welcomed seven residents into our Australian family at the Australia Day Citizenship ceremony. It's always a highlight for me, as Mayor of Mansfield Shire, to officiate these ceremonies. The excitement on the faces of those being welcomed as new Australian Citizens is such a strong reminder just how lucky we are to be Australian.

This year, we received an unprecedented number of nominations for our Citizen Awards. I'd like to personally acknowledge and congratulate all nominees and in particular, the winners. This year's nominees were of an incredibly high standard which made the job of determining a winner particularly difficult for the judging panel.

After the ceremony in Mansfield, Deputy Mayor Tehan and Cr Mandy Treasure joined me in travelling down to Jamieson to attend the Jamieson Community Group's Australia Day event held at Gerrans Reserve in Perkins Street. It was a pleasure to be able to celebrate one of the biggest days of the year in one of the most beautiful little towns in Australia.

The Jamieson community took the opportunity to officially open the recently installed pavilion I which is now available for ongoing community use. Well done to the Jamieson community who saw a need for improvement and took the initiative to apply for the required funding for the pavilion under the State government's Tiny Town funding stream.

I was similarly pleased to attend the 139th video of the Tolmie Sports on the 14th February. We're blessed to have such a colourful event here each year, it's a wonderful tribute to the pioneering spirit of Tolmie's past and present. The Tolmie Sports Association and its volunteers have done a wonderful job keeping the event going into its third century.

Finally, Council continues to advocate on behalf of the community on matters that impact them.

I've recently spoken out about the Emergency Services and Volunteers Fund to mark 12 months of advocacy against the unfair tax. Our small businesses, our primary producers and our volunteers have been through a lot of late and they need our support. The ESVF does not support them. Twelve months on and the ESVF remains as badly conceived as it was when it was announced. It's a significant strain on our community, our businesses and our local economy.

I remain in correspondence with the government officials who manage the state's network of roads and control the road maintenance funds. I don't believe Mansfield Shire is getting sufficient investment from Spring Street to improve the safety of our roads. Our population is

growing. The number of visitors we host from Melbourne each year is growing. The state government’s roads need to be able to accommodate these growing numbers and keep residents and visitors safe as they travel through our shire.

This advocacy work is ongoing and will not stop until we get the results we need.

Summer is coming to an end and cooler, shorter days are coming. Hopefully we receive some rain to freshen up our Shire after a dry summer. In the meantime, please continue to pay attention to fire danger ratings and announcements on total fire bans. These restrictions are in place to keep us all safe.

*Cr Steve Rabie
Mayor*

Recommendation

THAT COUNCIL receive the Mayor’s report for the period 17 December 2025 to 11 February 2026.

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 and Strategic Planning
- ▶ Waste Services
- ▶ Property
- ▶ Building Services
- ▶ Regulatory Services
- ▶ Field Services
- ▶ Community Health and Wellbeing (Maternal and Child Health, Integrated Family Services and Community Strengthening)
- ▶ Visitor Services (Tourism, Events and Youth)
- ▶ Library
- ▶ Communications
- ▶ Digital Transformation Project

Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 December 2025 to 31 January 2026.

Support Attachments

1. CEO Monthly Report - December 2025 & January 2026 [13.1.1.1 - 70 pages]

13.2. Investment and Planning

13.2.1. MOU's: Mansfield Resource Recovery Centre Re-Use Shop

File Number	E8597	Responsible Officer	Senior Coordinator Waste & Environment, James Alcaniz
Purpose			

To seek Council endorsement to enter into Memorandum of Understandings with Yooralla and Mansfield Autism Statewide Service (MASS) to operate the Reuse Shop at the MRRC.

Executive Summary

The Council Plan 2025-2029 identifies an action to promote local volunteering initiatives and opportunities to encourage active community participation. It also seeks to enhance the operation of the Mansfield Resource Recovery Centre Resale shop and to identify methods of providing greater value for money from community partnerships, donations and volunteerism.

The Resale Shop has significant potential to enhance community value. It could become an inviting, safe and friendly place that community members could browse unwanted items for re-use. It could also enhance the customer service and commerce skills of volunteers. Currently, the shop is not staffed regularly, as Council staff are required to safely conduct duties related to the safe operation of the transfer station. This requires 2 staff members on any day the Resource Recovery Centre is open and 3 staff every second Saturday.

With the Resale Shop positioned at the entry point to the Resource Recovery Centre and transfer station, visitors to the shop are not normally greeted by staff as they are serving community within the drop bay area.

There is an opportunity to create community benefit through local volunteers. The proposal is that volunteers would support the day to day running of the Resale Shop. Council officers have discussed the idea of this volunteer opportunity with the following community groups: Yooralla, Mansfield Autism Statewide Services (MASS), Mansfield Men's Shed and APEX.

Key Issues

Interest has been received from Yooralla and MASS. These two organisations have expressed that they would like to support the running of the Resale Shop with local volunteers. However, their volunteers would require:

- ▶ Access to a suitable toilet.
- ▶ Access to a sitting / lunchroom area, with heating and cooling.

Both groups have advised they would consider using the current site office at the RRC as an interim measure which caters for the above needs until suitable amenities are provided at the Resale Shop specifically.

Consultation with each group has yielded the following information and terms for Council's consideration to be formalised within each draft MoU presented as follows:

Yooralla

Yooralla is a local community organisation with access to volunteers of a demographic of over 60 years of age. Volunteers are usually experienced private or commercial sector workers who are seeking to support the community and seek a social connection with other community members. Yooralla are seeking to volunteer 1-2 volunteers on a rotational basis twice per week as follows:

- ▶ Mondays – 9:00am to 1:00pm
- ▶ Wednesdays – 11:00am to 2:00pm

Terms:

- ▶ Proposed commencement: 1 April 2026
- ▶ Revenue: Shared 50%-50%
- ▶ Training requirements: Council's Volunteers induction procedure, OHS safety training, Working with Children checks, Site induction, Eftpos terminal training, Point of Sale system training.

Mansfield Autism Statewide Services (MASS)

MASS is a local community service specialising in children usually under the age of under 18 years who have autism. MASS are seeking to offer volunteering opportunities to students from their 'Strive' program, which includes young people aged between 17-18 years. The purpose of this is to gain sales experience, social interaction and to develop commercial acumen. Students would be supported by an adult supervisor who would accompany the student at all times. MASS are seeking to volunteer 1-2 students on a rotational basis once per week as follows:

- ▶ Wednesdays 9:00am to 12:00pm

Terms:

- ▶ Proposed commencement: 1 April 2026
- ▶ Revenue: Retain 100% during the 3 hours each week (this would support a payment to the student from MASS)
- ▶ Training requirements: Council's Volunteers induction procedure, OHS safety training, Working with Children checks, Site induction, Eftpos terminal training, Point of Sale system training.

It is noted that on a Wednesday there will be an overlap between the two groups of 1 hour, which will provide an opportunity for the groups to more effectively communicate and collaborate with each other for the benefit of the resale shop.

A breakdown of the proposed structure is as follows:

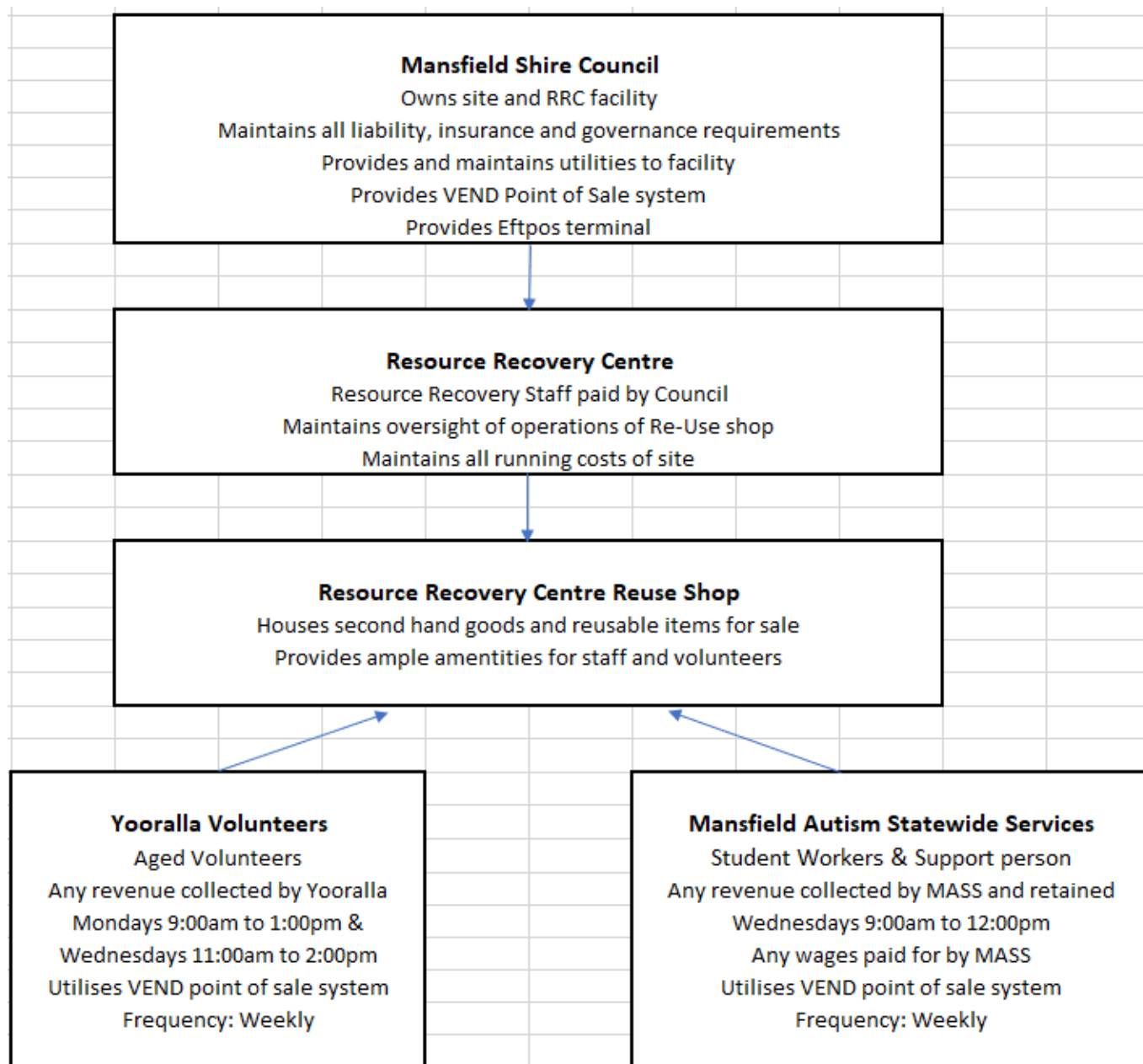


Figure 1: A breakdown of the proposed structure

Budget Considerations

There is no current budget allocation in 2025-26 financial year to provide for separate toileting facilities, running of power, nor separate amenities. Council has successfully negotiated with the Department of Health via the Social Inclusion Action Group funding to allocate \$10,000 (ex GST) towards working with these community groups as well as provision of access to amenities; however, Council would be required to fund any infrastructure that is needed. Both groups have expressed they would consider using the current site office at the RRC as an interim measure until suitable amenities are provided in future.

OHS Considerations

Under Victorian law, organisations that engage volunteers have duties under the Occupational Health and Safety Act 2004 (OHS Act) to ensure a safe working environment for both employees and volunteers. People with disabilities are protected under the Equal Opportunity

Act 2010 (Victoria) and the Disability Discrimination Act 1992 (Commonwealth), including obligations to make reasonable adjustments.

Organisations must comply with WorkSafe Victoria guidance for volunteers and for workers with disability (Work Well toolkit) to ensure accessibility, safety, and inclusion.

Hazards have been identified through a Risk Assessment Report. Common hazards, likely to be experienced within a typical resource recovery centre setting, have been identified and adequately mitigated.

A working with children check will be required for all Council staff and any support persons accompanying MASS student volunteers.

Recommendation

THAT COUNCIL endorses the Memorandum's of Understanding with Yooralla and Mansfield Autism Statewide Services and authorises the Chief Executive Officer to execute the agreements.

Support Attachments

1. Final Memorandum of Understanding - RRC Reuse Shop - Yooralla and Mansfield Shire Council - 1 April [13.2.1.1 - 5 pages]
2. Final Memorandum of Understanding - RRC Reuse Shop - Mansfield Autism Statewide Services and Mansfie [13.2.1.2 - 5 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The Resale Shop and the recycling of goods on offer to community contributes to landfill diversion.

Community Engagement

Engagement has occurred with several community groups to discuss opportunities for volunteer participation. Specific stakeholder engagement with both Yooralla and MASS community groups to develop the proposed Memorandums of Understanding has occurred.

Collaboration

This project is a collaboration with Yooralla and Mansfield Autism Statewide Services.

Financial Impact

No financial impact is forecasted for the 2025-26 budget period. Grant funding of \$10,000 (ex GST) will support project officer time taken in the ongoing collaboration with Yooralla and MASS.

Legal and Risk Implications

Safety Risk: OHS due diligence has been met with the completion of a Risk Assessment Report to help mitigate the risks involved with the proposal.

Regional, State and National Plans and Policies

Not Applicable

Alignment to Council Plan

Theme 1: A Healthy and Connected Community

Strategic Objective 1.1 Promote local volunteering initiatives and opportunities to encourage active community participation.

Theme 2: Vibrant Liveability

Strategic Objective 2.2 Optimise sorting and diversion of recoverable materials at the Mansfield Resource Recovery Centre and enhance the operation of the Resale Shop.

Strategic Objective 2.4 Strengthen and diversify the local economy and visitor appeal

Theme 3: An Effective and Efficient Council

Strategic Objective 3.1 Create opportunities for community-led initiatives that contribute to economic development through collaboration and partnerships, including the Delatite Chamber of Commerce.

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. **VCAT Matter P942/2025 - 240 Malcolm Street Mansfield - Condition Appeal**

File Number	P149-22 VCAT 942/2025	Responsible Officer	Senior Statutory Planner, Claire Wilkinson
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Purpose

To seek a Council resolution to provide the Chief Executive Officer with delegation under Section 61(1) of the *Planning & Environment Act 1987* to amend the Conditions of Approval issued for planning permit P149-22, for a Nine (9) Lot Staged Subdivision at 240 Malcolm Street, Mansfield.

Executive Summary

At the Council meeting held on 19 August 2025, Council resolved to issue a permit for a nine-lot subdivision at 240 Malcolm Street, Mansfield. The Permit Applicant lodged an application to the Victorian Civil and Administrative Tribunal (VCAT) under Section 80(1) of the *Planning and Environment Act 1987*. The appeal is against Condition 34 (Public Open Space) of the Council’s decision.

A Compulsory Conference is scheduled for 5 April 2026, with a final hearing scheduled for 15 June 2026.

The Compulsory Conference process provides an opportunity for the matter to be resolved without the need for a hearing. As this permit is a decision of Council, any proposed changes to the conditions of approval would normally need to be done through a Council resolution.

Due to the requirements of the compulsory conference processes and the associated timeframes this report seeks a delegation for the Chief Executive Officer to be able to amend the Public Open Space condition without the need for a Council resolution.

Key Issues

Planning permit application P149-22, submitted for a nine-lot subdivision on the land at 240 Malcolm Street, Mansfield. The permit was issued, subject to various conditions, at the Council meeting held on 19 August 2025. The Officer Recommendation was to Grant a Permit, including a condition requiring a 5% monetary contribution for public open space.

The permit applicant has appealed this condition.

Statutory Framework

Council can apply a public open space requirement in a planning permit for subdivision under Clause 53.01 *Public Open Space Contribution and Subdivision* of the Mansfield Planning Scheme. The clause states that “A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under

section 18 of the Subdivision Act 1988.”

There is no amount currently specified in the schedule to the clause, so the amount is determined by the *Subdivision Act 1988*. Section 18(1) of the Act says:

A Council acting as a responsible authority or a referral authority under the Planning and Environment Act 1987 may require the applicant who proposes to create any additional separately disposable parcel of land by a plan of subdivision to:

- ▶ *Set aside on the plan, for public open space, in a location satisfactory to the Council, a percentage of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- ▶ *Pay or agree to pay to the Council a percentage of the site value of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- ▶ *Do a combination of (a) and (b) so that the total of the percentages required under (a) and (b) does not exceed 5 per cent of the site value of all the land in the subdivision.*

Section 18 (1A) of the Act says:

The Council may only make a public open space requirement if it considers that, as a result of the subdivision, there will be a need for more open space, having regard to:

- ▶ *The existing and proposed use or development of the land;*
- ▶ *Any likelihood that existing open space will be more intensively used after than before the subdivision;*
- ▶ *Any existing or likely population density in the area of the subdivision and the effect of the subdivision on this;*
- ▶ *Whether there are existing places of public resort or recreation in the neighbourhood of the subdivision, and the adequacy of these;*
- ▶ *How much of the land in the subdivision is likely to be used for places of resort and recreation for lot owners;*
- ▶ *Any policies of the Council concerning the provision of places of public resort and recreation.*

In this case, the property is in the Rural Living Zone, which has the purpose “to provide for residential use in a rural environment”. When these provisions are read in conjunction, this means that a permit for subdivision can have a condition on it for up to 5% contribution for public open space for land that will be used for residential purposes, as is the case for this property.

As part of these proceedings, Council will be asked whether it is willing to amend this condition, and delegation to undertake a possible amendment to the permit is sought to enable due consideration in a timely manner at VCAT.

Amending the condition 34 does not change the position of Council, being to require that Public Open Space Contributions are provided by the permit holder as part of Subdivision. It does

allow Council officers to ensure that the merits being considered are specific and relevant to the application being considered by VCAT

Recommendation
<p>THAT COUNCIL approve a variation to <i>Schedule 6 – Instrument of Delegation from Council to Council Staff</i>; and the <i>Statutory Planning Applications – Referral to Council Policy</i> to enable the Chief Executive Officer to amend the Conditions of Approval for planning permit P149-22, 240 Malcolm Street, Mansfield.</p>
Support Attachments
<ol style="list-style-type: none"> 1. VCAT Initiating Orders [13.2.2.1 - 9 pages] 2. Subsequent VCAT Orders - Adjournment [13.2.2.2 - 2 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The application was assessed against the provisions of the Mansfield Planning Scheme with the requirement to make development as sustainable as possible within the current legislation.

Community Engagement

No community engagement was undertaken as part of this proceeding. Community consultation was undertaken in the consideration of the development of the land.

Collaboration

Not Applicable

Financial Impact

All work to create this report was done within existing Council officer resources. Council will likely engage legal representation to present the case if it proceeds to a Hearing, and costs for this representation will be incurred against the Statutory Planning legal budget.

Legal and Risk Implications

The application was assessed under the provisions of the Planning and Environment Act 1987 and the Mansfield Planning Scheme. The permit applicant has appealed the permit application to VCAT on a Conditions Appeal application. The Council resolution from 19 August 2025 forms the position of Council at VCAT.

Regional, State and National Plans and Policies

The application has been assessed in accordance with the Planning and Environment Act 1987 and the Mansfield Planning Scheme.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 2: Vibrant Liveability

Strategic Objective 2.3 Enhance recreation, sport and community facilities

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. Development & Customer Service

13.3.1. Changue Road Reserve - Potential Creation of Carriageway Easement

File Number	E14237	Responsible Officer	Strategic Property Program Manager, Renee Archibald
Purpose			

To seek Council approval for the consideration associated with the grant of an easement to Goulburn Valley Water over the Council reserve at Changue Road, Merrijig (Lot RES1 LP127158, Property No. A18425).

Executive Summary

Goulburn Valley Water (GVW) has requested that Council grant a carriageway easement over the northern section of Council’s Changue Road reserve in Merrijig to provide safe, all-weather vehicle access to its Sewage Pump Station No. 1, which services the Upper Delatite Valley.

GVW proposes to receive the easement via a Section 45 Transfer under the Transfer of Land Act, with monetary consideration to be determined by the Valuer-General Victoria. GVW has committed to funding all associated survey, registration, construction and ongoing maintenance costs, as well as reimbursing Council’s professional and legal expenses.

Proceeding with the grant of the easement for monetary consideration, while retaining the remainder of the land, would allow sufficient time to complete legal due diligence and undertake any necessary community consultation regarding the future use of the reserve. This approach also ensures that GVW’s immediate operational requirements are met without limiting longer-term planning options for the site.

Key Issues

GVW proposes to construct and maintain an all-weather access track and turning circle adjacent to the pump station and to receive the easement via a Section 45 Transfer under the Transfer of Land Act, with the purchase price to be determined by the Valuer-General Victoria.

This request requires Council consideration to ensure GVW’s operational needs are supported while appropriately managing the land-use, governance and legal implications for the Changue Road reserve.



Image 1: Goulburn Valley Water Sewer Pump Station 01



Image 2: Current Informal Access Track – Pump Station to Changue Road

GVW proposes the following to establish the accessway:

- ▶ Seek the grant of a carriageway easement, as shown by the green alignment in Image 3 below, with consideration to be determined in accordance with the Valuer-General Victoria process.
- ▶ Construct and maintain an all-weather access track and turning circle adjacent to the existing pump station, as indicated by the red arrow in Image 3.



Image 3: Goulburn Valley Water Proposal to Council for Carriageway Easement

GVW has also indicated that it would:

- ▶ Reimburse Council for all reasonable professional and legal costs associated with the transaction.
- ▶ Cover all costs for survey, registration and construction of the access track and turning circle.
- ▶ Assume ongoing responsibility for the maintenance of the easement and constructed infrastructure.

The proposed easement alignment (Image 4, below) intersects with an existing AusNet powerline easement (E-3, shown in yellow). Feedback was sought from AusNet regarding any potential implications. AusNet has confirmed it has no objections to the proposal.

The proposed carriageway easement will be positioned and constructed to ensure adequate clearance from the existing overhead powerlines, including any requirements relating to vehicle height and safe operating distances.



Image 4: Proposed Carriageway Easement Overlaid on Title Plan and Aerial Image

Proceeding with the grant of a carriageway easement to GVW while retaining ownership of the remainder of the Changue Road reserve would meet GVW’s immediate need for reliable, all-weather access to Sewage Pump Station No. 1, ensuring essential service operations can continue safely and efficiently.

Retaining the balance of the land would also allow sufficient time to complete legal due-diligence relating to land classification and Council’s statutory powers, as well as any community or stakeholder engagement required to inform decisions on the future use of the Changue Road reserve. This approach supports GVW’s operational requirements while maintaining flexibility for responsible long-term land management.

Recommendation

THAT COUNCIL:

1. Endorse the grant of a carriageway easement to Goulburn Valley Water (GVW) over part of the Council-owned reserve at Changue Road, Merrijig (Lot RES1 LP127158, Property No. A18425).
2. Approve entering into a Section 45 Transfer under the Transfer of Land Act 1958 for the easement area to be transferred to GVW, with the monetary consideration to be determined by the Valuer-General Victoria and all associated costs to be borne by GVW.
3. Authorise the Chief Executive Officer to execute all necessary documentation to finalise the transfer and complete the associated transactions.

Support Attachments

Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

To ensure land use changes align with community needs, Council policies also require engagement to be guided by Council's *Community Engagement Policy*.

Collaboration

This has been a collaboration with Goulburn Valley Water for improving essential service infrastructure and delivery.

Financial Impact

The proposed grant of a carriageway easement for consideration over a portion of the Changue Road reserve:

- ▶ Will not adversely impact Council's current resourcing or operational budget, as all valuation, survey, registration, construction and legal costs associated with the transaction will be met by Goulburn Valley Water (GVW).
- ▶ Will be managed using existing staff resources, with no additional staff or operational budget requirements.
- ▶ Will have a positive financial impact on Council's budget, as Council will receive monetary consideration (the price determined by the Valuer-General Victoria) for the grant of the easement, resulting in a direct revenue inflow to Council.

This approach reflects Council's commitment to responsible asset management, community engagement and sustainable development. It ensures that underutilised land assets are leveraged to deliver tangible community benefits, while supporting sound financial management and operational efficiency.

Legal and Risk Implications

GVW will cover all associated costs, only minor risks exist relating to valuation outcomes or potential scope variations.

While granting the easement permanently encumbers a portion of Council-owned land, the affected area is limited in scale and does not materially impact the primary use or strategic potential of the remainder of the reserve. The overall asset management risk is therefore considered low, with some level of consideration regarding long-term land-use flexibility.

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 2.2 Plan and deliver sustainable, future-ready infrastructure and land use

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. Proposed Transfer of Land - Dead Horse Lane / Whitfield Road Roundabout

File Number	E14973	Responsible Officer	Strategic Property Program Manager, Renee Archibald
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Purpose

To seek Council endorsement on the proposed transfer of a portion of Council-owned land to the Department of Transport and Planning to facilitate completion of the roundabout at Dead Horse Lane and Mansfield–Whitfield Road.

Executive Summary

The Department of Transport and Planning (DTP) is progressing the detailed design for the Dead Horse Lane–Mansfield–Whitfield Road roundabout and has requested Council’s confirmation of the process and timeframe to subdivide and transfer a portion of Council-owned land required for the project. The proposed roundabout encroaches on two Council-managed parcels (R1/PS700145 and RES1/PS735248), which must be converted to State Road Reserve before DTP can authorise construction or assume ownership of the completed road infrastructure.

The land transfer will be undertaken in accordance with section 116 of the Local Government Act 2020, enabling a streamlined government-to-government transfer that does not require valuation, public notice or community engagement. All costs associated with subdivision, surveying and transfer will be funded through the project.

Completion of the subdivision and transfer by June 2026 is necessary to allow DTP to commence the defect liability period by 30 June 2027. This report is presented to Council seeking approval to initiate the subdivision and transfer to facilitate timely delivery of the project.

Key Issues

The Department of Transport and Planning (DTP) has sought Council’s formal clarification regarding the process and indicative timeframe required to subdivide and transfer portions of Council-managed land needed to complete the Dead Horse Lane–Mansfield-Whitfield Road roundabout. The affected land comprises two Council-owned reserves –R 1/PS700145 and RES1/PS735248, adjoining the Loyola Estate subdivision, which must be converted to State Road Reserve and vested in DTP to enable project delivery.

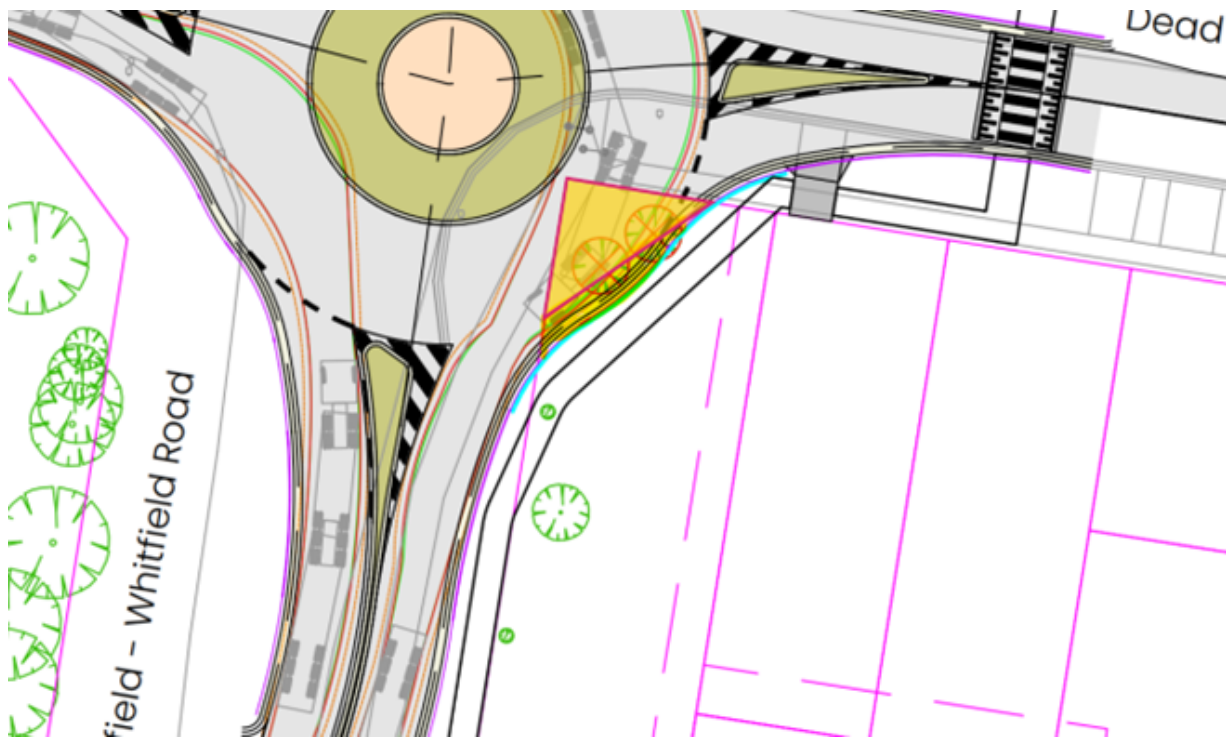


Image 1: Dead Horse Lane and Mansfield-Whitfield Road Roundabout overlapped parcels

DTP is unable to approve construction or assume ownership of the completed road infrastructure unless the entire roundabout footprint is contained within a designated State Road Reserve. Although the land transfer is a relatively straightforward government-to-government action under section 116 of the Local Government Act 2020, the prerequisite processes—including subdivision, surveying, certification, gazettal and registration—are procedural and time-intensive. DTP has indicated that completion of the transfer by June 2026 is necessary to ensure the defect liability period commences and concludes as programmed, with completion scheduled for 30 June 2027.

Accordingly, Council must demonstrate due diligence and provide assurance that all statutory requirements can be met within the required timeframe, thereby minimising any risk of project delay. The land affected includes a small road reserve (R1/PS700145) and part of the Loyola Estate catchment expansion area (RES1/PS735248). Surveys will be required to establish final boundaries and Council’s Engineering Services will ensure that subdivision and transfer activities do not impact existing stormwater retention infrastructure. The proposed subdivision layout has been prepared to satisfy DTP’s project requirements while maintaining Council’s capacity to use the remaining land without restriction.



Image 2 – Stage 1 and 2 of Loyola Estate Water Catchment Expansion - RES1\PS735248

Parcel Details and Existing Purpose of Land

Roundabout overlaps two Council-owned parcels:

- ▶ R1/PS700145 – ~50 m² road reserve, no easements affecting subdivision (Image 3).
- ▶ RES1/PS735248 – part of Loyola Estate catchment expansion (Images 2).
- ▶ Councils Property team to conduct surveys to define boundaries and provide DTP with a process and indicative timeframe.
- ▶ Councils Engineering Services team to ensure minimal impact on existing stormwater infrastructure; retention area critical for runoff management.
- ▶ Proposed subdivision (Image 5) balances DTP requirements with Council’s land retention and unencumbered land use.

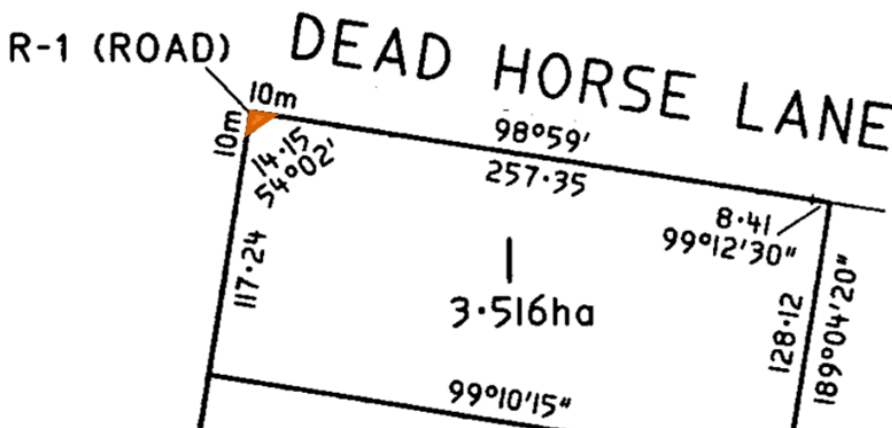


Image 3: Parcel overview - R1\PS700145

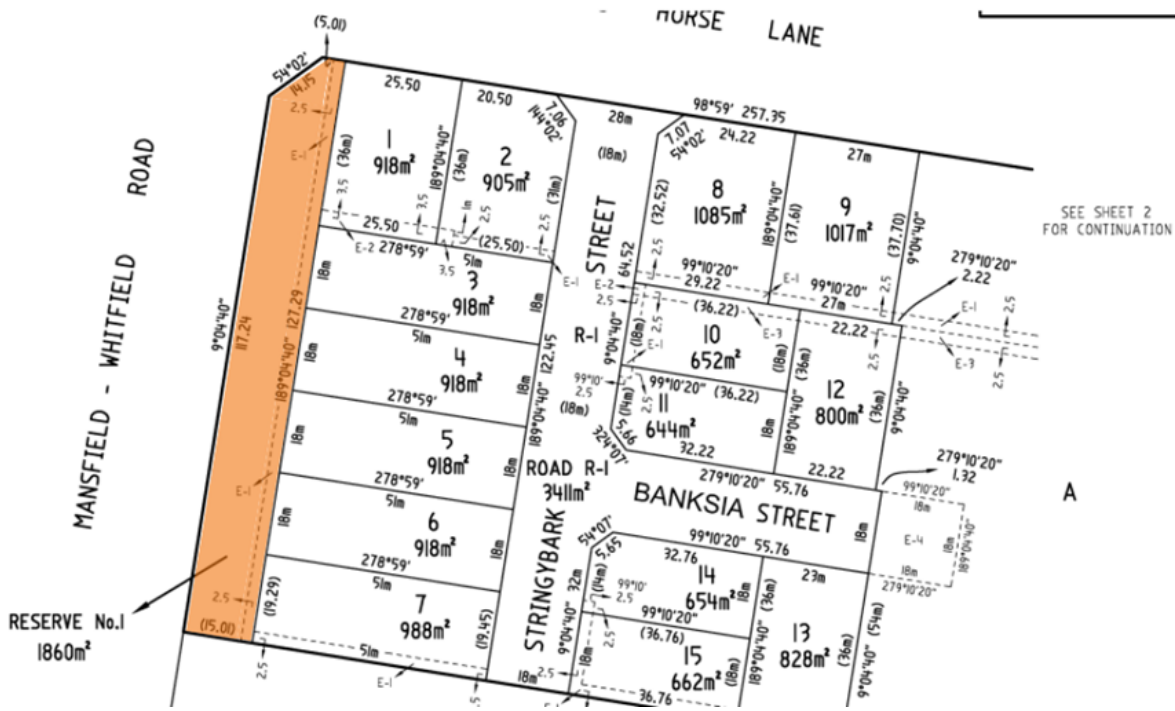


Image 4: Parcel overview - RES1\PS735248



Image 5: Proposed Subdivision Required - RES1\PS735248



Image 6: Proposed land to be transferred to State Government

Process for Transfer Considerations

Subject to Council approval, the subdivision and transfer of the Council-managed land required for the Mansfield–Whitfield Road / Dead Horse Lane roundabout can be progressed with a view to completion before June 2026. The transfer will be undertaken in accordance with section 116 of the Local Government Act 2020, which enables Council to transfer land to the State or a State authority without applying the disposal requirements in sections 114 and 115, including independent valuation, public notice and community engagement. This statutory mechanism provides a streamlined pathway suitable for time-critical public infrastructure. It is notable that Council has undertaken a significant community engagement process on the construction of the roundabout.

Council's Disposal or Sale of Council Assets Policy acknowledges the availability of section 116 transfers, although it does not explicitly address the policy's relationship with the statutory exemption. In this instance, the land will be transferred at no cost, with all survey, subdivision, certification and legal transfer costs met through the roundabout project. Reliance on section 116 is consistent with the legislative framework and the public-infrastructure purpose of the transaction.

Completing the transfer will facilitate delivery of the Dead Horse Lane–Mansfield-Whitfield Road roundabout within DTP's required program and ensure all associated road infrastructure is located within the appropriate State-managed reserve.

Progression of the transfer will remain subject to completion of required survey work, any necessary planning approvals, and implementation of measures, overseen by Council's Engineering Services, to protect existing stormwater retention and related infrastructure during subdivision and transfer activities.

Recommendation

THAT COUNCIL

1. Approve the subdivision and transfer process for the portions of Council-managed land required for the Dead Horse Lane – Mansfield-Whitfield Road Roundabout Project, being R1\PS700145 and proportion of RES1\PS735248, to be vested in the Department of Transport and Planning (DTP) as State Road Reserve.
2. Notes that the transfer of land without consideration will be undertaken in accordance with section 116 of the *Local Government Act 2020*.
3. Endorse the preparation and submission of all necessary documentation, including survey plans, subdivision materials and transfer instruments, to support timely delivery of the project in accordance with DTP’s program milestones.
4. Authorise the Chief Executive Officer to execute all required agreements and documentation to progress the subdivision and transfer, enabling the completed road asset to be formally vested in DTP for long-term ownership and management.

Support Attachments

1. Lot R 1 P S 700145 Vicplan Planning Property Report [**13.3.2.1** - 3 pages]
2. Title for Mansfield Shire Council_ _ R 1- P S 700145 [**13.3.2.2** - 1 page]
3. Plan of Subdivision for Mansfield Shire Council_ _ R 1- P S 700145 [**13.3.2.3** - 2 pages]
4. Lot RE S 1 P S 735248 Vicplan Planning Property Report [**13.3.2.4** - 4 pages]
5. Title for Mansfield Shire Council_ _ RE S 1- P S 735248 [**13.3.2.5** - 1 page]
6. Plan of Subdivision for Mansfield Shire Council_ _ RE S 1- P S 735248 [**13.3.2.6** - 4 pages]
7. Loyola Estate Roads Drains Sewer and Water Drawing_ - Res 1_ P S 735248 [**13.3.2.7** - 1 page]

Considerations and Implications of Recommendation

Policy Considerations

Any sale or transfer of Council assets must comply with the Local Government Act 2020, Council’s Disposal or Sale of Council Assets Policy and the Community Engagement Policy. For this transaction, the land transfer is proposed under section 116 of the Act, which permits transfers to the State or a State authority without applying the standard disposal requirements in sections 114 and 115. As a result, processes such as independent valuation, issuing a Notice of Intention to Sell and undertaking community engagement are not required. Council has; however, undertaken a significant community engagement process on the construction detail of the roundabout.

While Council’s policy acknowledges the ability to use section 116, it does not explicitly describe how the policy interacts with this statutory exemption. Officers will therefore seek explicit Council endorsement confirming reliance on section 116 for this transfer and confirming that the usual policy-based disposal steps do not apply in this circumstance.

Checklist Requirements

In accordance with the *Disposal or Sale of Council Assets Procedure – Land Disposal Checklist*, the following matters have been assessed:

- ▶ The land is not identified as being required for current Council operational functions.
- ▶ Relevant zoning, overlays, and planning provisions have been reviewed and present no impediment to the proposed transfer.

- ▶ No Public Acquisition Overlay applies to the affected parcels, and no native vegetation constraints have been identified.
- ▶ A title search confirms that the land is not subject to encumbrances or restrictive covenants (full title and Plan of Subdivision provided as attachments).

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

This has been a collaboration with Department of Transport and Planning and Council Manager Engineering Services and the Planning Department.

Financial Impact

The project is not included in Council's current budget; however an external grant has been secured. Council officer time will be required to undertake due diligence, coordinate survey and subdivision processes, obtain necessary planning confirmations and manage the overall land transfer.

While these tasks were not originally scheduled within existing work programs, they can be accommodated through re-prioritisation of workload. All direct costs associated with survey, subdivision, certification and legal transfer are expected to be fully funded through the roundabout project budget, with no additional financial burden to Council.

The proposed transfer of the relevant land parcels:

- ▶ Will not adversely impact Council's operational budget or resources, as project-related expenses are grant-funded.
- ▶ Will require additional officer time to manage procedural and statutory obligations, however, this work will be absorbed within current staffing resources without requiring additional financial or staffing allocations.

Legal and Risk Implications

The proposed subdivision and transfer will be undertaken in accordance with section 116 of the Local Government Act 2020, which provides a statutory mechanism for land transfers between Council and the State without requiring the disposal processes specified in sections 114 and 115 (including valuation, public notice and consultation). Compliance with section 116 ensures the transaction is legally valid and procedurally efficient.

Survey, subdivision and registration processes must be completed in accordance with the Planning and Environment Act 1987, Subdivision Act 1988, and Land Use Victoria requirements. Any necessary planning confirmations or certifications will be obtained to ensure statutory compliance.

Key risks relate primarily to project timeframes, including potential delays in survey availability, subdivision approvals or plan registration, which could affect DTP's ability to meet its programmed milestones. These risks will be mitigated through early engagement with service authorities, internal engineering oversight and close coordination with DTP throughout the transfer process.

There is also a minor operational risk associated with ensuring existing stormwater retention infrastructure within RES1/PS735248 is protected during subdivision. This risk will be managed through an Engineering Services review and incorporation of appropriate conditions into survey and subdivision documentation.

No material legal, financial or reputational risks have been identified, provided the statutory process is followed and interagency coordination is maintained.

Regional, State and National Plans and Policies

The proposed land transfer supports and aligns with relevant regional and state-level transport and infrastructure objectives, including:

- ▶ Victorian Road Safety Strategy and related Safe System principles, which prioritise intersection upgrades and modern roundabout design to reduce crash severity and improve network performance.
- ▶ Department of Transport and Planning network planning priorities, which identify intersection improvements on State-managed roads as essential to ensuring safe and reliable transport connections across regional Victoria.
- ▶ Hume Regional Growth Plan, which emphasises the importance of upgrading key transport corridors to support regional accessibility, economic activity and localised growth.
- ▶ Localised Integrated Transport Planning frameworks, which support infrastructure upgrades that improve vehicle movement, safety and access within key township and regional movement networks.

By facilitating completion of the Mansfield–Whitfield Road / Dead Horse Lane roundabout, the land transfer contributes to State transport outcomes, regional growth objectives and broader safety improvement programs.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 2: Vibrant Liveability

Strategic Objective 2.2 Plan and deliver sustainable, future-ready infrastructure and land use

Theme 3: An Effective and Efficient Council

Strategic Objective 3.1 Deepen community engagement and foster civic responsibility

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. MACE Cubby Agreement Update

File Number	AG976	Responsible Officer	Strategic Property Program Manager, Renee Archibald
Purpose			

For Council to note MACE Incorporated’s proposal to retain the current base rent structure, adjusted annually by CPI, as set out in the existing lease agreement, as well as the proposed future amendment introducing a new mechanism for calculating additional rent should fee-paying enrolments reach 55 or more, based on the average enrolments from the preceding year.

Executive Summary

This report outlines an approach to retain the existing CPI-indexed base rent model within the current lease agreement, together with the introduction of a future mechanism for adjusting rent in response to increased utilisation.

Under this approach, the current base rent, indexed annually by CPI, would continue unless average fee-paying enrolments in the preceding year reach 55 or more. If this threshold is met, rent for the following year would be recalculated using a per-enrolment commencing rate of \$1,650 (ex GST), which would be indexed annually by CPI after this threshold is triggered, and based on the verified average enrolments of the previous year.

MACE’s current lease commenced on 1 August 2023 and expires on 31 July 2028, with options for three further three-year terms. The lease establishes a base rent of \$82,500 (ex GST), indexed annually by CPI and references a per-enrolment rental rate aligned to 50 licensed places. Although MACE subsequently received approval to increase licensed places to 60, enrolments in 2024 and 2025 remained below the 55-enrolment threshold proposed by MACE.

The proposed rental structure seeks to maintain rent stability while ensuring rental adjustments reflect increased utilisation should demand for places rise.

Key Issues

MACE Incorporated currently holds a five-year lease on the facility. The lease establishes a base rent of \$82,500 per annum (ex GST), which is subject to annual CPI indexation as approved by Council in May 2023. Following CPI adjustments applied for the 2023/24, 2024/25 and 2025/26 periods, the current rent payable is \$87,311.81 (ex GST). The lease also includes reference to a per-enrolment rental rate of \$1,650 (ex GST), originally based on 50 licensed places and would be indexed annually by CPI if this threshold were triggered.

In April 2025, MACE received approval to increase their licensed capacity from 50 to 60 places. In response, Council sought updated enrolment information to consider whether recalculation of rent was required under the existing agreement. At a meeting held between Council officers and MACE representatives in October 2025, MACE advised that average fee-paying enrolments for both 2024 and 2025 remained significantly below capacity, at approximately 45.55 and 45.95 respectively, equating to around 91 per cent of the original 50-place benchmark.

MACE has now submitted a proposal to clarify and adjust the rental model moving forward. The proposal seeks to retain the existing CPI-indexed base rent structure for any year in which average fee-paying enrolments remain below 55. Under this approach, the base rent established in the lease would continue to apply on an annual CPI-indexed basis, offering stability for both parties. However, should average fee-paying enrolments reach 55 or more in any given year, MACE proposes that rent for the following financial year be recalculated using the commencing per-enrolment rate of \$1,650 (ex GST), also adjusted for CPI thereafter. MACE has advised that it will provide verified annual CCS enrolment data to support any required recalculations.

An example provided by MACE indicates that if the service were to achieve an average of 57 fee-paying enrolments in the 2026–27 year, the rent for 2027–28 would be calculated at 57 multiplied by \$1,650 (ex GST), totalling \$94,050 (ex GST), with CPI applied thereafter. This mechanism is intended to ensure that rental obligations align with increased service utilisation once enrolment levels exceed the proposed 55-place threshold. The proposal therefore provides a structured and predictable framework for rental adjustment while ensuring that Council receives an appropriate level of rent commensurate with service demand.

Under the existing lease, MACE continues to contribute 60% of utilities and other outgoings associated with the premises, excluding Council rates. This arrangement remains unchanged under the proposed model.

Recommendation

THAT COUNCIL:

1. Notes the proposed amendment to the lease terms for MACE Incorporated at the Cubby House facility to accommodate the increase in licensed places approved for the service.
2. Acknowledges that under the existing lease, the current rent payable is \$87,311.81 (ex GST), subject to annual CPI indexation and that MACE is required to pay 60 % of outgoings associated with the premises, including utility usage charges and other rates, taxes and charges relating to the land.
3. Notes that Clause 4.1.1 of the lease establishes a rent calculation methodology based on fee-paying enrolments.
4. Notes MACE’s proposal to continue the agreed CPI-indexed base rent model and introduce a mechanism for additional rent should average fee-paying enrolments reach 55 or more in any year, with the recalculated rent to be based on the average enrolments from the preceding year based on CCS enrolment data.
5. Receives this report for information.

Support Attachments

1. Lease Agreement Mansfield Shire Council and MAC E_-_ Mansfield Family and Childrens Centre 10 Davies [13.3.3.1 - 39 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

The proposed amendment does not create any unbudgeted financial impact for Council. Based on projected average enrolments of approximately 44 in 2026–27, the current CPI-indexed rent model would continue to apply, resulting in an estimated rent of \$89,713.38 (ex GST). Should average enrolments increase to 55 or more, the revised mechanism would take effect, with rent calculated using the CPI-adjusted per-enrolment rate of \$1,650 (ex GST). For example, at 57 enrolments, the annual rent would be \$94,050 (ex GST).

Council will continue to recover 60% of outgoings under the existing lease structure, maintaining a positive net revenue position. All work undertaken in preparing and assessing the proposal has been accommodated within existing operational resources.

Legal and Risk Implications

The proposed amendment to the lease arrangement with MACE Incorporated does not alter Council's fundamental obligations under the existing lease; however, any change to the rent-calculation mechanism should be documented through a formal lease variation to ensure clarity, enforceability and consistency with the *Local Government Act 2020* and Council's Property Leasing and Licensing Policy. Key risks relate to ensuring accurate verification of enrolment data to support any rent recalculation, maintaining transparency and equity across Council-managed facilities, and avoiding precedents that may impact future lease negotiations with other tenants. There is also a minor financial risk if enrolment thresholds are not clearly defined or monitored, which may lead to disputes or reduced rental revenue. These risks can be mitigated through clear documentation, annual evidence requirements and ensuring the amended mechanism is legally reviewed prior to execution.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 1 – A Healthy and Connected Community

Strategic Objective 1.1 Strengthen community connection, inclusion, and participation

Theme 3 – An Effective and Efficient Council

Maintain strong governance, transparency, and accountability

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. Parking Infringements

File Number	E14659	Responsible Officer	Executive Manager Development and Customer Services, Maya Balvonova
Purpose			

To seek Council’s endorsement to proceed with further work in relation to a potential parking infringement refund scheme arising from a legacy administrative issue.

Executive Summary

Council has identified a legacy issue concerning the penalty units applied to parking infringements over a number of years. An internal audit and extensive record review have been undertaken; however, no Council resolution has been located authorising the application of 0.5 penalty units for parking infringements.

Under the *Road Safety Act 1986*, councils can charge parking penalties between 0.2 and 0.5 penalty units for 11 specific categories of parking infringements, but only if there is a formal Council resolution authorising the higher amount. Without such a resolution, penalties default to 0.2 penalty units. In the 2025-26 financial year, the penalty unit is set at \$203.51. A 0.2 unit fine equates to \$41.00, and a 0.5 unit fine equates to \$102.00.

In the absence of an identifiable resolution, Council may have applied a higher penalty unit than permitted.

Council has become aware of this issue and is taking steps to address it in a timely and transparent manner. This report seeks Council’s endorsement to continue investigating the issue, including the feasibility of a potential refund scheme, prior to determining any final course of action.

Councils must also remake their resolutions when regulations are updated. For example, when the *Road Safety (General Regulations) 2019* replaced the 2009 regulations, councils had to move a new resolution if they wanted to continue to charge a higher than default fee. Notification from the Department of Transport (DoT) regarding the remake of the regulations for commencement on 27 September 2019 was received via email on 12 September 2019 (Attachment 1). It isn’t clear who the email was received by as it was addressed via bcc. Council CEOs received notification from the DoT on 28 October 2019 (Attachment 2) announcing the decision of the Minister for Road Safety and the TAC to make the new *Road Safety (Traffic Management) Regulations 2019*.

The requirement for Victorian councils to pass a formal resolution to fix parking penalties above the default amount was clarified and formalised in 2009 when Section 87(4A) was inserted into the *Road Safety Act 1986* by Act No. 28/2009 (the *Transport Legislation Amendment Act 2009*). This provision specified that penalties fixed by council resolution under subsection (4) become ‘the penalty prescribed for the purposes of this section’ within that council’s municipal district. While councils had some authority to set parking penalties prior to 2009, the 2009 amendment made the resolution requirement explicit and legally binding.

During the winter of 2025, Mansfield Shire Council was developing a new set of operational procedures related to parking infringements. In response to the need to consider how to improve traffic issues around Buller Sports, Council officers were delivering an increased level of enforcement activity, including both verbal warnings and a greater number of parking fines. Given this circumstance and the news of Merri-bek Council's parking infringement scheme received by the Compliance team, Council officers prepared a report in August 2025 asking Council to move by resolution the already existing parking infringement penalty, to ensure good governance of Council's parking enforcement approach and to provide Council with the opportunity to make any changes to parking infringement levels it considered necessary. At that time, Council officers were not aware that a previous resolution had not been passed, however as a precautionary measure the Compliance team acted to reduce infringements to 0.2 penalty units in July 2025 pending a new resolution.

While default penalties are set by Schedule 6 of the *Road Safety (General) Regulations 2019*, section 87(4) of the *Road Safety Act 1986* enables councils to fix penalties (within limits) by resolution. This applies to 11 specified offences.

Following the August 2025 resolution, Council currently issues Parking Infringement Notices (PINs) at the maximum allowed rate of 0.5 penalty units, which remains appropriate. This level is consistent with practices across other Victorian councils and helps to deter repeated or deliberate non-compliance.

Summary of Parking Infringement

Code	Summary of parking infringement	Applicable road rule (<i>Road Safety Road Rules 2017</i>)	Default Infringement Penalty	Maximum Infringement Penalty
0701	Parking for longer than indicated	RR 205	0.2 penalty unit	0.5 penalty unit
0702	Parked-fail to pay fee and obey instructions on sign, meter, ticket or ticket-vending machine	RR 207(2)	0.2 penalty unit	0.5 penalty unit
0704	Stopped on a bicycle parking area	RR 201	0.2 penalty unit	0.5 penalty unit
0705	Stopped on a motor bike parking area	RR202	0.2 penalty unit	0.5 penalty unit
0706	Parked contrary to requirement of parking area	RR 209(2)	0.2 penalty unit	0.5 penalty unit
0707	Parked-fail to comply with angle parking requirement	RR 210(1)	0.2 penalty unit	0.5 penalty unit
0708	Parked-fail to comply with 90° angle parking requirement	RR 210(1)	0.2 penalty unit	0.5 penalty unit
0711	Parked not completely within a parking bay	RR 211(2)	0.2 penalty unit	0.5 penalty unit
0712	Parked-long vehicle exceeding minimum number of bays	RR 211(3)	0.2 penalty unit	0.5 penalty unit
0713	Parked-wide vehicle exceeding minimum number of bays	RR 211(3)	0.2 penalty unit	0.5 penalty unit

Code	Summary of parking infringement	Applicable road rule (<i>Road Safety Road Rules 2017</i>)	Default Infringement Penalty	Maximum Infringement Penalty
0621	Stopped contrary to a no parking sign	RR 168(1)	0.2 penalty unit	0.5 penalty unit

Since 1 July 2009, Mansfield Shire Council has issued 765 infringements under the *Road Safety Road Rules 2017* for the following three of the eleven above infringements (noting Council only issued three types of infringements during that time):

- ▶ 0621: Stopped contrary to a no parking sign
- ▶ 0701: Parked for period longer than indicated
- ▶ 0711: Parked not complete within a parking bay

Key Issues

Although no complaints with respect to Council’s historical application of parking infringements have been received directly by Council, Council officers have been made aware of this legacy issue and believe that it should be proactively addressed.

Subject to verification, Council issued 765 infringements since 2009, with the value taken by Council above the default penalty equalling approximately \$44,500 over that period. Council is seeking legal advice to verify the span of time that would be required to be considered to legally and fairly address the issue.

Given the administrative oversight, Council can:

- ▶ Communicate transparently that some parking infringements have been made in error;
- ▶ Initiate a Parking Infringement Refund Scheme for motorists who received parking fines for the 11 minor types of infringements prior to 17 July 2025; and
- ▶ Liaise with VicRoads to match vehicles that have been fined prior to 17 July 2025 and communicate directly with penalised individuals to offer the refund.

This option is transparent and allows Council to rectify the oversight fairly. Proactive disclosure demonstrates Council’s commitment in the Council Plan 2025-2029 to provide the community with transparent information.

Recommendation

THAT COUNCIL:

1. Notes the legacy administrative issue relating to the application of penalty units for parking infringements; and
2. Endorses Council officers undertaking further work to investigate and assess the feasibility of a potential parking infringement refund scheme, including legal and financial considerations.

Support Attachments

1. Email from Department of Transport to Council (September 2019) [13.3.4.1 - 2 pages]
2. Email from Department of Transport to CEOs (October 2019) [13.3.4.2 - 2 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

Subject to verification, the estimated potential cost of fines to be refunded is \$44,500.

Legal and Risk Implications

A parking infringement refund scheme is transparent and allows Council to rectify the oversight fairly. There are reputational risks in this approach; however, proactive disclosure demonstrates Council's commitment in the Council Plan 2025-2029 to provide the community with transparent information.

Regional, State and National Plans and Policies

Parking penalties are governed by the *Road Safety Act 1986* and *Road Safety (General) Regulations 2019*.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: An Effective and Efficient Council

Strategic Objective 3.1 Deepen community engagement and foster civic responsibility

Governance - Disclosure of Conflicts of Interest

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

13.4. Community Health and Wellbeing

13.4.1. Social Inclusion Action Group (SIAG) Membership

File Number	E12320	Responsible Officer	Acting Coordinator Social Inclusion Action Group, Sally Small
Purpose			

To seek Council endorsement of the Social Inclusion Action Group (SIAG) membership and the Community Connect Project.

Executive Summary

The Social Inclusion Action Group (SIAG) has commenced the 2025-26 term with renewed membership, strengthened partnerships and a clear project focus for the coming two years. Following a recruitment process promoted to the wider community and partner organisations, three new members have been appointed, two community representatives and one organisational partner. All new members have now been onboarded and participated in their first meeting in November 2025. Seven existing members have confirmed their continuation, resulting in a total of ten active SIAG members.

SIAG has endorsed a new initiative, the Community Connect Mansfield Project, which will deliver an interactive online community directory supported by networking events and mentoring. Designed to increase community connection, visibility, and participation, this two-year project will provide residents with a centralised, easy-to-update hub for accessing local groups, services, and activities.

Key Issues

Following a promotion campaign seeking new members for the Social Inclusion Action Group (SIAG), three applications were received, two from community members and one from a partner organisation. A fourth community member expressed interest but did not submit a formal application.

All three applicants were interviewed by a panel comprising an existing SIAG member and Council officers, including the SIAG Coordinator, SIAG Administration Support Officer, and a People & Culture Officer who provided HR oversight. Each applicant was assessed as suitable for appointment to SIAG. The group has formally welcomed the following new members:

- Suzanne Green from Yooralla – Organisational partner
- Kate Berg – Community member
- Louise Jenkins – Community member

The new members have completed their onboarding and attended their first meeting in November 2025.

In addition, seven existing members have confirmed their intention to continue, bringing SIAG’s total membership to ten. Continuing members include:

- Brendan Eyssens – Community member
- Daniel Carter – Community member
- Michelle Harmer – Community member
- Paul Allen – Community member
- Warren Coad – Community member
- Angela Tenbuuren – Community member
- Miranda Connaughton – Organisational partner (GADHABA)

The group continues to build on its collaborative foundations, maintaining and strengthening relationships with key organisational partners including Mansfield District Hospital, Yooralla, GADHABA, MACE and Wellways. Through collective action, shared expertise and ongoing collaboration with partner organisations and community representatives, SIAG remains committed to progressing shared goals and improving social inclusion outcomes across the municipality.

Community Connect Project

The Community Connect Mansfield Project will deliver a Mansfield Community Directory, a central, interactive online hub where residents, volunteers and groups can easily find and connect with local community organisations, clubs, and events. It will be live, accurate and easy to update, linking directly to websites and Facebook pages. The online hub will be supported by pop up networking events and mentor support. The project is proposed to be delivered over a two-year period.

The project arose from a partnership proposal initiated by the Bendigo Bank, for delivery by MACE, and was supported by the SIAG to directly partner with groups to address needs that foster socially connected and supported communities.

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Endorse the appointment of the following members to the Social Inclusion Action Group (SIAG): <ol style="list-style-type: none"> a. Suzanne Green from Yooralla – Organisational partner b. Kate Berg – Community member c. Louise Jenkins – Community member 2. Note and endorse the Community Connect Mansfield Project.
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Community engagement was undertaken through an open application and recruitment process, which was promoted to recruit both community members and organisational partners. Engagement with relevant community organisations occurred through the SIAG recruitment and project development processes.

Collaboration

SIAG operates as a collaborative advisory group comprising community members and partner organisations. While no additional inter-agency collaboration is required for the purposes of this report, the Community Connect Mansfield project is the outcome of an existing partnership between SIAG, Bendigo Bank, and MACE.

Financial Impact

Community members participating in SIAG meetings or workshops are eligible to receive remuneration at a rate of \$35 per hour for their involvement, should they choose to do so.

All activities undertaken related to SIAG are to be completed within the approved grant funding. SIAG has committed \$13,450 (ex GST) from its 2025–26 budget allocation to support the project, consistent with its purpose of partnering with community groups to advance social connection and inclusion. A matching contribution of \$13,450 (ex GST) is proposed by the Bendigo Bank for the second year of the project, providing a balanced funding structure over the two-year delivery period.

Legal and Risk Implications

There are no direct legal or risk implications associated with the SIAG membership and Community Connect Mansfield project. The project will be delivered by partner organisations, and any operational risks will be managed through standard partnership agreements and oversight processes. Future project stages will comply with Council policies, procurement requirements, and relevant legislation as applicable.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 1: A Healthy and Connected Community

Strategic Objective 1.1 Strengthen community connection, inclusion and participation

Strategic Objective 1.3 Promote health and wellbeing across all life stages

Governance - Disclosure of Conflicts of Interest

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

13.4.2. Arts Collaboration Forum Membership

File Number	E3720	Responsible Officer	Community Networks and Wellbeing Officer, Alex Ninnnes
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Purpose

This report provides Council with information on the nominations received for the Arts Collaboration Forum and seeks Council’s endorsement of the proposed group members.

Executive Summary

At the Council Briefing on 1 April 2025, Arts Mansfield advocated for Council to establish an Arts Forum to help facilitate collaboration between community groups and members. This proposal was supported by Council through the 2025-26 Budget process, with a Budget Initiative included as follows:

Partner with Arts Mansfield and the arts community through creation of an Arts Forum to support an expanding year-round program of community-driven initiatives including art installations, performances, workshops and events with assistance from Council’s Youth and Events team – includes events such as the Pottery Festival, Autumn Festival, MOST, Bald Archies, Three Faces.

It is proposed that once created, the Arts Collaboration Forum will meet regularly to:

- ▶ Collaborate and progress initiatives across the region.
- ▶ Strengthen networks between creative practitioners and organisations.
- ▶ Share on-the-ground intelligence about emerging needs and opportunities.

Expressions of interest opened on 12 November 2025 and closed on 5 December 2025. In total, 10 submissions were received.

The Community Networks and Wellbeing Officer contacted all potential participants to discuss their expression of interest, including potential agenda items for the initial meeting following commencement of the group to develop a proposed Terms of Reference for the group.

Key Issues

The proposed members of the Arts Collaboration Forum are listed below:

- ▶ Karen Pirie, MAD Potters
- ▶ Miranda Connaughton, High Country Poets
- ▶ David Hole, music instrument construction and education (guitar)
- ▶ Liam Wilson, dance, theatre and radio
- ▶ Sue Binzer-Jones, personal art practice and community projects
- ▶ Emma McPherson, Arts Mansfield
- ▶ Daryl Hunt, Community Theatre
- ▶ Felicity Hayward, Mansfield Arts Collective Studios
- ▶ Lyn Saville, Dance School
- ▶ Dani Netherclift, Mansfield Readers and Writers Inc

It is also proposed for the members of the group be reviewed annually.

Recommendation
THAT COUNCIL 1. Endorses the members of the Art Collaboration Forum as follows: a. Karen Pirie b. Miranda Connaughton c. David Hole d. Liam Wilson e. Sue Binzer-Jones f. Emma McPherson g. Daryl Hunt h. Felicity Hayward i. Lyn Saville j. Dani Netherclift 2. Notes that the group membership will be reviewed annually.
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

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

Collaboration

This has been a collaboration with Arts Mansfield and Mansfield Shire Council.

Financial Impact

Not Applicable

Legal and Risk Implications

Not Applicable

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

The Arts Collaboration Forum members will be reviewed annually.

Alignment to Council Plan

Theme 1: A Healthy and Connected Community

Strategic Objective 1.1 Strengthen community connection, inclusion and participation

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.

13.5. Executive Services Directorate

13.5.1. Quarterly Finance Report

File Number	E13220	Responsible Officer	Financial Controller, Michael McCormack Coordinator Financial Planning & Analysis, Nick Magree
Purpose			

This report provides information on Council’s financial performance against the 2025-26 Updated Budget for the period 1 July 2025 to 31 December 2025.

Executive Summary

The financial statements and performance indicators (refer attachments) have been prepared for the period ended 31 December 2025. The Updated Budget figures include the carry forward amounts approved by Council at the 25 November 2025 Council meeting.

Based on the information provided by responsible officers and managers, Council’s overall financial performance is in line with budget.

Each quarterly report will include financial projections for the rest of the financial year. The quarterly report is prepared in accordance with the Local Government Act 2020 (the Act), Local Government (Planning and Reporting) Regulations 2020 (the Regulations), Better Practice Guides and the Australian Accounting Standards.

Key Issues

Income Statement (Attachment 1)

The Income Statement measures how well Council has performed from an operating nature. It reports revenues and expenditure from the activities and functions undertaken, with the net effect being a surplus or deficit. Capital expenditure is excluded from this statement, as it is reflected in the Balance Sheet.

Attachment 1 shows that Council generated \$26.377 million in revenue and incurred \$14.090 million in expenses to 31 December 2025. This has resulted in an operating surplus of \$12,287 million to 31 December 2025, which will reduce during the remainder of this financial year. Furthermore, as of 31 December 2025 Council has recognised the liability for unspent grant funding received of a total \$4.675 million in accordance with accounting standards AASB 15 and AASB 1058.

Income

Rates and charges accounts for 83.56% of the total year to date income for 2025-26. Rates and charges are recognised when raised, not when the income is received. An amount of \$18.313 million has been recognised as income to 31 December 2025.

User charges account for 1.95% of the total year to date income to 31 December 2025 which equates to \$0.428 million. The majority of this relates to transfer station fees (\$146k) and subdivisions and compliance fees (\$132k).

Recurrent Operating Grants received for the year-to-date total \$1.865 million to 31 December 2025, including \$0.752 million from the Victorian Local Government Grants Commission (VLGCC) for general purpose grants and \$0.319 million for the local roads' grants. Under the Recurrent Operating Grants received as of 31 December 2025 Council has accrued a liability of \$0.540 million in accordance with accounting standards AASB 15 and AASB 1058.

Recurrent Operating Grants	2025-26 Updated Budget ('000s)	2025-26 YTD Actuals ('000s)	2025-26 Total Forecasts ('000s)	Unspent Grant Funding (Y/N)
Fire Services Levy - Income	0	0	55	N
Financial Accounting Management - Income	3,064	752	3,064	N
Municipal Emergency Resourcing Program (MERP) - Income	60	39	60	Y
Local Roads Operations - Income	1,287	319	1,287	N
School Crossing Supervision - Income	42	40	42	N
Tobacco & E-Cigarette Activity - Income	16	8	16	N
Financial Counsellor Income	22	0	22	N
Integrated Family Services Income	274	164	274	Y
Mansfield FreeZa Youth Events Income	35	27	35	N
Integrated Family Services Flexible Packages Income	0	30	0	Y
Engage! Funded Project - Income	74	60	74	Y
Victorian Seniors Festival Income	13	0	13	Y
Social Inclusion Action Group - Income	453	141	453	Y
Maternal & Child Health Income	107	48	107	Y
Supported Playgroups - Income	107	26	69	Y
Maternal & Child Health - Enhanced Income	258	57	258	Y
Dads Group Grant- Income	33	17	33	N
Mansfield Library Income (GST Free)	137	137	137	Y
Total Operational Grants - Recurrent	5,981	1,865	5,998	

Table 1: Recurrent Operating Grants

Non-Recurrent Operating Grants received year to date total \$0.288 million to 31 December 2025. This includes grant income carried forward from the prior year, as indicated in the table below, which will be spent during the year on the relevant projects and services.

Under the Non-Recurrent Operating Grants received as of 31 December 2025 Council has accrued a liability of \$0.750 million in accordance with accounting standards AASB 15 and AASB 1058.

Non-Recurrent Operating Grants	2025-26 Updated Budget ('000s)	2025-26 YTD Actuals ('000s)	2025-26 Total Forecasts ('000s)	Unspent Grant Funding (Y/N)
Fire Services Levy - Income	55	0	50	N
LNERCC - Shared Technology & Collaboration - Income	741	19	741	N
Agile Regulations for Innovation and Streamlined Efficiency (ARISE) - Income	207	17	207	Y
Resilience Benchmarking Project - Income	9	0	9	Y
Emergency Incident Support - Income	18	0	18	Y
Integrated Water Management - Income	152	0	152	Y
Goughs Bay Water-Sensitive Town Plan Feasibility Study - Income	0	2	0	Y
Ovens Murray Regional Partnership Integrated Transport Strategy Project - Income	0	0	0	Y
Improvement and promotion of recycling services- Income	0	22	22	N
Environmental Projects- Income	28	16	28	Y
Upper Catchment Tributaries Flood Study- Income	56	18	56	Y
Risk & Resilience Program (Mansfield Flood Study Program) - Income	0	0	51	Y
Mansfield Infrastructure Planning (Streamlining for Growth Program) - Income	0	11	84	Y
Tobacco & E-Cigarette Activity - Income	0	13	13	N
Integrated Family Services Income	0	0	5	Y
Youth Development Income	0	0	2	Y
Integrated Family Services Flexible Packages Income	13	30	13	Y
Primary Prevention of Family Violence - Income	2	0	2	N
L2P Funded Programme - Income	43	22	43	Y
Engage! Funded Project - Income	0	5	5	Y
Vic Health Local Government Partnership - Income	74	9	74	Y
Central Registration & Enrolment Scheme (CRES) - Income	0	1	7	Y
Jumpstart - Income	0	0	2	Y
Tracks & Trail Upgrade Strategy- Income	4	14	14	N
February Storm Event 2024 - Income	250	90	250	Y
Australia Day Community Event - Income	10	0	10	N
Gravel Cycling Project- Income	0	0	2	N
Total Non-Recurrent Operating Grants	1,662	288	1,859	

Table 2: Non-Recurrent Operating Grants

Recurrent Capital Grants received year to date total \$1.041 million to 31 December 2025 relating to the Roads to Recovery income.

Recurrent Capital Grants	2025-26 Updated Budget ('000s)	2025-26 YTD Actuals ('000s)	2025-26 Total Forecasts ('000s)	Unspent Grant Funding (Y/N)
Roads to Recovery - Income	1,041	1,041	1,041	N
Total Capital - Recurrent	1,041	1,041	1,041	

Table 3: Recurrent Capital Grants

Non-Recurrent Capital Grants received year to date total \$14.935 million to 31 December 2025. This includes grant income carried forward from the prior year, as indicated in the table below, which will be expended during the year on the relevant projects.

Council has been successful in obtaining grants that were not budgeted for, including the Play Our Way Grant of \$1,280,772 for upgrade of changerooms at the Mansfield Recreation Reserve. This pre-paid grant income was received during June 2025 and was carried forward.

Council has also been successful in securing the following new Non-recurrent Capital grants being the

1. Cricket Victoria - College Park Improvements - \$25,000
2. Mansfield Learner Accessible Pool Scheme - \$1,000,000

Under the Non-Recurrent Capital Grants received as of 31 December 2025 Council has accrued a grant liability of \$3.386 million in accordance with accounting standards AASB 15 and AASB 1058.

Non-Recurrent Capital Grants	2025-26 Updated Budget ('000s)	2025-26 YTD Actuals ('000s)	2025-26 Total Forecasts ('000s)	Unspent Grant Funding (Y/N)
LRCI	0	373	373	N
Safe Local Roads & Streets Program (SLRSP) - Income	969	32	959	Y
IMPACT Route - Income	2,582	1,594	2,582	N
Footpath Malcolm St - Income	2	2	2	N
Mansfield - Whitfield Rd/Dead Horse Lane Roundabout - Income	1,827	0	1,827	N
Flexible Local Transport Solution Program- Income	24	0	24	Y
Motorcycle Safety Improvement - Income	135	15	135	Y
Piries Goughs Bay Rd- Stage 1- Income	45	0	45	Y
College Park Reserve Improvements - Income	0	0	25	Y
Howqua Inlet Boat Ramp Income	0	39	0	N
Station Precinct Dog Park (DEECA funding) - Income	0	0	131	Y
Mansfield Learner Accessible Pool Scheme (LAPS) - Income	0	0	500	Y
Station Precinct - Income	6,449	963	6,449	Y
Play Our Way Grant - Female Inclusive Rooms (FIR) Project - INCOME	0	0	897	Y
Energy Resilience Fund - Portable Generator	43	52	52	N
Lords Reserve Pavilion Upgrade 2024-25 - Income	969	171	933	Y
Total Non-Recurrent Grants	13,047	3,241	14,935	

Table 4: Non-Recurrent Capital Grants

Grant Liability Report (Attachment 2)

As of 31 December 2025, Council has recognised the liability of \$4.675 million as unspent grant funding received in accordance with accounting standards AASB 15 and AASB 1058.

Expenses

Employee Costs of \$6.677 million have been incurred to 31 December 2025 and are currently \$0.380 million above YTD updated budget is primarily due to the timing of payment of leave

loading for all staff during the month of December as a lump sum of \$0.122 million. Secondly, due to the timing of grant funded activity in the Economic Development – Youth and Events area and additional Waste Management activity over the holiday period.

Materials and Contracts costs of \$4.382 million have been incurred to 31 December 2025 and is currently \$0.726 million below the YTD updated budget. There are several projects, including those carried forward from 2024-25, that are expected to be completed before the end of the financial year, with an increased level of expenditure anticipated in the second half.

Balance Sheet (Attachment 3)

The Balance Sheet is one of the main financial statements and reports Council's assets, liabilities, and equity at a given date, in this case 31 December 2025. Comparative figures have been provided as of 30 June 2025.

During the current financial year, Council's current assets have increased by \$7.598 million due to rates being struck in July increasing receivables by \$8.935 million.

Total liabilities have decreased by \$0.625 million since 30 June 2025 due to creditors decreasing by \$1.300 million to a total of \$0.774 million. As of 31 December 2025, Council recognised the liability for unspent grant funding received of \$4.675 million in accordance with accounting standards AASB 15 and AASB 1058.

Capital Works Report (Attachment 4)

The Capital Works Finance Report measures how well council has performed from a capital nature. The table below summarises the net position of the capital works program and Attachment 4 provides greater detail of capital expenditure.

As of 31 December 2025, under the Non-Recurrent Capital Grants received, Council has accrued a grant liability of \$3.386 million, in accordance with accounting standards AASB 15 and AASB 1058.

Materials & Contracts actual expenditure is below YTD budget due to changes in timing of projects towards completion. The net effect of variances within the Capital Finance report confirms a net positive position of \$0.652 million YTD to 31 December 2025.

Capital Finance Report	2025-26 Updated Budget ('000s)	2025-26 YTD Updated Budgets ('000s)	2025-26 YTD Actuals ('000s)	YTD Variance Updated Budget ('000s)	2025-26 Total Forecasts ('000s)
Capital					
Income					
Cash Operating Contributions	99	49	75	26	117
Materials & Contracts	0	0	0	0	0
Capital Grants - Non-Recurrent	13,046	7,366	3,241	-4,125	14,935
Capital Grants - Recurrent	1,041	520	1,041	521	1,041
Sale of Assets	235	19	104	85	321
Total Income	14,422	7,955	4,461	-3,494	16,414
Expenditure					
Employee Costs	1,496	696	736	-40	1,496
Materials & Contracts	20,963	10,149	5,964	4,185	22,683
Total Expenditure	22,458	10,846	6,701	4,145	24,179

Surplus/(deficit) for the year	-8,037	-2,891	-2,239	652	-7,765
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Table 5: Capital Finance Report

Financial Performance Indicators (Attachment 5)

Working Capital Ratio YTD

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

The current WCR = 2.08 or (208%) as of 31 December 2025, as compared with 1.32 or (132%) as at the end of 2024-25 financial year. This ratio steadily decreases throughout the year as rates debtors progressively pay rates instalments.

The high working capital ratio includes rates income for the whole financial year. This revenue is booked in July and reported as a current asset (included in Receivables at \$11.621 million).

CEO Statement

Based on the analysis and review of the budget, actual year to date result and other known financial factors as of 31 December 2025, it is considered that a revised budget for the purposes of s95 of the Local Government Act 2020 is not required.

Recommendation

THAT COUNCIL receives and notes the Quarterly Finance Report for the period 1 July 2025 – 31 December 2025

Support Attachments

1. Comprehensive Income Statement - 31 December 2025 [**13.5.1.1** - 1 page]
2. Grant Liability Report - 31 December 2025 [**13.5.1.2** - 2 pages]
3. Balance Sheet - 31 December 2025 [**13.5.1.3** - 1 page]
4. Capital Works Report - 31 December 2025 [**13.5.1.4** - 3 pages]
5. Financial Performance Indicators - 31 December 2025 [**13.5.1.5** - 1 page]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The 2025-26 Budget engagement process facilitated opportunities for community input to and feedback on Council's budget.

Collaboration

Not Applicable

Financial Impact

The financial reports attached provide the opportunity for regular monitoring of Council's financial position to ensure compliance with budgets.

Legal and Risk Implications

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

Regional, State and National Plans and Policies

This report has been prepared in accordance with the *Local Government Act 2020*.

Innovation and Continuous Improvement

The content of the Quarterly Report has been reviewed to ensure meaningful data is provided.

Alignment to Council Plan

Theme 3 – An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency, and accountability

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*.

13.5.2. Emergency Services and Volunteers Fund (ESVF) Levy Payment

File Number	E12189	Responsible Officer	Financial Controller, Michael McCormack
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Purpose

To seek approval for the payment of the Q2 Emergency Services and Volunteers Fund Levy for the 2025/26 financial year, as the amount exceeds financial delegation.

Executive Summary

The Emergency Services and Volunteers Fund Act 2012 (the Act) appoint Council as an Emergency Services and Volunteers Fund Levy (ESVFL) collection agency for all leviable land within the municipal district, including land owned by Council.

The total Quarter 2 ESVFL payment is \$1,133,450.60 (ex GST), representing the second of four instalments for the 2025/26 financial year.

Approval is requested to facilitate timely payment and ensure full compliance with the Council’s statutory and legislative obligations.

Key Issues

Compared to Q2 of the previous financial year (2024/25) this amount reflects an increase of \$268,715.17 (ex GST) or 31.07% due to legislative changes introduced through the *Fire Services Property Amendment (Emergency Services and Volunteers Fund) Act 2025* which saw the Fire Services Property Levy (FSPL) abandoned and replaced by the Emergency Services and Volunteers Fund.

To provide context on the financial impact of the legislative changes, the table below presents a quarterly comparison of the 2025/26 ESVFL amounts against the corresponding FSPL amounts from both 2024/25 and 2023/24, including percentage increases year over year.

Quarter	ESVFL Amount (2025/26) (ex GST)	FSPL Amount (2024/25) (ex GST)	% Increase from 2024/25 to 2025/26	FSPL Amount (2023/24) (ex GST)	% Increase from 2023/24 to 2024/25
Q1	\$ 966,373.40	\$854,077.68	13.15%	\$633,243.52	34.87%
Q2	\$1,133,450.60	\$864,735.43	31.07%	\$668,215.01	29.40%
Q3		\$621,441.21		\$452,687.37	37.28%
Q4		\$592,984.26		\$456,010.83	30.04%
Total	\$2,099,824.00	\$2,933,238.58		\$2,210,435.73	32.70%

Recommendation
THAT COUNCIL authorises the Chief Executive Officer to pay the Q2 Emergency Services and Volunteers Fund Levy for a total amount of \$1,133,450.60 (ex GST).
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable .

Collaboration

Not Applicable

Financial Impact

The ESVFL is collected directly from ratepayers. While the administration is primarily undertaken internally by Council Officers within existing staff resources the State provides an annual funding allocation to assist with the administrative costs associated with managing and implementing the levy.

Legal and Risk Implications

Under the *Emergency Services and Volunteers Fund Act 2012*, payment of the levy is a statutory requirement. Failure to pay the levy on time may result in financial penalties, interest charges and reputational risk to the organisation. To mitigate this risk approval is sought to process the payment within the required timeframe.

Regional, State and National Plans and Policies

Payment of the ESVF charge is in accordance with the *Emergency Services and Volunteers Fund Act 2012*.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3 – An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency, and accountability

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.

13.5.3. Memorandum of Understanding: January 2026 Bushfire Relief, Recovery and Advocacy Partnership

File Number	E14972	Responsible Officer	Acting Chief Executive Officer, Maya Balvonova
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Purpose

To seek Council endorsement of the Memorandum of Understanding – January 2026 Bushfire Relief, Recovery and Advocacy Partnership.

Executive Summary

A Memorandum of Understanding (MoU) has been drafted between the Councils to establish a coordinated, collaborative framework for relief, early recovery, long-term recovery and advocacy arising from the January 2026 bushfire event.

Key Issues

The Memorandum of Understanding (MoU) is made between:

- ▶ Mitchell Shire Council
- ▶ Murrindindi Shire Council
- ▶ Mansfield Shire Council
- ▶ Strathbogie Shire Council

The Councils acknowledge that the January 2026 Longwood Berry’s Lane Fire, which began on 7 January 2026, resulted in significant loss and damage across the participating municipalities, with profound and enduring impacts on people, livelihoods, landscapes, infrastructure and local economies. The blaze burned through nearly 140,000 hectares of land and its perimeter stretched out to over 370 kilometres at its longest. Tragically, the fire claimed hundreds of homes, thousands of animals and one human life.

The consequences of this event will extend over many years, particularly for rural and regional communities where recovery is complex and layered.

The MoU enables the Councils to work together to:

- ▶ promote consistent and coordinated and community-centered approaches to relief and recovery
- ▶ support a coherent and equitable experience for communities, regardless of municipal boundaries
- ▶ share intelligence, data and insights to inform planning and decision-making
- ▶ collaborate on resourcing and capability and workforce support where appropriate
- ▶ strengthen collective advocacy to State and Commonwealth Governments on shared priorities

Recommendation

THAT COUNCIL endorse the Memorandum of Understanding January 2026 Bushfire Relief, Recovery and Advocacy Partnership.

Support Attachments

1. MOU - January 2026 Bushfire Relief, Recovery and Advocacy Partnership [13.5.3.1 - 4 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

The MoU promotes collaborative opportunities and good will across the Councils including (but not limited to):

- ▶ Relief and recovery coordination
- ▶ Community experience and communications
- ▶ Intelligence and information sharing
- ▶ Resourcing and capacity building

Financial Impact

This MoU is a statement of shared intent and collaboration and does not create financial obligations beyond existing legislative, policy and governance frameworks.

Legal and Risk Implications

This MoU is a statement of shared intent and collaboration. Each council retains its statutory responsibilities, decision-making authority and autonomy.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3 – An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency, and accountability

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 9 February 2026.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield Shire Council Action Register as at 9 February 2026 [14.1.1 - 7 pages] 2. CONFIDENTIAL Mansfield Shire Council Action Register as at 9 February 2026 [14.1.2 - 3 pages]

15. Advisory and Special Committee reports

Nil

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. CEO Employment Matters Committee

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