

OFFICIAL



Mansfield Shire

# Council Meeting

Tuesday 21 October 2025 5:00 pm  
Mansfield Council Office

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

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## Our aspiration for our Shire and its community

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

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### Councillors

Cr 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 16 September 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:

*This month, Council has been strongly advocating for Mansfield Shire's right to shape its own future, particularly when it comes to planning and development. The State Government has proposed sweeping reforms that would significantly reduce the role of local councils in planning decisions. These changes risk silencing the voices of our community and could lead to development that doesn't reflect the unique character, needs or aspirations of our region.*

*Mansfield Shire has also been identified as a location for significant housing growth, with Council being handed a target of 3,900 new homes by 2051. This target comes without any clear commitment to the infrastructure and services needed to support that growth. Our roads, water systems, health services, schools and emergency services are already under pressure. Growth without infrastructure, and without consulting the community or the government that represents them, is not sustainable and it's not fair.*

*Council has formally called on the State Government to pause these reforms and engage meaningfully with rural and regional communities. We are standing up for Mansfield, and we need the community's support. I encourage you to visit Council's website to learn more about the proposed changes and consider having your say. Council has made a copy of its letter to the Minister for Planning available for the community to download and send.*

*On a brighter note, I've had the chance to attend some truly special events that remind me just how vibrant and connected our community is. We recently welcomed five new citizens at our Citizenship Ceremony. It's always a joy to see people from around the world choose Mansfield Shire as their home and commit to building their future here.*

*A highlight this month was the Klytie Pate Awards, celebrating the legacy of one of Australia's most respected ceramic artists. I'd like to thank everyone involved in bringing the exhibition to life. I am truly in awe of the artists that create such beautiful and engaging ceramic pieces. The arts are the soul of this community and I was honoured to speak at the opening event. It was a great night and a fantastic celebration of the arts in our region.*

*And finally, we kicked off the Victorian Seniors Festival with a lovely morning tea. There are plenty more events coming up as part of the festival and I encourage everyone to get involved and celebrate the contributions of our senior community members.*

Cr Steve Rabie

Mayor

### Recommendation

THAT COUNCIL receive the Mayor's report for the period 16 September 2025 to 15 October 2025.

## 11. Reports from council appointed representatives

Councillors appointed by Council to internal and external committees will provide a verbal update where relevant.

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

### 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.

The Chief Executive Officer report will provide information relation to:

- ▶ Customer Service
- ▶ Governance
- ▶ Capital Works
- ▶ Statutory & 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)
- ▶ Library
- ▶ Youth Services & Events
- ▶ Economic Development (Visitor Services and Business and Industry)
- ▶ Communications
- ▶ Digital Transformation Project

#### Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 September 2025 to 30 September 2025.

#### Support Attachments

1. CEO Monthly Report - September 2025 [13.1.1.1 - 64 pages]

## 13.2. Investment and Planning

### 13.2.1. Planning Permit Application: P029-25 422 O'Halloran Road, Bridge Creek

|                    |         |                            |                                                |
|--------------------|---------|----------------------------|------------------------------------------------|
| <b>File Number</b> | P029-25 | <b>Responsible Officer</b> | Senior Coordinator Planning,<br>Nicole Embling |
| <b>Purpose</b>     |         |                            |                                                |

The purpose of this report is to seek Council's determination of planning permit application P029-25, lodged for *use and development of land for Extractive Industry (Stone Extraction)*, at 422 O'Halloran Road Bridge Creek. This application is being referred to Council for a determination as the number of outstanding objections (10) exceeds Officer delegation.

| Executive Summary                  |                                                                                                                                                                                                  |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application Details                |                                                                                                                                                                                                  |
| <b>APPLICANT</b>                   | Stump Hill Pastoral Co. Pty Ltd                                                                                                                                                                  |
| <b>PROPOSAL</b>                    | Use and development of land for Extractive Industry (Stone Extraction)                                                                                                                           |
| <b>APPLICATION LODGED</b>          | 16 April 2025                                                                                                                                                                                    |
| <b>NOTICE AND SUBMISSIONS</b>      | Letters to owners and occupiers of neighbouring properties;<br>Sign on site;<br>Notice in the <i>Mansfield Courier</i> ;<br>There are ten (10) outstanding Objections                            |
| Property Details                   |                                                                                                                                                                                                  |
| <b>PROPERTY ADDRESS</b>            | 422 O'Halloran Road, Bridge Creek                                                                                                                                                                |
| <b>LAND DESCRIPTION</b>            | Lot 4A, TP 823926                                                                                                                                                                                |
| <b>RESTRICTIVE COVENANTS</b>       | Nil                                                                                                                                                                                              |
| <b>LAND AREA</b>                   | Approximately 64.3 hectares (159 acres)                                                                                                                                                          |
| <b>EXISTING USE</b>                | Mostly vacant cleared grazing (farm) land                                                                                                                                                        |
| Planning Provisions                |                                                                                                                                                                                                  |
| <b>ZONE</b>                        | Clause 35.07 - Farming Zone (FZ)                                                                                                                                                                 |
| <b>OVERLAYS</b>                    | Clause 42.01 - Environment Significance Overlay<br>Schedule 2 – Catchments at Medium Risk of Water Quality Impacts (ESO2)<br><br>Clause 44.06 – Bushfire Management Overlay (partially affected) |
| <b>MUNICIPAL PLANNING STRATEGY</b> | – Clause 02.03-2 – Environmental and Landscape Values<br>– Clause 02.03-4 – Natural Resource Management                                                                                          |
| <b>PLANNING POLICY FRAMEWORK</b>   | – Clause 13.07-1S – Land Use Compatibility<br>– Clause 14.01-1S – Protection of Agricultural Land                                                                                                |

|                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>– Clause 14.02-1 – Catchment Planning and Management</li> </ul>                                                                                                                                                                                                  |
| <b>PARTICULAR PROVISIONS</b>                                                                                                                                                                                               | <ul style="list-style-type: none"> <li>– Clause 52.06 - Car Parking</li> <li>– Clause 52.08 – Earth and Energy Resources Industry</li> <li>– Clause 52.09 - Extractive Industry and Extractive Industry Interest Areas</li> <li>– Clause 52.29 – Land Adjacent to the Principal Road Network</li> </ul> |
| <b>Permit Triggers</b>                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                         |
| Clause 35.07-1 – Farming Zone                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>– <i>A permit is required to use land for Extractive Industry</i></li> </ul>                                                                                                                                                                                     |
| Clause 35.07-4 - Farming Zone                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>– <i>A permit is required for works associated with a Section 2 Use (Extractive Industry)</i></li> </ul>                                                                                                                                                         |
| Clause 42.01-2 - Environmental Significance Overlay (ESO2)                                                                                                                                                                 | <ul style="list-style-type: none"> <li>– <i>A permit is required for to carry out works, where no relevant exemption applies</i></li> </ul>                                                                                                                                                             |
| Clause 52.08-1 - Earth and Energy Resources Industry                                                                                                                                                                       | <ul style="list-style-type: none"> <li>– <i>A permit is required to use and develop land for earth and energy resources industry, where the proposal does not comply with Section 77T of the Mineral Resources (Sustainable Development) Act 1990</i></li> </ul>                                        |
| It is noted that while part of the subject land is affected by the Bushfire Management Overlay, the proposal for Extractive Industries is exempt from the requirements and there are no permit triggers under the Overlay. |                                                                                                                                                                                                                                                                                                         |

### Subject Land and Surrounds

The subject land is located approximately 4.3km east of Midland Highway and is approximately 64.3 hectares in size, and benefits from existing vehicle access through adjoining parcels of land in the same ownership, the property is known as 'Stump Hill'. The land is in the Farming Zone and the Environmental Significance Overlay, Schedule 2 affects the land, the Bushfire Management Overlay also partially affects the subject land. The access to the land is through adjoining parcels, which pass over the Broken River which is affected by the Floodway Overlay.



*Figure 1: Aerial of subject land*



*Figure 2: Context map*

The subject land area is rectangular in shape and has some minor drainage lines and natural watercourses traversing across the undulating landscape which includes some pockets of large native paddock trees and a large patch of vegetation which naturally integrates into the adjoining Mount Samaria State Park to the north. The land is currently used for agricultural activities, mostly stock grazing including cattle and sheep production in the existing cleared areas in conjunction with the adjoining land in the same ownership.

The broader surrounding landscape is characterised in the same way as the subject land, also in the Farming Zone and affected by the Environmental Significance Overlay (ESO) and Bushfire Management Overlay (BMO). The significance of the ESO in this area relates to the Special Water Supply Catchment Area of Lake Nillahcootie, north of the subject land. This area is identified as being at Medium Risk of water quality impacts. The maps below show the broad application of the Farming Zone in this area and many large allotments. The State Park to the north is in the Public Conservation and Recreation Zone.

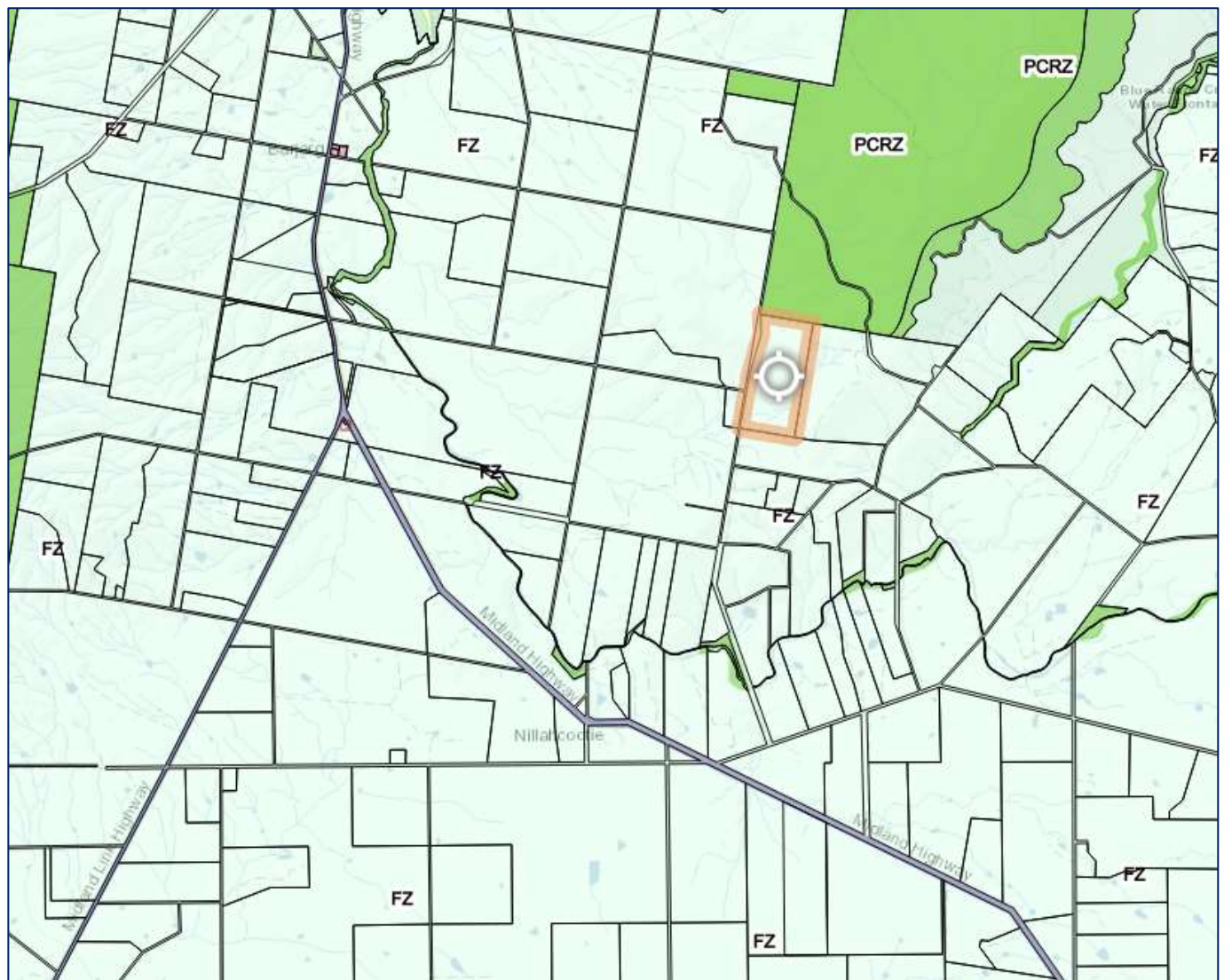


Figure 4: Zoning of the land and surrounds

An assessment of the surrounding landscape has determined that the nearest dwelling is more than 1km from the proposed development area. The image below shows the dwellings around the subject land, with the closest approximately 1.08km away. It is important to note that a couple of the dwellings shown (east of the subject land) are owned by the Permit Applicants.

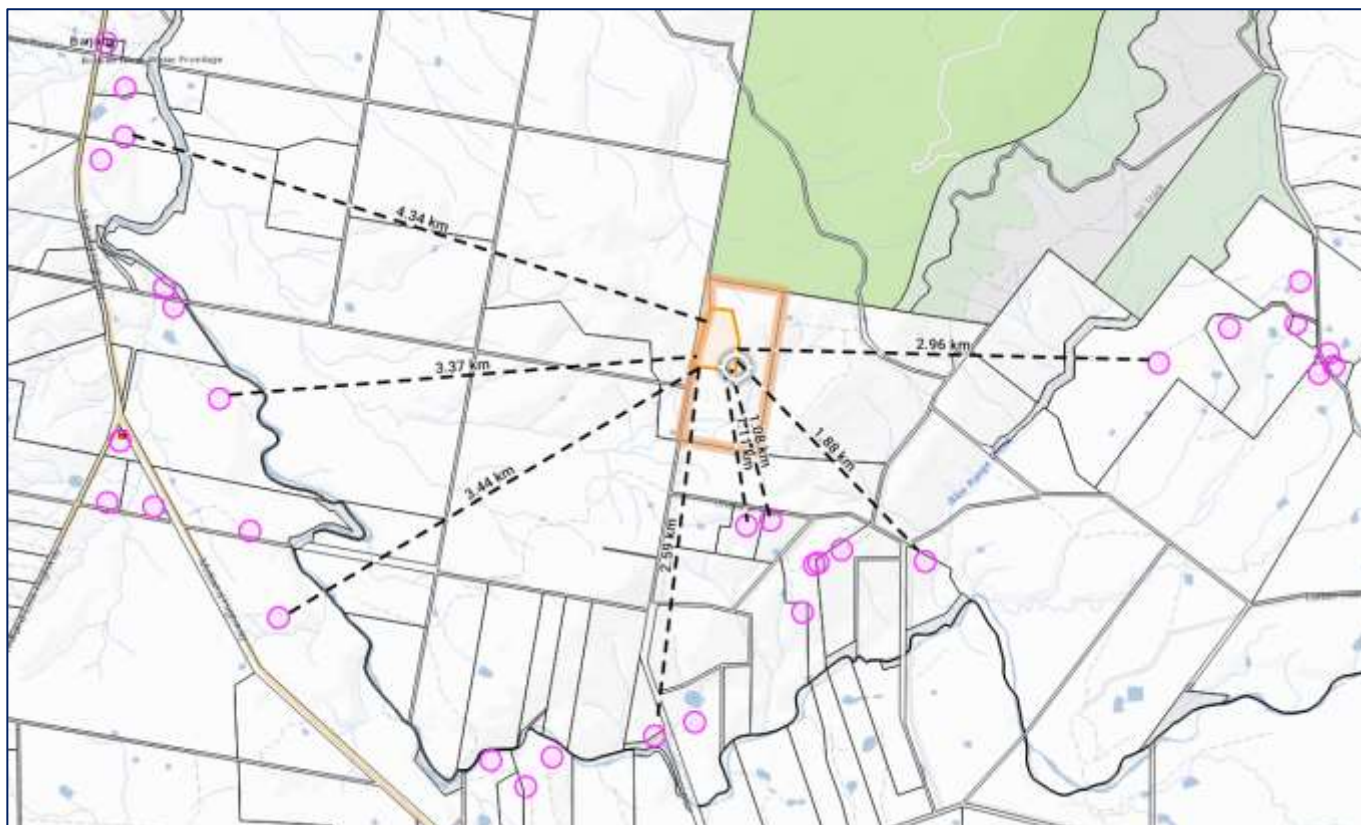


Figure 5: Dwellings marked pink

## Proposal

The planning permit application proposes the use and development of land for stone extraction. The applicant is seeking approval for five (staged) extractive areas that would have a combined area of 5 hectares, being the maximum allowed under a Work Authority. The location of the extractive areas adjoined in a patch that sets out the proposed staging, as shown below in the excerpt from the submitted Operations Plan.



Figure 6: Operations Plan

It is noted that Stage 3 includes the area already partially commenced prior to the planning permit application being submitted. This area has been stabilised to ensure there is no risk to water quality through sediment or silt runoff and has reduced the risk of erosion.

There are two large, high quality, native trees near to Stage 5 which are identified to be protected as required by DEECA. The staging has been specifically designed to protect all native trees and considers the slope of the land.

The proposal would require heavy vehicle access including a truck and dog trailer, which would access the area from the existing driveway which connects through adjoining land onto Midland Highway, as shown on the map below.



Figure 8: Proposed Haul Route through private land

The proposal includes the following operations:

- Up to 8 Truck Movements per day (4 full loads leaving)
- Expectation of approximately 312 Truck Loads per year, or an average of 6 trucks per week
- Hours of operation 7am to 4pm, Monday to Friday  
No works on weekends or Public Holidays
- Truck loading will only occur after 9am, unless exceptional circumstances arise
- Rock breaking with a mechanical hammer would only occur on Tuesdays and Thursdays between 10am and 2pm (as agreed at the Consultative Meeting with Objectors) and for no longer than 2 hours in any one day
- No machinery operating during days of Total Fire Ban
- Up to four (4) staff/operators onsite
- Progressive rehabilitation of the extraction sites
- Ongoing management of the internal access track

The Operations Plan includes the following estimates:

- *Each stage would have 2,000sqm of topsoil stockpiled for revegetation/rehabilitation, and 3,000sqm of rock would be removed, for a total extraction of approximately 15,000sqm of rock over five stages.*
- *The total 5 stages would be completed and fully rehabilitated within 4-5 years of commencement.*
- *Topsoil is located between 0 and 0.2m deep and Mudstone Rock 'Floaters' are located between 0.2m and 5.0m deep.*

The proposal would not require the removal of, or have any impact on, native vegetation and there are no areas of the subject land within an area of Cultural Heritage Sensitivity. As the land is not within an area of Cultural Heritage Sensitivity the proposal does not trigger a requirement for a Cultural Heritage Management Plan. However, it is important to note that any and all development is subject to the *Aboriginal Heritage Act 2006* which requires and person who

uncovers an Aboriginal Place or Object to report the discovery to the Secretary [responsible for the Act] and no harm may be done to Aboriginal Cultural Heritage.

It is noted that while the proposed works would be in the Bushfire Management Overlay, a permit is not required under the Overlay for earth and energy resources however through the mediation process with Objectors, the Permit Applicant has provided an Emergency Management Plan addressing Fire Risk.

Adjoining parcels of land, in the same ownership, have previously been used for stone extraction operating under previous exemptions under the *Mineral Resources (Sustainable Development) Act 1990*. It is important to note that due to some changes in legislation and the extent of operations on the land, there are no longer any relevant exemptions for the proposed extraction.

It was determined by the Department of Earth and Energy Resources Regulator (ERR) that in addition to the requirement for a planning permit from Council, a Work Authority would also be required. The process to obtain a Work Authority commences with an onsite meeting with all relevant authorities in attendance. On 27 March 2025 the onsite meeting was conducted and the following government authorities attended; Earth Resources Regulator, Department Energy, Environment and Climate Action (DEECA), Goulburn Murray Water and Council, with the landowner and their consultant Malkin Consulting.

### Key Issues

### Referral Authorities

| Authority                                                    | Type of Referral         | Response              |
|--------------------------------------------------------------|--------------------------|-----------------------|
| Department of Transport and Planning (DTP)                   | Section 55 – determining | Conditional consent   |
| Department of Earth Resources Regulator (Resources Victoria) | Section 55 – determining | Conditional consent   |
| Goulburn Murray Water                                        | Section 55 – determining | Conditional consent   |
| Heritage Victoria                                            | Section 55 – determining | Unconditional consent |
| Council's Engineering Team                                   | For Comment              | Conditional consent   |

The referral response from DTP confirms that the access location as proposed on Midland Highway, utilising the existing access for the dwelling and farm, is supported and does not require any upgrades. The conditions required by DTP are included in the Officer recommendation below.

Council's Engineering Team have inspected and reviewed the proposed access location at the Midland Highway, which utilises the existing access for the dwelling and agricultural activities. The sight lines when exiting the property have been determined to be appropriate, with a minimum of 100 metres viewable in either direction from the height of a truck cab. Vehicles approaching the entrance from the south (to turn right into the subject land) along Midland Highway will be seen from a minimum 100 metres away, giving approaching vehicles sufficient time to slow down. Overall, Council's Engineering Team have determined the existing access suitable for the proposed haul route.

The referral response from Resources Victoria provides conditional consent requiring the proposal to comply with the *Code of Practice for Small Quarries* and that the permit would expire if the extractive activities do not commence within 5 years.

### Public Notice

Advertising was carried out in accordance with the requirements of the *Planning and Environment Act 1987* including notice being sent to 12 owners and occupiers of the adjoining and nearby properties, a sign was placed at the frontage of the land, and notice was in the *Mansfield Courier*. The public notice period was 6 to 27 May 2025, following the notice period 11 objections were received. In summary the objections related to:

- Truck access
- Noise impacts
- Interface with Gravel Cycling Routes
- Precedent setting if a permit is approved
- Financial impact / property valuation
- Environmental impact
- Catchment Management Authority
- Bushfire risk
- Proximity to State Park
- Visual amenity

The Permit Applicant was provided with copies of the objections for their consideration. A Consultative Meeting was held in Council Chambers on 4 August 2025 and included 2 Council Officers, the landowners and permit applicant (Consultant), and 5 of the objectors. During the meeting there was discussion about potential adjustments to the proposal which could resolve some of the objector concerns, including restricted hours of loud activities (rock breaking), restricted truck loading hours, and fewer truck movements per day.

The Operations Plan has since been updated in accordance with the actions from the meeting, and circulated to the objectors, which resulted in one objection being withdrawn and many objections being updated to reduce their concerns, as some areas had been addressed. An Emergency Management Plan has been included, see attached as an appendix to the Operations Plan.

The total outstanding objections is now ten (10). A detailed assessment of the concerns raised by Objectors is below.

| Objection/Concern | Officer Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Noise Impacts     | The location of the stone extraction is considered to be well separated from any sensitive uses (residential), with the nearest dwelling located to the south and over 1 kilometre away. It is acknowledged that the sounds associated with stone extraction can carry great distances. It is for this reason that the activity considered to be the <i>loudest</i> is proposed to be restricted to only two days per week (Tuesdays and Thursdays) during the middle of the day. This was an outcome of discussion from the |

| Objection/Concern                         | Officer Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                           | <p>Consultative Meeting that the Permit Applicants have since included in their Operations Plan.</p> <p>Additionally, the proposal now includes restricted timeframes for trucks to be loaded (only after 9am), as dumping rock in an empty truck bed can produce substantial noise. The restrictive hours were also a result of the Consultative Meeting with the Permit Applicant and Objectors.</p> <p>The outcomes of the Consultative Meeting in relation to noise have been included as Conditions in the Officer Recommendation below.</p> <p>The Farming Zone is considered an industry-type zone where production and manufacturing can occur, therefore a level of noise pollution during reasonable hours is expected.</p>                                                                                                                                                                                                  |
| <i>Truck Access restricted</i>            | <p>The concerns raised in the submissions relate to all use of O'Halloran's Road, which is not a part of the proposed Haul Route. The proposal includes using internal farm tracks through the subject land and adjoining parcels of land in the same ownership, to exit directly onto the Midland Highway at the 'Stump Hill' access. It was discussed during the Consultative Meeting that the O'Halloran's Road access would only ever be used during emergencies, which is clearly stated in the Operations Plan and reflected in the Conditions as part of the Officer Recommendation.</p> <p>The proposal is for a total maximum of 8 truck movements per day (4 full loads leaving), with the Operation Plan detailing an expected average of six (6) truck movements per week over the course of the year.</p> <p>Considering the area is farming, normal agricultural activities often include truck movements for stock.</p> |
| <i>Visual Amenity and Property Values</i> | <p>The proposed location for the extraction has significant setbacks from adjoining properties, however, can be seen from neighbouring parcels. The subject land is not subject to any particular visual amenity policies that would prohibit or restrict the proposal from proceeding.</p> <p>The visual impact of the extractive works will be temporary, as each stage will be rehabilitated prior to any works commencing in the next stage.</p> <p>The impact on existing views from adjoining properties, as has been raised through the objections, is not a matter that can be considered through a planning permit application. There have been significant VCAT Cases which have determined that there</p>                                                                                                                                                                                                                   |

| Objection/Concern                     | Officer Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                       | is no 'right to a view' and potential impacts to property values cannot be considered through planning processes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <i>Environmental Impact</i>           | The Operation Plan has suitably detailed how mitigation measures will be implemented to reduce the risk of introduction of weed species and how any extractive works will be retained to not impact waterways.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>Gravel Cycling conflict</i>        | Whilst there are nearby roads with potential for use by Gravel Cyclists, the proposal does not include use of these roads by any operations as part of the stone extraction. As previously mentioned, the operation includes a Haul Route through private land which exits directly onto the Midland Highway.<br>There will not be any conflict from the proposal with gravel cycling.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <i>Native Flora and Fauna</i>         | The concerns include potential impact to native flora and fauna in the adjoining Mt Samaria State Park (to the north-east). Prior to submission of the planning permit application a pre-application meeting was held onsite where a Department of Energy, Environment and Climate Action (DEECA) Officer inspected the proposed development area and surrounds, determining that the site does not have any native grasses or vegetation that would be impacted. The Officer provided that the lack of native grasses in particular is likely due to the extensive stock grazing in the past.<br>In relation to native fauna, the Operations Plan details how the existing paddock is fenced with stock-proof fencing, restricting access for most animals.                                                                                                                                                                                                       |
| <i>Catchment Management Authority</i> | The objection relating to the Catchment Management Authority (CMA) details how the CMA should have been involved in the process.<br>The Goulburn Broken Catchment Management Authority (GBCMA) are the responsible authority in relation to creeks, rivers and floodplains. As the proposed works are not in an area subject to a planning Flood Zone or Overlay the GBCMA are not a referral as required by the Mansfield Planning Scheme. Additionally, the requirement for the pre-application meeting held is in relation to the Work Authority to be issued by Resources Victoria, their process does not require the GBCMA to be involved. It is noted that any works within 30 metres of a waterway require a Works on a Waterway Permit from the GBCMA, as there are no works proposed within 30 metres of any waterway a Permit from GBCMA is not required.<br>The Officer Assessment of the application did not determine a referral to GBCMA necessary. |

| Objection/Concern          | Officer Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Fire Risk</i>           | The broader bushfire risk to the subject land, particularly abutting the State Park, and the risk of fire being started by the proposed operations was discussed during the Consultative Meeting. As a result, the permit applicant prepared an Emergency Management Plan to address Fire Risk in particular. Additionally, the Conditions in the Officer Recommendation include a requirement for the operation of machinery to cease on days of Total Fire Ban. |
| <i>Erosion</i>             | The proposed stages for stone extraction are not located on the steepest parts of the subject land. The area proposed has a gentle slope and with appropriate actions taken, the risk of erosion will be minimal.                                                                                                                                                                                                                                                 |
| <i>Setting a precedent</i> | There is an existing history of stone extraction in the area (and on nearby properties in the same ownership). However, this does not set any precedent enabling future approvals. Each application for a planning permit must be assessed on its merits against the relevant provisions of the planning scheme and consider any concerns raised by submitters.                                                                                                   |

### Officer Assessment

A detailed Assessment Against the Planning Scheme is attached.

| Clause 52.09 - Extractive Industry and Extractive Industry Interest Areas                                                                                  |                                                                                                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 52.09-4 Decision Guidelines                                                                                                                                | Assessment                                                                                                                                                                                                                                                                                                                                |
| <i>The effect of the proposed extractive industry on any native flora and fauna on and near the land.</i>                                                  | The subject land has some scattered native trees however, there are no trees within the proposed works areas. The subject land is currently, and will continue, being used for stock grazing which generally reduces the native fauna present on farming land. It is not expected that any native fauna will be impacted by the proposal. |
| <i>The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.</i>          | The subject land is not within an Area of Cultural Heritage Sensitivity.<br>In accordance with Section 24 of the <i>Aboriginal Heritage Act 2006</i> any aboriginal place or object discovered must be reported.                                                                                                                          |
| <i>The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.</i>            | The location of the subject land and proposed works is relatively sheltered from view and is in an area with minimal visual impact to surrounds and is therefore considered appropriate.                                                                                                                                                  |
| <i>The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.</i> | The submitted Operation Plan has sufficiently detailed how emissions will be contained and managed, including dust, noise and airborne emissions.<br>The subject land is approximately 63ha and the proposed work area is less than 8% (5ha) of the lot and is located                                                                    |

| Clause 52.09 - Extractive Industry and Extractive Industry Interest Areas                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 52.09-4 Decision Guidelines                                                                                                                                            | Assessment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                        | fairly centrally, limiting impact to directly adjoining properties. It is noted that most of the adjoining parcels are within the same ownership.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.</i>                                                    | <p>The proposal does not include any blasting.</p> <p>The Operation Plan and Officer Recommendation restrict the proposal to no more than 4 full truck loads per day, limiting the impact of heavy vehicle traffic and additionally require all trucks to use the Haul Route as proposed.</p> <p>The proposed hours of operation are reasonable in the context of surrounding agricultural land uses, with no operations on weekends or Public Holidays and restricted hours being 7am to 4pm weekdays, with truck loading to occur only after 9am.</p> <p>The setback of the proposal from nearby dwellings will reduce potential impact from noise and vibration. The nearest dwelling is located more than 1,000 metres from the extraction area.</p> |
| <i>The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.</i> | The Operation Plan includes a detailed rehabilitation schedule for each Stage to be rehabilitated prior to commencement of works in the subsequent Stage. The rehabilitation is a requirement of the conditions in the Officer Recommendation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <i>The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.</i>                                                   | The subject land has historically been used for agricultural purposes, including stock grazing. This is proposed to continue during the extraction period and the Stages, once rehabilitated, will return to agricultural use. The operators also have a history of rock extraction on other parcels of land and have provided evidence of suitable rehabilitation, returning extracted areas back to productive agricultural uses.                                                                                                                                                                                                                                                                                                                      |
| <i>The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.</i>                                                | The proposed extraction areas have suitable setbacks from mapped waterways on the subject land and permit conditions by Goulburn Murray Water require immediate action should any works uncover groundwater.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <i>The impact of the proposed extractive industry on surface drainage and surface water quality.</i>                                                                   | The Operation Plan includes relevant actions to restrict any impact to drainage lines, waterways and water quality. The Officer Recommendation includes suitable Engineering and Goulburn Murray Water conditions which would ensure water quality is not impacted by the proposal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| Clause 52.09 - Extractive Industry and Extractive Industry Interest Areas                                                                                                         |                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 52.09-4 Decision Guidelines                                                                                                                                                       | Assessment                                                                                                                                                    |
| <i>Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the Mineral Resources (Sustainable Development) Act 1990.</i> | <p>The proposal is exempt from the requirements of a Work Plan.</p> <p>The proposal will be required to be in accordance with an approved Work Authority.</p> |

Clause 52.09-5 and Clause 52.09-6 of the Mansfield Planning Scheme sets out requirements for Permit Conditions for Extractive Industry, which have been included in the Officer Recommendation:

*A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:*

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.*
- Such condition is suggested by the applicant.*

*A permit to use and develop land for extractive industry must include:*

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.*
- Conditions that are consistent with the requirements specified in Clause 52.09-6.*

Section 68(A) of the *Planning and Environment Act 1987* specifies Expiration of Permits for Extractive Industry:

*(1) Despite Section 68(2)(b) and (3)(d), a permit that authorises the use of land for extractive industry expires if the use authorised by the permit is discontinued for a period of 10 years.*

In accordance with the Planning Scheme and Act, the Officer Recommendation includes a permit condition enabling five (5) years to commence and does not include any conditions relating to completion or discontinuance.

Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that the proposal responds appropriately to the requirements of the Scheme with respect to development in the Farming Zone, Environmental Significance Overlay, and Bushfire Management Overlay, local and state policy, and the Particular Provisions for Extractive Industries. The concerns raised through submissions have been considered in relation to the relevant planning policies and suitable conditions are recommended to ensure the proposal has a limited impact on the surrounding landscape and that the extractive areas will be suitably rehabilitated.

The proposal is generally consistent with the relevant provisions of the Mansfield Planning Scheme, as discussed in this report. The application is therefore recommended for approval however, as there are outstanding objections a planning permit is not able to be issued without

first issuing a Notice of Decision to Grant a Permit providing Objectors an opportunity to appeal to VCAT.

## Recommendation

THAT COUNCIL issue a **Notice of Decision to Grant a Permit** for Planning Permit Application P029-25 to allow use and development of land for Extractive Industry (Stone Extraction) on Lot 4A on TP823926, commonly addressed as 422 O'Halloran Road Bridge Creek, in accordance with endorsed plans and subject to the following conditions:

### Endorsed Plans

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

### Work Authority

2. The use and development must be conducted in accordance with an approved Work Authority to the satisfaction of the Responsible Authority.
3. No alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land to the satisfaction of the Responsible Authority. This does not apply to driveways, drains, bund walls or landscaping.
4. Parking areas must be provided to employee' cars and all vehicles used on the land.

### Hours of Operation

5. The use (stone extraction and all associated works and activities, including truck movements), must only operate between the following times:
  - a. 7:00am to 4:00pm, Monday to Friday
  - b. No works or activities on Weekends (Saturday and Sunday) or Public Holidays
  - c. No machinery operations on declared days of Total Fire Ban.
6. Loading trucks with extracted materials must not occur before 9:00am on any given day, unless in exceptional circumstances to the satisfaction of the Responsible Authority. If loading prior to 9:00am is required to occur for more than one (1) consecutive day neighbouring properties, within a 2 kilometre radius of the extraction area and with an existing dwelling, must be notified of the exceptional circumstances.
7. Rock Breaking must only occur on Tuesdays and Thursdays for no more than 2 hours, between the hours of 10:00am and 2:00pm, unless with the prior written consent of the Responsible Authority.

### Sign

8. Prior to the commencement of any works a sign, not exceeding 0.3 square metres must be displayed at the entrance to the land detailing the name and contact details of the Contractor/Operator undertaking the extraction works, to the satisfaction of the Responsible Authority.

### Vehicle Movements

9. Heavy vehicle movements associated with the use and development must not exceed eight (8) (or 4 return trips) per day, unless with the prior written consent of the Responsible Authority.
10. Heavy Vehicles associated with the use and development must only enter and exit the site in accordance with the Endorsed Haul Route Plan, except in the event of an emergency.  
No Heavy Vehicles associated with the use and development are to use Ohalloran Road or Long Lane to enter or exit the site.
11. A Log Book of all Heavy Vehicle movements associated with the use and development must be maintained by the operator, detailing dates and times of movements. The Log Book must be provided to Council upon request.

### **Extraction Method**

12. Stone must be excavated via cut and fill methods. No chemicals, blasting, explosives or other methods are to be used to extract stone at any time without the prior written consent of the Responsible Authority.

### **Treatment of Stone**

13. Treatment of extracted stone, including crushing and processing, must not be undertaken on the land without the prior written consent of the Responsible Authority.

### **Amenity**

14. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a. transport of materials, goods or commodities to or from the land
  - b. appearance of any building, works or materials
  - c. emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.to the satisfaction of the responsible authority.
15. At all times noise emanating from the land must comply with the requirements of the Environment Protection Regulations 2021 (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority. Noise Protocol means the Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, published by the Environment Protection Authority on its website, as in force from time to time.
16. Direct sales of goods or other materials must not be made to the public on the land.

### **Engineering**

17. Access to the property must be via the existing crossover on Midland Highway and internal access tracks, no additional access is to be created without the prior written consent of the Responsible Authority.
18. The internal access track must be of an all-weather standard with dimensions adequate to accommodate emergency vehicles and be sufficient to meet CFA access requirements.
19. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into drain or watercourses.
20. Interrupted overland flow from this development must not impact on adjacent lots.
21. All works must be undertaken in a manner that minimises soil erosion to greatest extent practicable, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the Responsible Authority.
22. All topsoil removed during stone extraction works must be stockpiled, maintained in a weed-free condition, respread on disturbed ground after the completion of each Stage and revegetated to prevent erosion, all to the satisfaction of the Responsible Authority and in accordance with the endorsed Operation Plan.
23. All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant material before entering and leaving the site to prevent the spread of weeds and pathogens, to the satisfaction of the Responsible Authority.
24. An on-site stormwater treatment facility designed to capture sediment-laden water being discharged from the site must be installed prior to the commencement of the works approved by this permit, to the satisfaction of the responsible authority.

### **Goulburn Murray Water**

25. There must be no excavation, stockpiling or other works within 30m of the top of the bank of any waterways.
26. All works associated with the quarry activities must be undertaken in accordance with DEDJTR, Code of Practice Small Quarries (2010).
27. Sediment control principles outlined in EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023) must be implemented on the site to

ensure that no sediment laden run-off is able to leave the site or be discharged to waterways or drainage lines. Appropriate sediment control measures must be maintained to ensure their effectiveness.

28. Stormwater unaffected by the quarry/work site operations must be diverted around the site of operations as unconcentrated overland flow so as not to cause any erosion, channelling or discharge of sediment off-site.
29. Stockpiles of topsoil, subsoil, overburden or extracted material must be either revegetated or stored in a manner whereby any run-off containing sediment is directed towards the sedimentation basin.
30. At the completion of all quarrying activities, the site must be rehabilitated to prevent erosion and sediment transport off-site.
31. All wastewater from toilets or handwashing facilities must be transported off-site to the satisfaction of council's Environmental Health Department.
32. Should groundwater be intercepted, or if dewatering may be required the applicant must contact GMW to discuss whether a take and use licence is required. GMW will consider the constraints associated with these approvals and may impose licence conditions.

#### **Head, Transport for Victoria**

33. There must be only one vehicle access from the subject land to Midland Highway as shown on the plan appended to the application.

#### **Resources Victoria**

34. The use and development of the land for the purpose of an extractive industry must be conducted in accordance the Code of Practice for Small Quarries (Ref – Acceptance Letter Dated 23/09/2025).
35. This permit shall expire if the use and development has not commenced within 5 years from the date of issue.

#### **Permit Expiry**

36. This permit will expire if the development is not started within five (5) years of the issued date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987, before the permit expires or within six (6) months afterwards, the owner or occupier of the land to which it applies may submit an application to the Responsible Authority for an extension of the expiry date referred to in this condition.

#### **Permit Notes**

1. All works being conducted are subject to the Aboriginal Heritage Act 2006 and in particular Sections 24 and 28.
2. **Goulburn Murray Water**  
Applications for a Licence to Take and Use Water can be made to Goulburn Murray Water's Diversion Operations on 1800 013 357.
3. **Resources Victoria**  
Where noncompliance with the Code of Practice for Small Quarries is discovered and or proposed, further referral to Resources Victoria will be required.

#### **Support Attachments**

1. Assessment against Planning Scheme [13.2.1.1 - 15 pages]
2. Operations Plan [13.2.1.2 - 37 pages]

## **Considerations and Implications of Recommendation**

### **Sustainability Implications**

The application has been assessed against the provisions of the Mansfield Planning Scheme, including all relevant sustainability principles and policies.

## Community Engagement

Community Engagement has been undertaken in accordance with the Council Community Engagement Policy and the *Planning and Environment Act 1987*. The application was advertised to the owners and occupiers of nearby properties, a sign was placed onsite and a notice in the local newspaper. The public notice period was from 6 to 27 May 2025, during this time a total of eleven (11) submissions were received.

A Consultative Meeting was hosted by Council where the Permit Applicant and all Submitters were invited to attend. Following this process one (1) objection was withdrawn.

## Collaboration

Not Applicable

## Financial Impact

This application is being assessed by Council's existing Statutory Planning resources. Application fees of \$1,916.90 have been received, which include cost recovery for public notice.

## Legal and Risk Implications

This planning permit application is being undertaken in accordance with the requirements of the *Planning & Environment Act 1987*.

## Regional, State and National Plans and Policies

This application has been assessed in accordance with the Mansfield Planning Scheme.

## Innovation and Continuous Improvement

Not Applicable

## Alignment to Council Plan

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

Strategy 3.1 Protect natural vistas and farmland

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

Strategy 5.1 Create conditions that enable local businesses

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

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

## Governance - Disclosure of Conflicts of Interest

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

### 13.2.2. Protection of Vegetation including Canopy Trees

|                    |  |                            |                                                      |
|--------------------|--|----------------------------|------------------------------------------------------|
| <b>File Number</b> |  | <b>Responsible Officer</b> | General Manager Investment & Planning, Melissa Crane |
| <b>Purpose</b>     |  |                            |                                                      |

To seek Council consideration and endorsement of an advocacy position in relation to the protection of large trees in the Victorian Planning Provisions.

#### Executive Summary

Protection of vegetation, both in our rural areas and in our townships, is a valued outcome for the Mansfield Shire community. Protection of vegetation, especially large trees, is predominantly managed through the Mansfield Planning Scheme. However, the existing provisions in the Mansfield Planning Scheme provide limited protection.

To provide protection at a local level, Council must develop a reasonable strategic justification, that demonstrates the need for the controls. Any strategic justification comes with a requirement for extensive reports and a planning scheme amendment process to be implemented into the Mansfield Planning Scheme. With the limited resources available to a small rural shire like Mansfield, this process is often difficult and resource intensive that the work is not able to be done. An alternative option is to advocate for changes to the Victorian Planning Provisions to provide for protection of large trees statewide.

The State Government recently implemented Clause 52.37 *Canopy Trees* through the Victorian Planning Provisions, which now applies to all planning schemes in Victoria. While this is a positive step forward for protection of vegetation, it could go further, and this paper presents an option for advocacy to seek the expansion of this provision.

#### Key Issues

Vegetation, particularly large trees, both native and exotic, is a highly valued feature of the Mansfield municipality. Applications for vegetation removal can often lead to conflict and concern amongst residents who value the vegetated nature of the landscape in both urban and rural settings. As Council faces a significant increase in subdivision and development projects, there is a growing apprehension about the potential removal of large trees and the consequential loss of biodiversity and habitat as well as the impact on the character of Mansfield Shire.

Mansfield Shire Council has overlays within its Planning Scheme that can be used to protect large trees however; protection of vegetation is frequently hindered by the existing State provisions that allow removal of vegetation. There is a high level of awareness of these provisions by developers which severely limits the ability of Council officers to seek improved outcomes for protection of vegetation, particularly with the ability of developers to appeal Council's decision through to VCAT, should Council try to impose a higher standard.

There are also exemptions which apply to land in the Bushfire Management Overlay to enable the creation of defensible space around dwellings. These exemptions often result in the total

clearing of vegetation within 10 metres of a dwelling and selective removal and pruning of vegetation for up to 50 metres around a dwelling, or to a property boundary on smaller lots or in residential areas, such as Sawmill Settlement and Alpine Ridge. These provisions exist as the planning scheme has protection for human life as a high priority over protection of vegetation.

Further to the constraints encountered in the statutory planning environment when it comes to protection of vegetation, the strategic planning process from a local government perspective is structured in a way that it is prohibitive to changing the scheme in a cost effective and timely manner. The process requires large amounts of strategic work to be done before the Scheme can be amended, often at a significant cost to Council. A small rural shire like Mansfield is not generally in a position to fund expensive technical reports that would support the protection of vegetation beyond the protections that exist currently. In addition, the amendment process that is needed to implement the findings of any technical report is time-consuming and expensive. These constraints result in limited work being done at a local level that would support additional localised protection.

### **Existing Protections in the Mansfield Planning Scheme**

Various planning overlays can be implemented through the Scheme to protect individual or groups of trees, both native and exotic. Generally, overlays apply to a single issue or related set of issues (such as heritage, an environmental concern or flooding). Where more than one issue applies to land, multiple overlays can be used. Overlays must have a strategic justification. Many overlays have schedules to specify local objectives and requirements. Most overlays make requirements about development rather than land use. Overlays do not change the intent of the zone.

Currently, the following tools are active in the Mansfield Planning Scheme:

- Vegetation Protection Overlay
- Environment Significance Overlay
- Significant Landscape Overlay
- Heritage Overlay
- Clause 52.17: Native Vegetation
- Clause 52.37: Canopy Trees

These overlays provide limited protection for large trees and would need to be significantly expanded to reflect the desire of our communities to protect these large trees. Considering the administrative burden that would be borne by Council to undertake either a Planning Scheme Amendment process to expand the controls across the municipality, or to administer enforcement through the Community Local Laws, Council has an option to assume an advocacy position on this matter.

The State Government recently introduced Clause 52.37, Canopy Trees, into all planning schemes in Victoria. This provision has provided additional protection for large trees in some parts of the municipality. This clause enacted an action from Plan for Victoria, to “Protect and enhance our canopy trees”. While the provision is a positive step for protection of large trees, it still has limitations that could be expanded to provide a higher level of protection for large trees, both exotic and native.

While this is good first step, the limitations to this provision as it is currently in the scheme are as follows:

- It only applies to some residential zones (Low Density Residential is excluded from this provision).
- The purpose of the provision is limited to protection urban greening only and does not provide many grounds for refusal should a permit to remove a canopy tree not be supported.
- Applications for dwellings on a lot under Clauses 54 or 55 do not have to consider or address this provision.
- The provision is very technical and is open to interpretation and could be hard to enforce for non-compliance.
- The provision only protects trees on blocks with houses right at the front or back of the block.
- Applications for removal of trees under this provision are exempt from notice to neighbours.
- Applications for removal of trees under this provision are exempt from the rights of review at VCAT.
- The clause is listed separately in the Planning Scheme and is not referred to directly in any of the zones it applies to, making knowing about the requirements overly difficult.

If this provision was expanded, it could provide real protection for large trees. Council could advocate to the State Government to expand the provision in the following ways:

- The clause should be applied to all residential zones, commercial zones, industrial zones and the Rural Living Zone.
- The purpose of the Clause should be expanded to include the following:
  - Protection of neighbourhood character
  - To assist in the reduction of visual bulk in development.
  - Protection of trees for environment, biodiversity and habitat qualities as well as urban cooling.
  - Retention of trees should be encouraged to support earth stabilisation.
- The exemptions should be reviewed to reduce the amount of development that does not have to consider the retention of large trees, for example:
  - Applications being assessed under Clauses 54 and 55
  - Where dwellings exist on site.
- That notice and review rights be included in the Clause to allow Council to advertise and consider objections, as well as to give neighbours the rights of appeal at VCAT.
- That permit triggers be created in the zones directly, rather than having it as a separate provision to reduce complexity for landowners.

## Recommendation

### THAT COUNCIL:

1. Calls on the Victorian State Government, by writing to the Minister for Planning and the Minister for Environment, to support the protection of large trees in Victoria by amending Clause 52.37, Canopy Trees, of the Victorian Planning Provisions to do the following:
  - a. Apply to all residential zones, commercial zones, industrial zones and the Rural Living Zone.
  - b. Expand the purpose of the clause to include:
    - i. To assist in the protection of neighbourhood character
    - ii. To assist in the reduction of visual bulk in development
    - iii. To assist in the protection of trees for environment, biodiversity and habitat qualities
  - c. Reduce the exemptions to reduce the amount of development that does not have to consider the retention of large trees, including:
    - i. Applications being assessed under Clauses 54 and 55
    - ii. Where dwellings exist on a site.
  - d. Include notice and review rights in the Clause to allow Council to advertise and consider objections, as well as to give neighbours the rights of appeal at VCAT.
  - e. Implement this provision as a trigger for a permit in the zones rather than as a separate provision to reduce complexity for landowners.
2. Submit this position for consideration and adoption to the Hume Region Local Government Network.
3. Submit this position for consideration and adoption to Rural Councils Victoria.
4. Provide this position to the Municipal Association of Victoria.
5. Authorises the CEO and Mayor to advocate for and communicate this position to both the Mansfield Shire community, and with the State Government.

## Support Attachments

1. mans 52 37 [13.2.2.1 - 7 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

By improving protection of large trees, Council will take positive steps towards improving the sustainability and environmental protection of our neighbourhoods.

### Community Engagement

Council has undergone extensive community consultation on a range of projects where the protection of vegetation has been identified as important to the Mansfield community, as follows:

- For the development of the Community Vision 2040, a deliberative engagement was run in line with the Council Plan deliberation. This included a significant and comprehensive online and in-person engagement process, including school and library engagements. A deliberative workshop was held by an external facilitator and several community members. The workshop and the feedback received confirmed that the Community

Vision 2040 continues to define the community's aspirations for the future, where Environment and Place was identified as a core domain.

- The Council Plan 2021-2025, which also went through an extensive community consultation process, where protecting natural vistas and farmland is a key strategy, with vegetation protection key to this.
- The Draft Council Plan 2025-2029, which has also gone through an extensive consultation process has identified that a strategic objective for the municipality to "Look after the land, the environment and our country character".
- The Mansfield Planning Strategy, adopted in 2022, where it identified that many large, old trees occur on private land, and that there was a need to strengthen planning controls to protect both identified features of significance and environmental assets for future generations. The following strategies are relevant to this paper:
- Strategy 43 – Identify mechanisms to protect large old River Red Gum, Yellow Box and other species of remnant indigenous trees.
- Strategy 44 – Ensure native vegetation is protected in the Mansfield Planning Scheme.

## Collaboration

Council collaborates with Up2Us Landcare on environmental matters, including the protection of vegetation in the municipality. Up2Us Landcare strongly supports the protection of large trees across the municipality.

## Financial Impact

Not Applicable

## Legal and Risk Implications

Not Applicable

## Regional, State and National Plans and Policies

Should the State Government determine to accept Council's position, the changes would need to be implemented through the Victorian Planning Provisions in all Planning Schemes in Victoria.

## Innovation and Continuous Improvement

Not Applicable

## Alignment to Council Plan

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

Strategy 3.1 Protect natural vistas and farmland

Strategy 3.2 Enhance township character

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

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

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

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

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

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

### 13.2.3. Review of Register of Public Roads & Request for Inclusion of 940 Mt Buller Road

|                    |        |                            |                                                      |
|--------------------|--------|----------------------------|------------------------------------------------------|
| <b>File Number</b> | E10327 | <b>Responsible Officer</b> | General Manager Investment & Planning, Melissa Crane |
| <b>Purpose</b>     |        |                            |                                                      |

To present the updated Register of Public Roads to Council for adoption.

To seek a decision from Council on a request for the inclusion of access to 940 Mt Buller Road, Mansfield in the Register of Public Roads.

#### Executive Summary

Council has developed and published a Road Management Plan (RMP), in accordance with the *Road Management Act 2004* (The Act). This plan has established a management system for road management functions, based on policy, operational objectives and available resources.

The *Road Management Act* (the Act) was introduced to reform the law relating to road management in Victoria. The Act outlines the rights and responsibilities of road authorities and road users.

The Mansfield Shire Council RMP and Register of Public Roads were last amended in 2024 and were endorsed by Council at the meeting on 16 July 2024. The Register of Public Roads includes all public roads which Council determined were reasonably required for general public use at that time.

Section 19 of the Act requires Council to create and maintain a Register of Public Roads for which it is the coordinating road authority. The Act also empowers Council to create a Road Management Plan describing how it performs road management functions and duties. These duties apply to the roads that Council has recorded on its Register of Public Roads.

Under Section 17(3) of the Act, the Register of Public Roads must contain any road that Council has determined is reasonably required for general public use. For any road that has been determined to be a public road, Council, as the coordinating road authority, has statutory duties to inspect, maintain and repair the road to the standard specified in the Road Management Plan.

Council officers have reviewed the current RMP and the Register of Public Roads, as required under the *Road Management Act 2004* and Regulation 8 of the *Road Management (General) Regulations 2016*. In order to ensure that the Register of Public Roads is current, Officers have undertaken a review since it was last adopted by Council, predominantly due to new roads acquired through the development of new subdivisions. As an outcome of this review some updates and changes are proposed to the register of public roads.

This report recommends adoption of the updated Register of Public Roads.

This report also considers a request for the inclusion of access to 940 Mt Buller Road, Mansfield in the Register of Public Roads.

## Key Issues

### Proposed Changes to the Road Register

All the amendments made since the last adoption of the RMP and Register of Public Roads are highlighted in yellow and are attached to this document. The changes are as follows:

- Additional of Kilkenny Court (off Redgum Drive) in Mansfield
- Extension of Redgum Drive, Mansfield
- Sealing of James Street, Bonnie Doon (removed from unsealed sections)

A summary of the length of roads managed by Council is as follows:

| Type of Road    | Length in Register in 2024 | Length in Register in 2025 | Additional Length being maintained |
|-----------------|----------------------------|----------------------------|------------------------------------|
| <b>Sealed</b>   | 262.6km                    | 265.7km                    | 3.1km                              |
| <b>Unsealed</b> | 584.9km                    | 582.8km                    | (2.1km)                            |
| <b>TOTAL</b>    | <b>847.5km</b>             | <b>848.5km</b>             | <b>1km</b>                         |

This demonstrates that Council now manages an additional 1 kilometre of road network since the plan was last adopted.

### Request for Roads to be added to the Register of Public Roads

The Register of Public Roads lists all roads to be maintained by Council. Standard criteria, defined in the RMP, are used to assess whether a section of road is reasonably required for general public use and should therefore be included on the Register of Public Roads. The register provides four classes of assets for roads as follows:

| Road Hierarchy       | Description                                                                                                                                                                                                                                                                                   | Maintenance Standards                                                                                                                                                                                 |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1 – Link</b>      | Provides a link between major roads and regions and between significant population centres and major traffic generators such as residential, industrial and commercial nodes.                                                                                                                 | Graded at least once per grading season.                                                                                                                                                              |
| <b>2 – Collector</b> | Provides a route between, and through residential, industrial, commercial, agricultural, tourist and forest traffic nodes and the link and/or declared Road network.                                                                                                                          | Graded at least once per grading season.                                                                                                                                                              |
| <b>3 - Access</b>    | Provides direct access for abutting residential, industrial, commercial properties and connects into the link, collector or declared Road network. There is minimal to no through traffic. Parking areas, including on-street and off-street parking are included as part of this Road class. | High traffic ( $\geq 50$ light vehicles per day) graded once per grading season<br>Low traffic ( $< 50$ light vehicles per day) graded once every two years, or twice on an “as-required basis” only. |

| Road Hierarchy            | Description                                                                                                                                                                                                                                                   | Maintenance Standards                                                 |
|---------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <b>4 – Limited Access</b> | A rural or urban access track, providing access for agricultural purposes, fire and/or maintenance vehicles. This category of Road is typically unformed with nominal pavement, unsealed and considered a dry weather Road where seasonal closures may apply. | Graded once every two years, or twice on an “as-required basis” only. |

### 940 Mt Buller Road, Mansfield - Request for Inclusion

Council has received a request for the access track to 940 Mt Buller Road, Mansfield to be upgraded and added to the Register of Public Roads.

The owner of the property at 940 Mt Buller Road, Mansfield, has requested to have the property access upgraded by Council. He has advised that once Council upgrades it, he is happy to manage it himself. To respond to this request, Council needs to determine if the access to this property is reasonably required for general public use in accordance with the Act.

For any road that has been determined to be a public road, Council, as the coordinating road authority, has statutory duties to inspect, maintain and repair the road to the standard specified in the Road Management Plan. Council would normally only undertake upgrade works on a road that they intended to assume maintenance responsibility for, and all requests for inclusion of roads on the Register are assessed against the same criteria to ensure an equitable and transparent process.

The subject land is an 8.96ha parcel of land that was created with a re-subdivision of lots in 2017, originally part of the farm Minto Glen. This subdivision also created 942 Mt Buller Road, which was a balance lot of 106.82ha in size. Both lots have access from a government road reserve to the west of the properties, as well as having frontage to Mt Buller Road. It is noted that access to Mt Buller Road would require a planning permit. While the property has legal access from the government road reserve to the west, this road reserve is not on Council's Register of Public Roads and is therefore not maintained by Council.

The purpose of a road reserve allows for carriageway, which the owner of the property can continue to use to access his property. However, the existing property access is considered to be a private driveway, which has been the case for a long period of time. The current owner purchased the property in June 2023 and has been unhappy with the standard of the driveway since that time.

The road reserve in question, highlighted in blue, is to the west of the subject land, in Figure 1, below:



Figure 1: Subject Land and Road Reserve

An assessment of the request against the criteria for inclusion in the Register of Public Roads has been undertaken as follows:

| Requirement                                                                      | Assessment                                                                                                                                                                           |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Mandatory</b>                                                                 |                                                                                                                                                                                      |
| Whether the road is reasonably required for general public use.                  | The road only provides vehicular access to one dwelling and is also used to provide access to the farming property at 942 Mt Buller Road.                                            |
| <b>Non-Mandatory</b>                                                             |                                                                                                                                                                                      |
| Minimum of three (3) separately owned and occupied properties abutting the road. | Only one property is occupied adjoining the road.                                                                                                                                    |
| Whether the properties abutting the road have alternative access rights.         | Both properties have alternative access options, but they would need a planning permit to construct. DTP may not allow that and may require access from the existing road reserve to |

| Requirement                                                                                                       | Assessment                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                   | the west. Should this happen, the normal requirement would be for upgrade of the road to be undertaken by the landowner. |
| Whether the road connects into, and forms part of, the wider network of public roads.                             | The road connects to Mt Buller Road which is managed by DTP in the wider network.                                        |
| Whether the road contains assets owned or managed by public service authorities.                                  | There are no assets in the road reserve.                                                                                 |
| Whether the road is safe for public access.                                                                       | There are tree limbs falling off onto the road and damaging the fence.                                                   |
| Whether the road is built to Council standards.                                                                   | The road would require upgrade works to be undertaken to meet Council standards.                                         |
| Whether landowners in abutting properties will contribute financially to upgrading the Road to Council standards. | No                                                                                                                       |

In this case, the road is not considered “reasonably required for general public use” as it does not meet the criteria. Therefore, Council officers do not consider it appropriate to recommend its addition to the Register of Public Roads.

As the request was for Council to undertake upgrade works, the estimated cost to undertake resheeting of the road is outlined in the table below. It is noted that this work is not included in Council’s budget for 2025-26 and requires a Council decision to add the road to the Register first. The property owner has declined to make any contribution to the upgrade works.

| Item                                                      | Length (m) | Estimated Cost |
|-----------------------------------------------------------|------------|----------------|
| Resheeting existing access road                           | 285        | \$9,405        |
| <b>Total Cost for Upgrade</b>                             |            | <b>\$9,405</b> |
| Less property owner contribution                          |            | Nil            |
| <b>Approximate Council Contribution for upgrade works</b> |            | <b>\$9,405</b> |

The road presents as a driveway from Mt Buller Road, per the below photos:



Figure 2: Google Street View of the driveway as it appears in June 2023



Figure 3: Accessway as it appears from Mt Buller Road in May 2025.



*Figure 4: View of driveway from second gate*



*Figure 5: View of access into 940 Mt Buller Road*



Figure 6: View of the end of the accessway where it enters Minto Glen farm.

| Recommendation                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. Adopts the updated Register of Public Roads.</li> <li>2. Does not approve the declaration of the unnamed road reserve providing access to 940 Mt Buller Road, Mansfield, as a public highway, or its inclusion on the Register of Public Roads.</li> <li>3. Does not upgrade the access to 940 Mt Buller Road, Mansfield.</li> </ol> |
| Support Attachments                                                                                                                                                                                                                                                                                                                                                                                 |
| <ol style="list-style-type: none"> <li>1. Register of Public Roads - as at 30 June 2025 [13.2.3.1 - 20 pages]</li> </ol>                                                                                                                                                                                                                                                                            |

## Considerations and Implications of Recommendation

### Sustainability Implications

Requests for the maintenance or upgrade of roads can have sustainability implications for Council. Any decision to add roads to the Register can have the effect of diluting the available funds and resources to maintain all public roads and must be carefully considered against the criteria developed to assist in identifying roads that may be reasonably required for inclusion, as outlined in the Road Management Plan.

### Community Engagement

Not applicable in this case as the only changes recommended to the Register are for the addition of roads from approved subdivisions and amendments to road pavement types made as part of Council's capital works program.

## Collaboration

Not Applicable

## Financial Impact

All work to update the Register of Public Roads and assess the road upgrade request has been undertaken internally by Council Officers within existing staff resources.

Any roads added to the Register of Public Roads will require inspection, maintenance and repair. This does have a financial impact and increases demand on Field Services resources. The total length of additional sealed roads is 3.1km (for a total of 265.7km). The reduction in the total length of unsealed roads is 2.1 km (for a total of 582.8 km). The additional 1km of road arising from the new subdivisions has been reviewed and can currently be managed within existing Field Services resources.

## Legal and Risk Implications

There is potential for reputational risk if roads are not maintained and renewed in line with community expectations and the requirements of the Road Management Plan. Council carefully reviews all requests for the addition of new roads to the Register, to ensure that it can continue to meet its obligations in relation to the Road Management Plan.

## Regional, State and National Plans and Policies

Section 19 of the *Road Management Act 2004* requires Council to create and maintain a Register of Public Roads for which it is the coordinating road authority. The Act also empowers Council to create a Road Management Plan describing how it performs road management functions and duties. These duties apply to the roads that Council has recorded on its Register of Public Roads.

Under Section 17(3) of the Act, the Register of Public Roads must contain any road that Council has determined is reasonably required for general public use. For any road that has been determined to be a public road, Council, as the coordinating road authority, has statutory duties to inspect, maintain and repair the road to the standard specified in the Road Management Plan.

## Innovation and Continuous Improvement

Not Applicable

## Alignment to Council Plan

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

Strategy 3.3 Improve roads, drainage and footpaths

## 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. Capital Works and Operations

#### 13.3.1. Emergency Management Policy and Framework

|                    |       |                            |                                                |
|--------------------|-------|----------------------------|------------------------------------------------|
| <b>File Number</b> | E1533 | <b>Responsible Officer</b> | Emergency Management Officer,<br>Tamara Watson |
| <b>Purpose</b>     |       |                            |                                                |

To seek Council endorsement of the revised Emergency Management Policy and Framework.

#### Executive Summary

The Emergency Management Policy, first implemented in 2016, outlines Council's responsibilities and obligations (under the *Emergency Management Act 2013*, *Emergency Management Legislation Amendment Act 2018*, State Emergency Management Plan (SEMP) and *CFA Act 1958*) regarding emergency management within the Shire. It documents the requirements and obligations at the municipal level and how Council will implement those requirements in order to deliver effective emergency response and recovery outcomes.

The Emergency Management Framework identifies Council's role and the requirement to comply with various pieces of legislation. It also provides a quick reference guide that identifies linkages between the Municipal Emergency Management Plan and the Integrated Fire Management Plan. The Framework provides an overview of the following roles:

- Chair of Municipal Emergency Management Committee (MEMPC)
- Municipal Emergency Management Officer (MEMO)
- Municipal Recovery Manager (MRM)
- Municipal Fire Prevention Officer (MFPO and deputies)
- Emergency Management Liaison Officer (EMLO)

Staff are delegated to the Chair of MEMPC, MEMO, MRM and MFPO roles as per the Delegations Register. The EMLO roles are filled by staff identified as having the skills and knowledge to fill the requirements for this role during an emergency.

#### Key Issues

The Policy and Framework underwent an extensive review process in 2022 to address changes to the *Emergency Management Act 2013* and the emergency management arrangements that apply within Victoria. A recent review of the documents resulted in minor administrative changes, as can be seen in the tracked changes versions attached.

Community engagement has not been undertaken due to the minimal changes proposed and the technical nature of the documents. The updated Policy and Framework will be published on Council's website following consideration by Council, and the community will be notified through the Mansfield Matters column in the Courier.

| Recommendation                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| THAT COUNCIL endorses the Emergency Management Policy and Framework 2025.                                                                                                                                                                                                                                                                                                |
| Support Attachments                                                                                                                                                                                                                                                                                                                                                      |
| <ol style="list-style-type: none"> <li>1. DRAFT Emergency Management Policy 2025 [13.3.1.1 - 5 pages]</li> <li>2. DRAFT Emergency Management Framework 2025 [13.3.1.2 - 17 pages]</li> <li>3. Tracked Changes - Emergency Management Policy 2025 [13.3.1.3 - 5 pages]</li> <li>4. Tracked Changes - Emergency Management Framework 2025 [13.3.1.4 - 17 pages]</li> </ol> |

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

The updated Policy and Framework will be published on Council's website following consideration by Council, and the community will be notified through the Mansfield Matters column in the Courier.

### Collaboration

Not Applicable

### Financial Impact

The review of the Policy and Framework has been undertaken internally within existing staff resources.

### Legal and Risk Implications

Regulatory Risk: Council has obligations to undertake specific emergency management roles, including planning and procedures for the protection of the community under the *Emergency Management Act 2013*, *Emergency Management Legislation Amendment Act 2018*, State Emergency Management Plan (SEMP) and *CFA Act 1958*. The Emergency Management Policy and Framework outline the roles, responsibilities and actions to prepare, respond and recover from Emergencies.

### Regional, State and National Plans and Policies

Relevant legislation and policies include the *Emergency Management Act 2013*, *Emergency Management Legislation Amendment Act 2018*, State Emergency Management Plan (SEMP) and *CFA Act 1958*.

### Innovation and Continuous Improvement

Not Applicable

### Alignment to Council Plan

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

## **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.                **Mansfield Swimming Pool 2024-25 End of Season Report**

|                    |       |                            |                                        |
|--------------------|-------|----------------------------|----------------------------------------|
| <b>File Number</b> | E2686 | <b>Responsible Officer</b> | Manager of Field Services, Tas Clingan |
| <b>Purpose</b>     |       |                            |                                        |

To provide Council with an update of the operational performance of the Mansfield Swimming Pool during the 2024-25 season. It highlights key achievements, challenges faced, maintenance activities undertaken and recommendations for improvement.

**Executive Summary**

The Mansfield Swimming Pool was open from Saturday 16 November 2024 to Sunday 16 March 2025. The facility operated under the management of Belgravia Health and Leisure Pty Ltd for the fourth consecutive year.

This report includes detailed insights from community feedback, contract review meetings and Belgravia's End of Season Report. The community feedback has been discussed with members of Council's Aquatic Facilities Working Group and recommendations have been included in this report for Council's information.

The Mansfield Swimming Pool continues to serve as a vital recreational hub for the community, offering a safe and enjoyable environment for outdoor activities. Moving forward, enhancing communication with schools and user groups, and reviewing opening hours will be key priorities in ensuring the long-term success of the facility. The recommendations outlined in this report aim to address identified issues and further improve the quality-of-service delivery in the upcoming seasons.

**Key Issues**

The facility operated in line with the contract at a fixed annual fee with the cost to Council for 2024-25 set at \$184,939.00. Across the 119 operational days, only 3.5 hours were lost due to closures and the season attendance continued to increase year on year, with a total of 13,250 pool admissions for the season, representing a 2.3% increase compared with the previous year.

After four consecutive seasons at a fixed annual cost, a 4.5% increase to the contract fee with Belgravia has been approved for 2025-26. This adjustment reflects rising operational expenses, including utilities, insurance premiums, and staffing costs. The total contract value for the upcoming season is \$193,261.

Belgravia successfully recruited and trained one new swim teacher to offer lessons to the community in 2024-25, with two staff returning from prior seasons. However, the recruitment for 2024-25 proved challenging: 29 applicants commenced training and onboarding but did not follow through to become active staff, resulting in only 55% successful recruitment.

In 2024-25 local schools generally used the pool for their swimming carnivals and not regular swimming lessons due to the recruitment challenges for accredited swim teachers; schools generally are seeking a minimum of three qualified teachers with Belgravia only able to supply one. School teachers are facing the challenge of not being able to meet the new minimum

required hours to retain their VICSWIM accreditation to teach swimming lessons due to the seasonal opening of the Mansfield Aquatic Centre.

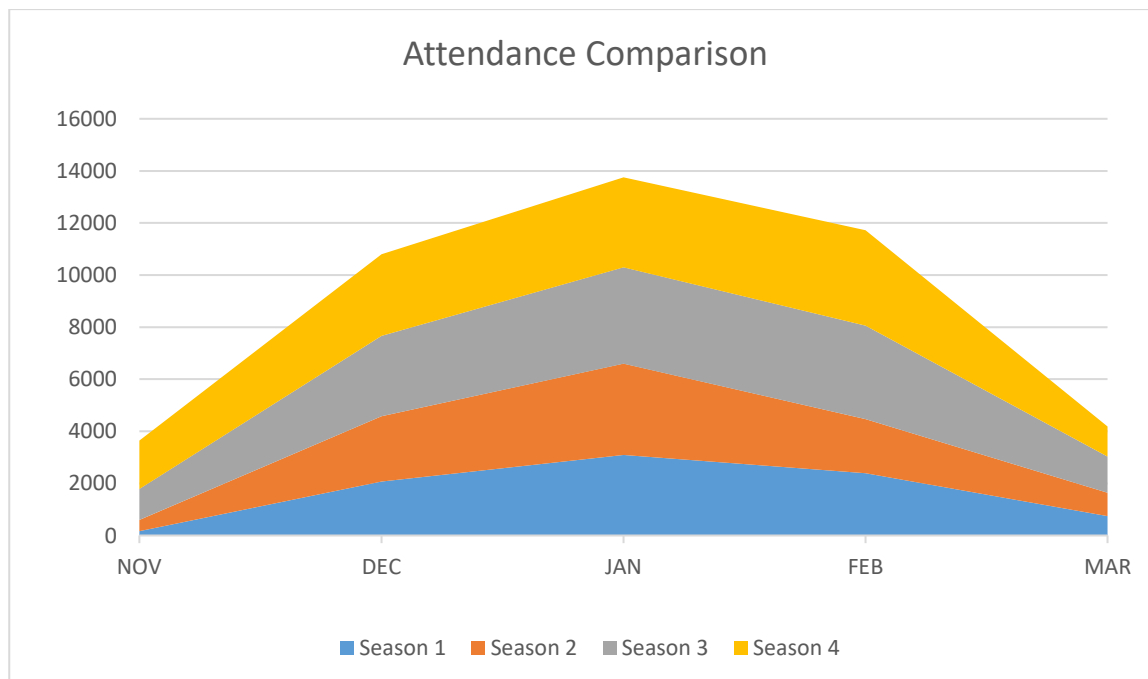
Schools that used the pool for their swimming carnivals this year included St Mary's, Mansfield Primary School, Mansfield Secondary College, St Mary's Primary School and the Mansfield Rudolph Steiner School.

Mansfield Primary School (MPS) transported students to Benalla for lessons due to limitations with swim teachers at the Mansfield Aquatic Centre. The school cited a short operating season and restricted availability of lesson spaces, mainly due to teacher shortages, which made it difficult to accommodate the large cohort of up to 510 students. Following the season, a meeting was held with MPS Principal Nicole Salmon to discuss these operational challenges. It was made clear that, moving forward, MPS would require a minimum of four qualified swim teachers to deliver its program effectively. However, Belgravia has historically only been able to provide one teacher, which has proven insufficient given the scale of the program. The short three-month season further complicates coordination efforts, making it difficult for MPS to schedule and deliver lessons locally at the Mansfield Aquatic Centre. Without adequate teacher staffing, the school faces ongoing logistical challenges in running its swimming program within the limited timeframe.

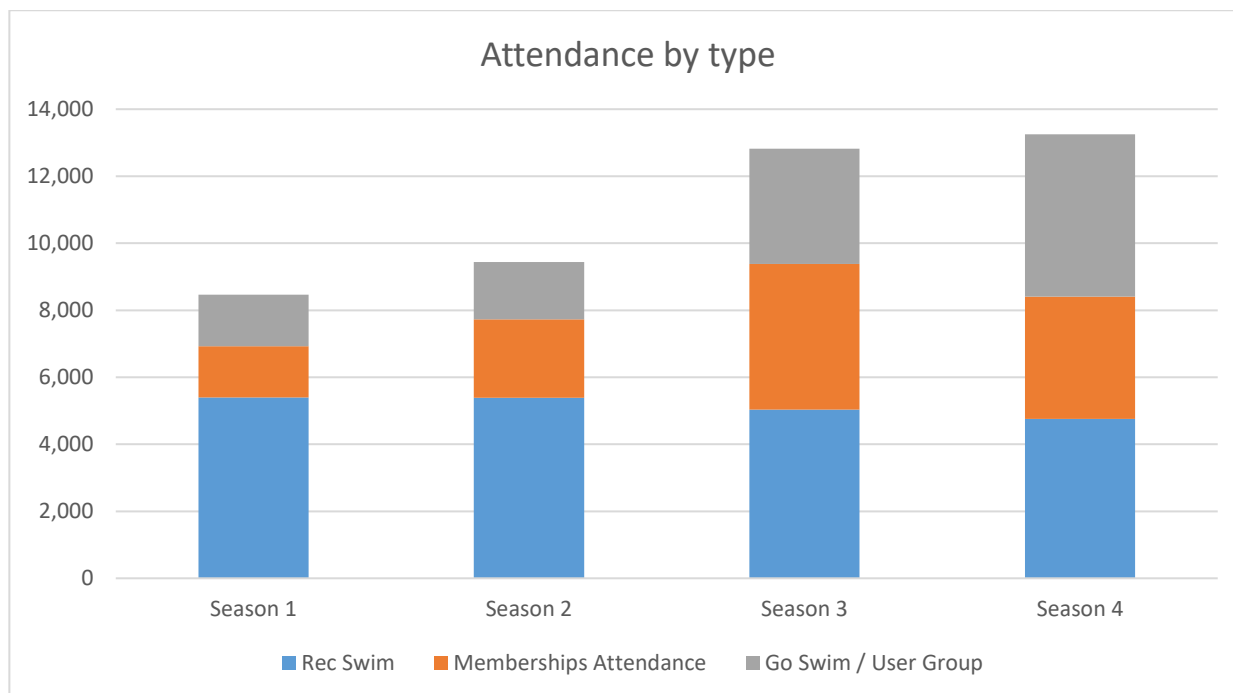
In addition to post-season feedback from local schools, valuable feedback was received from the community survey, with a range of issues raised for Council's consideration. These are outlined further below under community engagement.

### 2024-25 Season Attendance

Belgravia recorded 13,250 pool admissions for the 2024-25 season, representing a 2.3% increase compared with the previous year. The figure below depicts the attendance per month year on year.



Swimming lessons have more than doubled capacity since the first season of operation with a strong community desire for even more. This season there was a 29.5% increase in lessons due to a Belgravia increasing their offering along with a private contractor offering lessons.



### Maintenance and Upgrades

Routine maintenance tasks, including mechanical servicing, gutter cleaning, test and tagging, fire equipment checks and HVAC servicing were completed to ensure compliance requirements are met and to enhance the overall aesthetics of the facility.

Repairs to equipment and infrastructure, such as pool lights, lane ropes, signage, and pool blanket machine repairs, were carried out to ensure uninterrupted operation and user satisfaction.

Capital improvements completed in the 2024-25 financial year included the following:

- Digital dosing system upgrade \$45,031.
- New lanes ropes, storage and accessories \$6,568.
- New inflatables \$19,512.

### Environmental Health Officer Report

A mandatory inspection by Council's Environmental Health Officer, found the operations of the pool to be considered very good with some minor concerns around the location of the MSDS folder, pool temperature check sheets. Independent pool sampling was completed by ALS Laboratories.

Belgravia acknowledged and followed up on each item satisfactorily and all items have been appropriately actioned.

### Life Saving Victoria and Work Health Safety Audits

A remarkable result was achieved for Council's Life Saving Victoria (LSV) audit this year, with a Compliance Score of 99.17%, only 0.83% off a perfect gold standard score, and an improved Safety Score of 96.2%.

*Life Saving Victoria (LSV) Pool Safety Audit scores:*

| Audit Type              | Date of Audit | 24/25 Safety Score | 24/25 Compliance Score | 22/23 Safety Score | 22/23 Compliance Score |
|-------------------------|---------------|--------------------|------------------------|--------------------|------------------------|
| LSV - Pool Safety Audit | 12/02/2025    | 96.20%             | 99.17%                 | 88.36%             | 89.46%                 |

The Work Health Safety audit scores have shown continual improvement over the reporting period. This can be attributed to retaining a contract Manager two seasons in a row.

*Work Health Safety Audit scores:*

| Audit Date | Score |
|------------|-------|
| October 24 | 95.7% |
| April 24   | 91.7% |
| October 23 | 58%   |
| April 23   | 80%   |

### **Safety and Lifeguarding**

The pool maintained a high level of safety and security throughout the year, with trained lifeguards on duty during all operating hours. This season only 2 minor incidents were reported compared to the 2 moderate and 6 minor from the season prior. One incident was a pool closure due to a lightning storm and the second was due to an A-frame sign behind a door falling on a lifeguard's leg.

### **Community Engagement**

This season's community survey resulted in feedback from 70 community members.

The findings indicate moderate overall satisfaction; however, feedback and concerns were received regarding operating hours, season length, facility cleanliness, and water temperature management.

Recommendations included below focus on operational adjustments, enhanced maintenance protocols, and strategic long-term planning to address identified deficiencies.

The following table includes issues identified, and the actions proposed to improve customer satisfaction.

| Issue                   | Mention Rate | Representative Quotation                                                                                                                                                   | Action Proposed                                                                                                                                                                                                          |
|-------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Midday closure          | 74%          | "The closure during the middle of the day is very inconvenient for many members of the community."                                                                         | Following discussion with Aquatic Facilities Working Group (AFWG) minor changes to hours are proposed for upcoming season. Further community consultation will be completed prior to the 2026-27 season.                 |
| Season length           | 62%          | "Closing halfway through March is ridiculous. The weather is still hot and plenty of people would still frequent the pool regularly."                                      | This will incur further unbudgeted operational cost, has been discussed with AFWG and Councillors, and will be further considered in planning for the 2026-27 Budget to determine costs for extending the season.        |
| Change room cleanliness | 53%          | "Change rooms need to be checked by staff more often, replace toilet paper, hand towels, and do a general tidy."                                                           | Will be actioned with Belgravia prior to season commencement. It is noted that concerns related to the changerooms include the lamination of the epoxy floor coating; this discolouration cannot be removed by cleaning. |
| Water temperature       | 42%          | "The pool temperatures are way too high for fitness swimming...temperatures have been quite high consecutively and need to be dropped."                                    | Will be discussed with Belgravia prior to season commencement.                                                                                                                                                           |
| Lesson availability     | 38%          | "We have great facilities - just need more options for swimming lessons...so many other families didn't even know about lessons, let alone being on the wait list online." | Belgravia are currently recruiting with the aim of providing 3 swim teachers. Private provider YOURSWIM looking to return to provide lessons.                                                                            |

| Issue            | Mention Rate | Representative Quotation                                                       | Action Proposed                                                                                                                                                                                                                                            |
|------------------|--------------|--------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Pricing concerns | 34%          | "Too expensive for a family, particularly when you can only use a tiny space." | Pool Fees and Charges approved as part of 2025-26 Budget: <ul style="list-style-type: none"> <li>• Adult \$7.00 to \$7.20 (2.86% increase)</li> <li>• Child \$6.00 to \$6.20 (3.33% increase)</li> <li>• Family \$236 to \$250 (5.93% increase)</li> </ul> |

A post season feedback drop-in session was offered in person and email feedback was received from St Marys Primary School and from the Mansfield Swimming Club. A separate meeting was also held with the Mansfield Primary School.

Key themes from the drop-in session were:

- Communication was poor during bookings at the start of the season.
- Lack of swim lessons offered that matched the schools' preferences was the major issue.

Recurring feedback included difficulty with communication over bookings. Further enhancements with community engagement have been listed for the upcoming season. These include early communication of deadlines to schools, including a full list of fees and charges to be declared from Belgravia.

A request has been sent from Council to meet with all schools to discuss individual needs and any schedule clashes. Schools have requested up to three swim teachers throughout the day to accommodate the current number of students. However, as mentioned above, teachers are facing challenges to maintain their accreditation due to not meeting the minimum required teaching hours. A year-round operation would assist with resolving this issue, enabling teachers to retain their qualifications more consistently.

### Opening/Closing Dates & Operating Hours

In previous years the Mansfield Aquatic Centre has opened in the third weekend in November and closed in the third weekend in March allowing for a 17-week season as per the contract. Due to more stable weather conditions in March, this year's opening date is proposed to be 22 November 2025 (fourth weekend in November) allowing for a closing date of 22 March 2026.

There was a request received to extend the 2024-25 season by a further 2 weeks however, due to the timing of the request and requirements of Belgravia's staff contracts this was not possible to arrange. Extension of the season would also have come at an unbudgeted cost to Council.

To ensure operating costs for Council were kept within budget, the operating hours for the 2024-25 season were:

|                              |                                                                                                                                                                                                   |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| November,<br>December, March | <ul style="list-style-type: none"> <li>• Mon, Wed, Fri: 6.30am – 11.00am, 2.30pm – 6.30pm</li> <li>• Tue, Thu: 7.00am – 11.00am, 2.30pm – 6.30pm</li> <li>• Weekends: 10.00am – 6.00pm</li> </ul> |
| January & February           | <ul style="list-style-type: none"> <li>• Mon, Wed, Fri: 6.30am – 11.00am, 2.30pm – 7.00pm</li> <li>• Tue, Thu: 7.00am – 11.00am, 2.30pm – 7.00pm</li> <li>• Weekends: 10.00am – 7.00pm</li> </ul> |
| School Holidays              | <ul style="list-style-type: none"> <li>• Mon – Fri: 7.00am – 11.00am, 2.30pm – 7.00pm</li> <li>• Weekends: 10.00am – 7.00pm</li> </ul>                                                            |

Survey feedback from the 2024-25 season highlighted that the midday closure of the pool was not ideal for some community members. However, shifting the operating hours to a later schedule would affect early morning users, including lap swimmers and Mansfield Swimming Club training sessions. This was discussed with the Aquatic Facilities Working Group at a scheduled meeting on 8 October. A request was made to change public holiday hours to be the same as weekends and continue to open the pool at 6:30am through the school holiday period instead of 7am. This request will be forwarded to Belgravia.

In preparation for the 2026-27 season, Council will undertake broader community engagement to inform future operating hours, aligned with the new operating contract that will need to be procured before the 2026-27 season. Consideration of the grant funded improvements to the pool facilities included in the LAPS package will also need to be made when completing engagement and procurement of the future management contract. Moving forward, enhancing communication with schools and user groups, and reviewing opening hours will be key priorities in ensuring the long-term success of the facility.

| Recommendation                                                                  |
|---------------------------------------------------------------------------------|
| THAT COUNCIL note the 2024-25 Mansfield Swimming Pool end of season report.     |
| Support Attachments                                                             |
| 1. CONFIDENTIAL - Mansfield End of Season Report 2024-25. [13.3.2.1 - 19 pages] |

## Considerations and Implications of Recommendation

### Sustainability Implications

**Economic** - To the local community through the employment and training of additional staff to work at the facility in the upcoming season. It has been identified from stakeholder feedback that a more continuous year-round operation of the pool would assist with attraction of staff.

**Social** - Increasing access to the pool provides improved social benefits for the community. The attendance has been increasing each year, since the pool management contract was first awarded. The proposed roof over the learner pool will further assist with improving community access to the pool facilities.

**Environmental** - Water quality management has been improved with the installation of the digital dosing system. This asset improvement has allowed more proactive management of the water

quality with no pool closures due to non-compliant levels and the observation of steady water sampling results.

## Community Engagement

This season's community survey included feedback from 70 community members. The findings indicate moderate overall satisfaction with concerns raised regarding operating hours, season length, facility cleanliness, and water temperature management.

## Financial Impact

The operation of the pool is included in the Annual Budget with income and expenditure over the past four years as tabled below. The reduction in 2022-23 was due to lower repair and maintenance costs that year.

| SEASON                  | 2021-22          | 2022-23          | 2023-24          | 2024-25          |
|-------------------------|------------------|------------------|------------------|------------------|
| Mansfield Pool Expenses | \$239,566        | \$220,691        | \$221,735        | \$248,222        |
| Mansfield Pool Income   | (\$16,803)       | (\$25,087)       | (\$19,651)       | (\$27,037)       |
| <b>Grand Total</b>      | <b>\$222,763</b> | <b>\$195,605</b> | <b>\$202,085</b> | <b>\$222,124</b> |

The above costs do not include internal staff salary costs for management of the Belgravia contract.

## Legal and Risk Implications

There are stringent regulations and standards that apply to the operation of a swimming centre. The engagement of a qualified and experienced management contractor, together with regular audits to identify and address risks related to pool safety and compliance are key risk mitigation activities undertaken as part of Council's risk management for the Mansfield Aquatic Centre.

## Regional, State and National Plans and Policies

Not Applicable

## Innovation and Continuous Improvement

The successful funding application for the LAPS package will see a host of improvements. These include replacement of the toddler pool with a splashpad and enclosing the learner pool for a year-round swimming lesson facility. Upgrades will be made to the change rooms to add heating, and pool accessibility will be improved through an innovative Pool Pod that will facilitate access to diverse types of community members with varying mobility issues.

Installation of a digital dosing system in 2024-25 saw immediate improvements in controlling chemical levels with evidence seen in the significantly reduced incidence of pool closure for this season. This system also assists in maintaining pool water quality during the off season and reduces wear on the pool liners and covers that have previously required heavy cleaning prior to opening.

## Alignment to Council Plan

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

Strategy 1.1 Embed health and wellbeing enablers and protections to reduce risks to our communities.

Strategy 1.2 Connect, develop and support children and young people.

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

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

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

Strategy 5.1 Create conditions that enable local businesses

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

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

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

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

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

### 13.3. Development and Customer Service

#### 13.4.1. Licence Agreement: Mansfield District Basketball Association

|                    |        |                            |                                                                  |
|--------------------|--------|----------------------------|------------------------------------------------------------------|
| <b>File Number</b> | AG1255 | <b>Responsible Officer</b> | Executive Manager Development & Customer Service, Maya Balvonova |
| <b>Purpose</b>     |        |                            |                                                                  |

To seek Council endorsement to enter into a five (5)-year licence agreement with the Mansfield District Basketball Association, with the option for two (2) further five (5)-year terms. The proposed agreement will provide the Association with priority use of the Alex Pullin Stadium and the Mansfield Sporting Complex.

#### Executive Summary

The Mansfield District Basketball Association (MDBA) was established in 1984 to provide opportunities for local residents to participate in organised basketball competitions and development programs. Over the past four decades, the Association has experienced significant growth in both membership and program delivery, becoming one of Mansfield's most prominent community sporting organisations.

Initially operating from shared community facilities, the MDBA relocated to the Mansfield Sporting Complex in 2014, enabling the expansion of its junior and senior programs. The opening of the Alex Pullin Stadium in 2021 marked a major milestone for the Association, providing a modern, purpose-built facility that now serves as its primary base of operations.

Today, the MDBA delivers a comprehensive program of competitions, coaching clinics, and school partnerships, supporting year-round participation across all age groups and abilities. The Association continues to play an important role in promoting health, inclusion, and community engagement, and remains a key contributor to Mansfield's active recreation landscape.

The proposed licence agreement seeks to formalise the continued use of the Alex Pullin Stadium and Mansfield Sporting Complex by the Mansfield District Basketball Association (MDBA), supporting the association's operations and fostering an inclusive and sustainable sporting environment for its members.

#### Key Issues

Following the review and adoption of *Council's Property Leasing and Licensing Policy 2024*, the licence fees for the Mansfield District Basketball Association (MDBA) have been recalculated in accordance with Council's standard valuation methodology. This methodology is applied consistently across all comparable leased and licensed community facilities and considers the following key factors:

- Nature and frequency of use
- Level of facility access
- Maintenance and operational responsibilities
- Market and valuation benchmarks

This approach ensures a fair, transparent, and consistent framework for determining licence fees and supports a model of unrestricted, year-round access to both facilities, recognising the MDBA's priority use status and the broader community benefits arising from its programs.

Constructive discussions have been held with the MDBA, who have been informed of the recalculated fees under the new policy framework. To secure the Association's continued use of the facilities, it is proposed that a new licence agreement be offered to the MDBA as outlined in this report.

In accordance with the *Property Leasing and Licensing Policy 2024*, the MDBA qualifies as a Category 2 Community Group (sporting club without a liquor licence). Under this classification, a discounted rate of 14% of the standard fee applies, resulting in a total annual licence fee of \$27,930.00 (ex GST) for use of the Alex Pullin Stadium and Mansfield Sporting Complex, as outlined below.

### Alex Pullin Stadium

- Usage: Full stadium access, year-round access to the community office, storeroom, and canteen (canteen included at no additional cost)
- Current Market Value: \$6,140,068 (ex GST)
- Market Return (3%): \$184,202.00 (ex GST)
- Category: Category 2 (sporting club without a liquor licence): 14%
- Annual Rental: \$25,788.28 (ex GST)
- Total Rent for 12 Months = \$25,788.28 (ex GST)

### Mansfield Sporting Complex

- Usage: Year-round access to court space and a dedicated storage room
- Current Market Value: \$1,530,000 (ex GST)
- Market Return (1%): \$15,300.00 (ex GST)
- Category: Category 2 (sporting club without a liquor licence): 14%
- Annual Rent: \$15,300.00 (ex GST)
- Total Rent for 12 Months = \$2,142.00 (ex GST)

### Recommendation

#### THAT COUNCIL:

1. Endorses the proposal to enter into a licence agreement with the Mansfield District Basketball Association for the priority use of the Alex Pullin Stadium and Mansfield Sporting Complex, for a five (5)-year term, with the option of two (2) further five (5)-year extensions, commencing 1 July 2025.
2. Receives annual licence fees of \$27,930.00 (ex GST), subject to annual CPI adjustment.
3. Provides public notification of Council's intention to enter into the proposed licence agreement with the Mansfield District Basketball Association, in accordance with Section 115 of the Local Government Act 2020 and Council's Community Engagement Policy.
4. Authorises the Chief Executive Officer to execute the licence agreement upon completion of the public notification process, subject to no submissions being received that require a further report to Council.

## Support Attachments

1. Licence Agreement - Mansfield Shire Council and Mansfield & District Basketball Association [**13.4.1.1** - 24 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community engagement will be undertaken in accordance with Council's Community Engagement Policy and the requirements of Section 115 of the Local Government Act 2020.

A public notice of Council's intention to enter into a licence agreement with the Mansfield District Basketball Association will be published in the Mansfield Courier and made available on Council's website.

### Collaboration

Not Applicable

### Financial Impact

The implementation of the new licence agreement will have a small positive impact on Council's current budget, with an increase of \$4,567.22 (ex GST) from the total current licence fees of \$23,362.78 (ex GST). Negotiation and renewal of the existing licence agreement was supported by existing Council resources.

### Legal and Risk Implications

The proposed licence agreement has been drafted in accordance with the *Local Government Act 2020* and *Council's Property Leasing and Licensing Policy 2024*. The intention to enter a licence agreement will be advertised in the Mansfield Courier and on Council's website, in line with Council's Community Engagement Policy.

The licence agreement establishes clear obligations and responsibilities for both parties in relation to maintenance, insurance, and risk management. Entering into a formal agreement reduces the risk of unauthorised use or disputes regarding access and responsibilities for the ongoing use of the facilities.

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

Not Applicable

### Alignment to Council Plan

The following strategies are relevant to this report:

Theme 1: Connected and Healthy Community

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

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

Theme 3: A Trusted, Effective and Efficient Council

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

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

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

**13.4.2. Licence Agreement: Delatite Cricket Club**

|                    |        |                            |                                                                  |
|--------------------|--------|----------------------------|------------------------------------------------------------------|
| <b>File Number</b> | AG1257 | <b>Responsible Officer</b> | Executive Manager Development & Customer Service, Maya Balvonova |
| <b>Purpose</b>     |        |                            |                                                                  |

To seek Council endorsement to enter a one (1) year licence agreement with the Delatite Cricket Club. This agreement will grant priority use of Lords Oval, College Park – Field 2, and Bonnie Doon Recreational Reserve.

**Executive Summary**

The Delatite Cricket Club (DCC) was established in 1985 and is the only cricket club based within the Mansfield township. The Club is affiliated with the Wangaratta & District Cricket Association and currently fields two senior teams as well as Under 14 and Under 16 junior teams, providing a clear development pathway for young local cricketers.

For many years, the Club operated across various local grounds before formally establishing Lords Oval Reserve as its home base in 2003. In 2016, the Club expanded its operations to include use of the Mansfield Recreation Reserve to accommodate growing participation and competition needs. With continued growth in recent years and increased demand on Mansfield's recreation facilities, an opportunity was identified for the Club to utilise the Bonnie Doon Recreation Reserve in collaboration with existing user groups. This will support the equitable distribution of facility use and promote the sustainability of cricket participation across the broader district.

**Key Issues**

Productive discussions have been held with the Delatite Cricket Club (DCC), resulting in a proposed new licence agreement prepared in accordance with Council's *Property Leasing and Licensing Policy 2024*. Under this Policy, all user groups are required to operate under annual licence agreements, unless facilities are used on a casual basis, in which case usage fees apply as set out in Council's Fees and Charges Schedule.

The proposed licence seeks to formalise the Club's continued use of Lords Oval and College Park – Field 2, while also introducing access to the Bonnie Doon Recreation Reserve. This arrangement will provide the Club with increased flexibility and capacity to accommodate participation growth and scheduling needs, while supporting a sustainable and equitable use of Council's sporting assets. It is proposed that a one-year licence agreement be entered into for these facilities, commencing on 6 October 2025 and expiring on 5 October 2026.

The fee structure has been determined using the same valuation methodology applied to other Council-managed sporting grounds, based on land valuation and proportionate usage. The full annual charge is \$36,700.00 (ex GST), proportionally reduced to reflect the Club's five months of use at Lords Oval and four months of use at College Park – Field 2 and Bonnie Doon Recreation Reserve, resulting in an adjusted total of \$13,499.99 (ex GST) prior to discount.

In accordance with Council's Property Leasing and Licensing Policy 2024, the Delatite Cricket Club qualifies as a Category 2 Community Group (sporting club without a liquor licence). Under

this classification, a discounted rate of 14% of the standard fee applies, resulting in a total discounted annual licence fee of \$1,890.01 (ex GST) for the three playing fields.

As a long-standing and active sporting organisation, the Delatite Cricket Club continues to make a significant contribution to community participation, junior development, and the promotion of cricket throughout the Mansfield district.

| Playing Field                  | Usage Period              | Fee (ex GST)      |
|--------------------------------|---------------------------|-------------------|
| Lords Oval                     | 6 October to 6 March      | \$886.65          |
| College Park - Field 2         | 18 October to 18 February | \$438.68          |
| Bonnie Doon Recreation Reserve | 18 October to 18 February | \$564.00          |
| <b>TOTAL</b>                   |                           | <b>\$1,890.01</b> |

*Table 1: Playing Fields Usage and Fee Breakdown*

| Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>Endorses the proposal to enter into a one (1)-year licence agreement with the Delatite Cricket Club for the priority use of Lords Oval, College Park – Field 2, and Bonnie Doon Recreation Reserve, commencing on 6 October 2025 and expiring on 5 October 2026 for priority usage periods as outlined in the licence agreement.</li> <li>Receives an annual licence fee of \$1,890.01 (ex GST), subject to annual adjustment in accordance with the Consumer Price Index (CPI).</li> <li>Provides public notification of Council's intention to enter into the proposed licence agreement with the Delatite Cricket Club, in accordance with Section 115 of the Local Government Act 2020 and Council's Community Engagement Policy.</li> <li>Authorises the Chief Executive Officer to execute the licence agreement upon completion of the public notification process, subject to no submissions being received that would require a further report to Council.</li> </ol> |
| Support Attachments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <ol style="list-style-type: none"> <li>Licence Agreement - Mansfield Shire Council and Delatite Cricket Club [<b>13.4.2.1</b> - 22 pages]</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Considerations and Implications of Recommendation

### Sustainability Implications

The Delatite Cricket Club will continue to provide benefits to the community, including:

- Promoting active lifestyles and physical health and wellbeing.
- Encouraging participation in recreational sport.
- Strengthening community connections through affordable sporting activities.

## Community Engagement

Community Engagement will be undertaken in accordance with Council's Community Engagement Policy by placing a notice of intention to enter into a Licence agreement with the Delatite Cricket Club in the Mansfield Courier and on Council's website.

## Collaboration

Not Applicable

## Financial Impact

The negotiation and preparation of the proposed licence agreement have been undertaken within existing Council resources. The implementation of the new licence arrangement is consistent with current budget expectations.

The fee structure, developed in alignment with Council's Property Leasing and Licensing Policy 2024, ensures that the revenue contribution from the Delatite Cricket Club accurately reflects its level of facility use, while maintaining equity across all sporting user groups.

In addition to the improvement of facilities and construction of the new pavilion at Lords Reserve, planned infrastructure improvements at College Park – Field 2, supported through the Australian Cricket Infrastructure Program and Council's co-contribution, will further enhance the long-term value and functionality of the facilities for both sporting user groups and the wider community.

## Legal and Risk Implications

The licence agreement has been prepared in accordance with the Local Government Act 2020 and Council's Property Leasing and Licensing Policy 2024.

The intention to enter into a licence agreement with Delatite Cricket Club will be advertised through a public notice in the Mansfield Courier and on Council's website, in accordance with Section 115 of the Local Government Act 2020.

The agreement clearly outlines the roles and responsibilities of both parties in relation to maintenance, insurance, and risk management.

## Regional, State and National Plans and Policies

Not Applicable

## Innovation and Continuous Improvement

Not Applicable

## Alignment to Council Plan

The following strategies are relevant to this report:

Theme 1: Connected and Healthy Community

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

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

Theme 3: A Trusted, Effective and Efficient Council

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

Strategy 8.1: Increase community trust in Council to make informed decisions with "no surprises."

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

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

### 13.4.3.            **Licence Agreement: MACE - Mansfield Social Table Tennis & Mansfield Badminton Association**

|                    |                 |                            |                                                                  |
|--------------------|-----------------|----------------------------|------------------------------------------------------------------|
| <b>File Number</b> | AG1604 & AG1631 | <b>Responsible Officer</b> | Executive Manager Development & Customer Service, Maya Balvonova |
| <b>Purpose</b>     |                 |                            |                                                                  |

To seek Council endorsement to enter into licence agreements with MACE Incorporated for Mansfield Social Table Tennis and with the Mansfield Badminton Association, for an initial term of two (2) years, with the option of two (2) additional one-year terms, both commencing on 1 July 2025.

#### **Executive Summary**

#### **MACE - Mansfield Social Table Tennis**

MACE - Mansfield Social Table Tennis provides an inclusive and accessible space for both adults and seniors to enjoy a fun and social game of table tennis. The group consists of regular players as well as casual attendees, creating a welcoming environment for all. Currently, the group meets every Thursday from 2:00 pm to 4:00 pm in the Sporting Complex – Drama Room.

#### **Mansfield Badminton Association**

On average the association has around 40 members ranging from primary school age to retired seniors. They charge \$5 per adult and \$3 per student per night of play. There is no commitment to play every week, so some weeks there are only 5 people playing, but there can be up to 20. Currently, the group meets every Monday night from 6:45 pm to 8:15 pm at the Mansfield Sporting Complex.

These clubs have been successfully operating for the past ten years; however, they do not currently have a formal licence agreement in place. The proposed licence agreements aim to formalise and secure their continued use of the Sporting Complex and the Drama Room, ensuring that the facilities remain available and fostering a supportive and stable environment for club members.

#### **Key Issues**

Previously, both Mansfield Social Table Tennis and the Mansfield Badminton Association accessed Council facilities through ad hoc bookings under Council's Fees and Charges Schedule. Both groups have now expressed a desire to secure ongoing, permanent access to facilities through formal licence agreements, providing greater certainty for their programs and participants.

#### **MACE – Mansfield Social Table Tennis**

The proposed licence fee has been determined in accordance with Council's standard valuation methodology for similar licensed community facilities. In line with Council's *Property Leasing and Licensing Policy 2024*, Mansfield Social Table Tennis qualifies as a Category 3 Community Group (volunteer-run). Under this classification, a discounted rate of 5% of the full licence fee applies, resulting in an annual licence fee of \$180.00 (ex GST).

Productive discussions have been held between Mansfield Shire Council, Ms Kylie Richards (Chief Executive Officer, MACE), and Mr Bob Carpenter (Mansfield Social Table Tennis), with both parties confirming their satisfaction with the proposed licence terms and fee structure. Additionally, under the Joint Use Agreement with Mansfield Primary School, the school has granted approval for use of the Sporting Complex – Drama Room during school hours.

### **Mansfield Badminton Association**

The proposed licence fee has been calculated using Council's standard valuation methodology for similar licensed sporting facilities. In accordance with the *Property Leasing and Licensing Policy 2024*, the Mansfield Badminton Association also qualifies as a Category 3 Community Group (volunteer-run). Under this classification, a discounted rate of 5% of the full licence fee applies, resulting in an annual licence fee of \$765.00 (ex GST).

Council has held constructive discussions with Mr Paul Riley, who has endorsed the proposed terms and fee structure and confirmed the Association's agreement to proceed.

### **Proposed Terms of Licence Agreements**

It is proposed that formal Licence Agreements be issued as follows:

- Mansfield Adult Community Education (MACE) Incorporated – Mansfield Social Table Tennis for the use of the Sporting Complex – Drama Room, commencing 1 July 2025; and
- Mansfield Badminton Association for the use of the Mansfield Sporting Complex, commencing 1 July 2025.

Each licence agreement will have an initial term of two (2) years, with the option for two (2) further one-year extensions and will include an annual Consumer Price Index (CPI) adjustment in accordance with the Council's Property Leasing and Licensing Policy 2024.

These agreements will provide security of access for both groups while ensuring equitable and transparent application of Council's pricing framework for community sporting users.

### **Recommendation**

#### **THAT COUNCIL:**

1. Endorses the proposal to enter into a licence agreement for the priority use of the Sporting Complex — Drama Room facility by MACE Incorporated - Mansfield Social Table Tennis, commencing 1 July 2025; and the use of the Mansfield Sporting Complex by Mansfield Badminton Association, also commencing 1 July 2025, each for an initial term of two (2) years, with an option of two (2) further one-year extensions.
2. Receives annual licence fees of \$180.00 (ex GST) from MACE Incorporated - Mansfield Social Table Tennis, and \$765.00 (ex GST) from Mansfield Badminton Association, with both licence fees subject to annual adjustment in line with the Consumer Price Index (CPI).
3. Provides public notification of Council's intention to enter into the licence agreements with MACE Incorporated - Mansfield Social Table Tennis and Mansfield Badminton Association, in accordance with Section 115 of the Local Government Act 2020 and Council's Community Engagement Policy.
4. Authorises the Chief Executive Officer to execute the licence agreements upon completion of the public notification process, subject to no submissions being received that require a further report to Council.

## Support Attachments

1. Licence Agreement - Mansfield Shire Council and MACE Inc. Mansfield Social Table Tennis [13.4.3.1 - 26 pages]
2. Licence Agreement - Mansfield Shire Council and Mansfield Badminton Association [13.4.3.2 - 22 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

The Mansfield Social Table Tennis and Badminton Association programs will continue to provide benefits to the community, including:

- Promoting active lifestyles and physical health for all age groups.
- Providing social engagement opportunities, particularly for seniors and isolated community members.
- Encouraging participation in recreational sport.
- Strengthening community connections through inclusive, affordable activities.

### Community Engagement

Community Engagement will be undertaken in accordance with Council's Community Engagement Policy by placing a notice of intention to enter into a Licence agreement with MACE Incorporated - Mansfield Social Table Tennis and Mansfield Badminton Association in the Mansfield Courier and on Council's website.

### Collaboration

Not Applicable

### Financial Impact

The licence agreements align with Council's objective to support community sporting groups while ensuring fair cost recovery under the Property Leasing and Licensing Policy 2024, resulting in modest fee reductions for both organisations from their current use arrangements.

While fee levels have been adjusted to support affordability and inclusive participation, they remain consistent with the provisions of the Leasing and Licensing Policy 2024 and can be accommodated within Council's overall 2025-26 Budget framework.

### Legal and Risk Implications

The licence agreement has been drafted in accordance with the Local Government Act 2020. The intention to enter into a licence agreement with MACE Incorporated - Mansfield Social Table Tennis and Mansfield Badminton Association, will be advertised in the Mansfield Courier and on Council's website, in accordance with Section 115 of the Local Government Act 2020.

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

Not Applicable

### Alignment to Council Plan

Theme 1: Connected and Healthy Community

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

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

Theme 3: A Trusted, Effective and Efficient Council

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

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

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

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

## 13.5. Executive Services Directorate

### 13.5.1. Council Christmas Function & Christmas/New Year Office Closure

|                    |       |                            |                                                           |
|--------------------|-------|----------------------------|-----------------------------------------------------------|
| <b>File Number</b> | E9506 | <b>Responsible Officer</b> | Manager People, Communications & Governance, Tanya Tabone |
| <b>Purpose</b>     |       |                            |                                                           |

To seek Council's endorsement for:

- The early closure of Council's offices and identified services on Friday 28 November 2025 to allow staff to attend the annual staff Christmas function; and
- The inclusion of Friday 2 January 2026 as part of the annual Christmas/New Year closure period for 2025-26.

#### Executive Summary

A Council resolution was passed on 24 November 2020 that endorsed the annual closure of Council's offices and works depot for the period between Christmas and New Year from 2.00pm Christmas Eve reopening on the first business day after 1 January.

For the 2025-26 period it is proposed that Friday 2 January 2026 also be included in the closure, due to the timing of the New Year's Day public holiday on this occasion. The full closure period would therefore run from 2.00pm Wednesday 24 December 2025 to 8.30am Monday 5 January 2026. This period includes the public holidays for Christmas Day, Boxing Day and New Year's Day with the working days during that period (29-31 December 2025 and 2 January 2026) taken by staff as annual leave or rostered days off.

The early closure of the Municipal Office, Works Depot and services including Community Services, Youth and Family Services, Visitor Information Centre, Resource Recovery Centre and Library at 12.30pm on Friday 28 November 2025 will allow staff to attend Council's annual Christmas function.

Essential and emergency services will remain available throughout both closure periods.

#### Key Issues

The Christmas/New Year closure enables staff to take a break with minimal impact on service delivery. Previous experience indicates that limited demand is placed on municipal services over this period and that the offices and works depot closures are generally accepted by the community.

The arrangement to close Council's offices and works depot over the Christmas and New Year period was in place intermittently over the 18 years prior to the 2020 resolution and has occurred each year since. Appropriate arrangements will be implemented to ensure sufficient staffing for routine maintenance and emergency response during this time.

The Christmas function is to be held in Jamieson this year, following a social club initiative to visit outlying areas of the shire. The proposed time is to ensure that the maximum number of

Council staff can attend the function. Council's essential and emergency services will continue to be available during this period including school crossing supervisors.

| Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. Endorse the closure of the Municipal Office, Library, Community Services, Youth and Family Services and Field Services Depot for the 2025-26 Christmas and New Year period commencing at 2.00pm on Wednesday 24 December 2025 and reopening at 8.30am on Monday 5 January 2026.</li> <li>2. Endorse the closure of its offices, including the Municipal Office, Community Services, Youth and Family Services, Visitor Information Centre, Resource Recovery Centre, Library and Field Services Depot, for the period between 12.30pm and 5.00pm on Friday 28 November 2025.</li> <li>3. Authorise that the community be notified of the closures through Council's website, social media channels and through local media outlets.</li> </ol> |
| Support Attachments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Closures will be advertised in Mansfield Matters (Mansfield Courier), on Council's website and via Council's Facebook page. Early advice will be provided for the proposed closures to minimise any inconvenience to community members.

Council's telephone voice message will be edited to advise of closure details and provide alternative emergency contacts if required.

### Collaboration

Not Applicable

### Financial Impact

There are minimal financial impacts associated with the closure.

### Legal and Risk Implications

Essential and emergency services will continue to operate during this period, with on-call officers rostered to ensure adequate coverage for required maintenance and response to any emergency situations.

### Regional, State and National Plans and Policies

Not Applicable

## **Innovation and Continuous Improvement**

Not Applicable

### **Alignment to Council Plan**

Theme 1: Connected and Healthy Community

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

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

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

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

**13.5.2. Council Plan 2025-29**

|                    |        |                            |                                                            |
|--------------------|--------|----------------------------|------------------------------------------------------------|
| <b>File Number</b> | E12166 | <b>Responsible Officer</b> | Manager People, Communications, & Governance, Tanya Tabone |
| <b>Purpose</b>     |        |                            |                                                            |

To present the Council Plan 2025-2029 to Council for endorsement.

**Executive Summary**

The *Local Government Act 2020* (the Act) requires that Council develops and adopts a new Council Plan (the Plan) by 31 October of the year following a general election.

The Council Plan is the key strategic document to guide Council's decision-making over the next four years and articulates the role Council will play in leading, supporting and advocating for the best possible outcomes for Mansfield Shire.

Council's Municipal Public Health and Wellbeing Plan (MPHWP) is included as part of the Council Plan. This was done for the first time in the 2021-2025 Council Plan. The MPHWP focuses on the key factors that contribute to better health and wellbeing outcomes through the promotion of healthy living and lifestyles. The actions for the MPHWP are integrated into the Council Plan 2025-2029.

**Key Issues**

The initial months of a new Council term are spent experiencing the induction, meeting and understanding fellow Councillors and establishing and communicating their priorities. The adoption of a Council Plan is a demonstration that Council agrees on the priorities over the coming four years.

The confirmation of these priorities is then reflected in all decisions Council is asked to make. It underpins the budget and each year, actions are determined in line with the budget for the year, each contributing to the Council Plan, which in turn advances the core community expectations as set out in the Community Vision 2040.

The development of the Council Plan 2025-2029 commenced in early 2025. Ideas and priorities were discussed and gathered through various platforms including Councillor and community workshops and sessions with staff across Council. A deliberative panel process was undertaken with community members in line with Council's Community Engagement Policy.

The thorough community engagement process included Council's key strategic documents, with a focus on the Council Plan, Community Vision and 10 Year Financial Plan. The Asset Plan was also considered as part of the engagement and deliberation.

The Council Plan 2025-2029 has been drafted in consultation with Councillors, the community and Council employees.

The process for consultation included:

### **Stage 1: Councillor feedback**

Councillors participated in a workshop that outlined the process of consultation and engaged in a SWOT analysis to establish an agreement on what the Council Plan 2025-2029 should look like and include.

### **Stage 2: Community consultation and data gathering**

A consultant was engaged to gather and collate key initiatives for inclusion in the Council Plan and to review the Community Vision 2040 through a deliberative process. The community was asked, and responses were received, from an open engagement process which included engagement online and in-person at key events. The process included:

- ▶ The SWOT analyses completed with Councillors, management and leadership.
- ▶ School participation with children sending their hopes for the Council Plan.
- ▶ The Library school holiday program ran an activity to gather feedback.
- ▶ The Youth Advisory Group held a session to provide a youth perspective.
- ▶ Submissions received through email and on-line engagement.

In addition, officers considered feedback gathered during other closed and open significant engagements, such as the Budget engagement, Municipal Early Years Plan, previous Council Plan and Community Vision feedback, the Asset Plan and the 10 Year Financial Plan.

### **Stage 3: Deliberative panel and prioritisation**

Once the feedback was collated, there were hundreds of initiatives the community had, at one time or another, said they wanted Council to consider achieving. A deliberative panel was formed by inviting community members and Councillors to participate.

The deliberative panel focused on an exercise to prioritise the feedback. The initiatives were considered in four categories according to the resources required and the positive impact on community. In addition to the Council Plan, the Community Vision, Long Term Financial Plan and Asset Plan were all informed by this deliberative panel.

Once the panel had considered each of the proposals, the same exercise was undertaken with staff. Senior leaders and managers were able to give advice about the resources specific initiatives might take and consideration was given to what Council could achieve, its role in working toward each of the objectives (e.g., advocate, partner, continue) and other factors to ensure the initiatives were achievable.

### **Stage 4: Councillor workshop**

The initiatives were then presented to Councillors at a workshop. Councillors were able to refine, initiative by initiative, what should be included in the Council Plan 2025-2029. Officers were provided with Councillor feedback to redefine the initiatives.

### **Stage 5: Test a draft**

Councillors were invited to consider the draft, which was then put to the community for comment. Community members were invited to provide feedback on the draft by media release, social media and in Mansfield Matters, with specific stakeholders, including those who had participated in the deliberative panel, being invited to comment.

## Final Stage: Finalising the Council Plan and Community Vision

It is a requirement that Council adopt a Council Plan and review its Community Vision by 31 October 2025. Council has been presented with a final draft which considers all feedback from the community gathered during the final consultation period.

| Recommendation                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. Adopts the Council Plan 2025-2029.</li> <li>2. Authorises the Chief Executive Officer to make any minor editorial corrections as required to the Council Plan 2025-2029 for publication.</li> </ol> |
| Support Attachments                                                                                                                                                                                                                                                |
| <ol style="list-style-type: none"> <li>1. DRAFT Council Plan 2025-29 [13.5.2.1 - 17 pages]</li> </ol>                                                                                                                                                              |

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community Engagement has been undertaken in accordance with Council's Community Engagement Policy as outlined in this report.

### Collaboration

Not Applicable

### Financial Impact

Development of the Council Plan 2025-2029 is aligned with budget processes and considers the resources required for the delivery of initiatives in the Council Plan.

Council officers have been supported by consultant, Lee Crockford, to undertake the analysis and deliberative engagement process required to deliver the Council Plan. Mr Crockford's work has provide expert assistance where required to support Council staff and was limited to the areas that were not able to be completed in-house using internal resources.

The total cost for engagement of Lee Crockford was \$20,000 and covered support required for the development of the Council Plan, in conjunction with the review of the Community Vision, Asset Plan and 10 Year Financial Plan. The graphic design elements for the Council Plan 2025-2029 draft have been developed internally within existing staff resources.

### Legal and Risk Implications

Council must prepare and adopt a Council Plan in accordance with the *Local Government Act 2020* which requires that the Council Plan covers at least the four financial years after a Council general election and be adopted by Council by 31 October of the year following their election. Adoption of the Council Plan 2025-29 will ensure Council meets this legislated requirement.

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

*Local Government Act 2020.*

## **Innovation and Continuous Improvement**

Council used internal officers to develop and design the Council Plan, rather than employing an external designer, to maximise cost-efficiencies in preparation of the Plan. Council will not print hard copies of the Plan except on an as-needs basis.

## **Alignment to Council Plan**

Not Applicable

## **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. Community Vision 2040

|                    |       |                            |                                                            |
|--------------------|-------|----------------------------|------------------------------------------------------------|
| <b>File Number</b> | E8222 | <b>Responsible Officer</b> | Manager People, Communications, & Governance, Tanya Tabone |
| <b>Purpose</b>     |       |                            |                                                            |

To present the reviewed Mansfield Shire Community Vision 2040 for endorsement.

#### Executive Summary

The Mansfield Shire Community Vision 2040 (the Vision) was developed in 2021 following a deliberative engagement process and endorsed by Council on 19 October 2021.

The Vision describes Mansfield Shire's community's aspirations for the future of the Shire and underpins the Council Plan and Council decision making.

The Vision has five domains, as listed below, which are all supported by a description of their desired state in 2040. Each is intrinsically linked and do not exist in isolation of each other.

- Community and People
- Health and Wellbeing
- Environment and Place
- Infrastructure and Services, and
- Prosperity and Economy

The *Local Government Act 2020* (the Act) requires that Council develop or review the Community Vision by 31 October of the year following a general election.

#### Key Issues

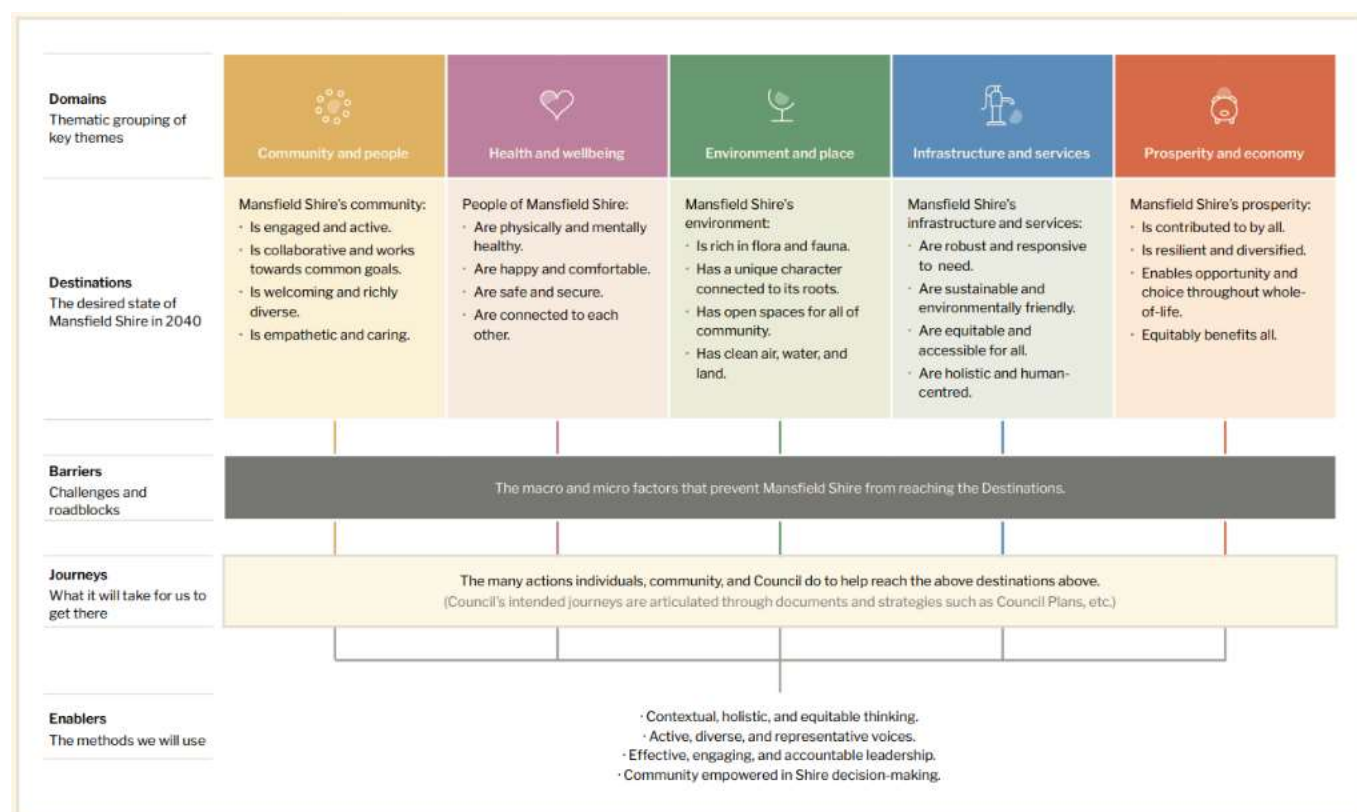
During the development of the Vision in 2021:

- 3,000+ people were reached
- 25,000 words were provided by community members
- 120 community members responded to a written survey
- 20 hours of workshops facilitated with the community
- 45 community groups were invited to participate
- 15 engagement opportunities were provided for the community to get involved

The significant community engagement undertaken in 2021 ensured Council developed a robust Community Vision that was intended to continue to inform the direction into the future. Council officers reviewed the current vision considering changing expectations of the community and asked directly for any feedback as part of the deliberative process to develop the new Council Plan.

No changes to the original Community Vision were identified as being required and it is therefore recommended that the Mansfield Shire Community Vision 2040 (Attachment 1) be retained. The principles of the community's hopes for the future remain unchanged.

The Vision that was presented to the community for feedback states that in 2040, Mansfield Shire will be:



## Recommendation

THAT COUNCIL endorses the Mansfield Shire Community Vision 2040.

## Support Attachments

1. Mansfield Shire Community Vision 2040 [13.5.3.1 - 71 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community Engagement has been undertaken in accordance with Council's Community Engagement Policy and the *Local Government Act 2020*. A deliberative engagement was run in line with the Council Plan deliberation. This included a significant and comprehensive online and in-person engagement process, including school and library engagements. A deliberative workshop was held by an external facilitator and several community members. The workshop and the feedback received confirmed that the Community Vision 2040 continues to define the community's aspirations for the future.

### Collaboration

Not Applicable

## Financial Impact

The 2024-25 budget included an allocation of \$20,000 for the cost of an external facilitator to assist Council officers with analysing community feedback and undertaking a thorough deliberative process for the review and creation of the long-term key strategic documents required by the Local Government Act. With the exception of this facilitator, all work to create these documents and plans has been undertaken internally by Council Officers within existing staff resources.

## Legal and Risk Implications

Council must develop or review and adopt the Community Vision in accordance with s88 of the *Local Government Act 2020* by 31 October of the year following a Council general election. Endorsement of the Community Vision, following its review in 2025, ensures that Council will meet this legislated requirement.

## Regional, State and National Plans and Policies

*Local Government Act 2020.*

## Innovation and Continuous Improvement

Not Applicable

## Alignment to Council Plan

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

Strategy 1.1 Embed health and wellbeing enablers and protections to reduce risks to our communities.

Strategy 1.2 Connect, develop and support children and young people.

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

Theme 1: Connected and Healthy Community Strategic Objective 2: Activities that promote connection and fitness of our people and visitors

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

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

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

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

Strategy 3.1 Protect natural vistas and farmland

Strategy 3.2 Enhance township character

Strategy 3.3 Improve roads, drainage and footpaths

Strategy 3.4 Plan for and encourage appropriate housing

Theme 2: Vibrant Liveability

Strategic Objective 4 Clean and green: Waste and energy sustainability

Strategy 4.1 Minimise and re-use waste

Strategy 4.2 Adopt and promote energy options that are affordable, self sustaining & carbon positive

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

Strategy 5.1 Create conditions that enable local businesses

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

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

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

Strategy 6.2 Building organisational capacity through its people

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 7 Financial sustainability and value for money

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

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

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

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

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

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

**13.5.4. 10-Year Financial Plan**

|                    |        |                            |                                         |
|--------------------|--------|----------------------------|-----------------------------------------|
| <b>File Number</b> | E11873 | <b>Responsible Officer</b> | Financial Controller, Michael McCormack |
| <b>Purpose</b>     |        |                            |                                         |

To present the 10-year Financial Plan 2025-2035 to Council for endorsement.

**Executive Summary**

Section 91 of the *Local Government Act 2020* requires Council to prepare a Financial Plan covering a period of at least 10 years and that the Plan be developed or reviewed by 31 October in the year following a general election. The plan must be prepared in accordance with Council's deliberative engagement practices.

A Financial Plan must include the following in the manner and form prescribed by the regulations (*Local Government (Planning and Reporting) Regulations 2020*) —

- a) statements describing the financial resources required to give effect to the Council Plan and other strategic plans of the Council;
- b) information about the decisions and assumptions that underpin the forecasts in the statements specified in paragraph (a);
- c) statements describing any other resource requirements that the Council considers appropriate to include in the Financial Plan;
- d) any other matters prescribed by the regulations.

The Budget 2025-26 has informed the basis of the projections in the Draft Plan, together with Council's Financial Strategy Policy (adopted by Council on 15 July 2025).

**Key Issues**

The Financial Plan 2025-2035 (the Plan) has been prepared using the Local Government Victoria Model and Best Practice Guide which was co-designed with the sector and FinPro as the peak body.

Community engagement to assist with review of the Plan has been undertaken as part of the deliberative process to develop the Council Plan and Asset Plan, with information on Council's adopted Financial Strategy and other strategic plans provided and feedback sought from community members through a series of workshops and through the Engage Mansfield page. No comments were received in response to the final draft Plan.

With the preparation and proposed adoption of the Financial Plan 2025–2035 it is recommended that Council revoke the Financial Strategy Policy as the objectives and principles of the policy are now embedded within the Plan itself.

| Recommendation                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. Adopts the Financial Plan 2025-2035.</li> <li>2. Authorises the Chief Executive Officer to make any minor editorial corrections as required to the Financial Plan 2025-2035 for publication.</li> <li>3. Revokes the Financial Strategy Policy.</li> </ol> |
| Support Attachments                                                                                                                                                                                                                                                                                                       |
| <ol style="list-style-type: none"> <li>1. DRAFT Long Term Financial Plan 2025-2035 [13.5.4.1 - 49 pages]</li> </ol>                                                                                                                                                                                                       |

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community engagement to review the 10 Year Financial Plan has been undertaken in accordance with Council's Community Engagement Policy as legislated by the *Local Government Act 2020*. After the deliberative engagement process, the draft Financial Plan was released for community engagement on Engage Mansfield, with no comments received. Upon adoption by Council, the final Plan will be uploaded to Council's website.

### Collaboration

Not Applicable

### Financial Impact

The Financial Plan is developed to provide a long-term view of the resources that are expected to be available to Council and the proposed application of those resources over the period of the Plan.

All work to prepare the Financial Plan 2025-2035 has been undertaken internally within existing staff resources.

### Legal and Risk Implications

Council's financial outlook is sensitive to a number of key assumptions including rate income, supplementary valuations, salaries and wages and materials and services. Further to this, the following matters and events may influence the Financial Plan projections over the medium to long term, with a review of the Plan undertaken each year as part of the annual Budget process:

- ▶ New Enterprise Agreement
- ▶ Government policy and legislation changes
- ▶ Future funded capital works projects

### Regional, State and National Plans and Policies

The Financial Plan has been prepared in accordance with the *Local Government Act 2020*, *Local Government (Planning and Reporting) Regulations 2020* and relevant Australian Accounting Standards.

## **Innovation and Continuous Improvement**

Not Applicable

## **Alignment to Council Plan**

The development of the Council Plan 2025-2029 has informed the review and refinement of the Financial Plan 2025-2035.

## **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.

### 13.5.5. Annual Report 2024-25

|                    |        |                            |                               |
|--------------------|--------|----------------------------|-------------------------------|
| <b>File Number</b> | E11332 | <b>Responsible Officer</b> | Mayor, Councillor Steve Rabie |
| <b>Purpose</b>     |        |                            |                               |

To present Council's Annual Report 2024-25 for endorsement.

#### Executive Summary

Section 98 of the *Local Government Act 2020* (the Act) requires Council to prepare an Annual Report for each financial year that contains a report on the operations of the Council, audited performance statement and audited financial statements.

The Annual Report includes an overview of Council's performance against the Council Plan 2021-2025, and a financial report, which contains the audited financial statements and performance statements.

The Act requires the Annual Report be presented by the Mayor.

#### Key Issues

Council approved the in-principle Financial and Performance Statements at the Council Meeting on 16 September 2025. The statements have been audited, endorsed by Council's Audit and Risk Committee, certified by two Councillors as authorised by Council and contain the opinion certificates from the Victorian Auditor General.

The Annual Report contains all information required by the Act and *Local Government (Planning and Reporting) Regulations 2020*.

#### Annual Report Overview

The Annual Report includes detailed information for our community on the completion of initiatives included in the Council Plan and in Council's 2024-25 Budget.

This year saw some significant achievements on delivery of major projects to the community, while delivering our core services and operating within a financially responsible budget. In 2024-25 Council delivered \$5.4 million of capital works projects, with 54 out of 56 projects completed in addition to works on the \$12.3 million IMPACT Route and achieved a surplus of \$12.5 million.

Significant projects achieved in 2024-25 include:

- Mansfield Heritage Museum's foyer and administration area internal fit-out
- Highton Lane widening and reconstruction
- Creek crossing upgrades on Chapel Hill Road at Lanky Creek
- Reconstruction and sealing of sections of Rifle Butts Road
- Road and drainage improvements in Woods Point
- Rowe Street drainage upgrades
- Weather station installed
- Redevelopment and opening of the Goughs Bay Boat Sport and Recreation Club
- Construction of disability parking spaces

## Implementation of Council Plan

The Annual Report reports on Council's progress in delivering the strategies contained in the Council Plan 2021-2025. There are three key themes contained within the Council Plan. The Annual Report addresses each of the initiatives and activities undertaken by Council to meet its strategic objectives for the year in the 'Our Performance' section of the Annual Report.

| Recommendation                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. In accordance with section 100 of the <i>Local Government Act 2020</i>, endorse the Annual Report 2024-25 as presented; and</li> <li>2. Delegates the Chief Executive Officer authority to correct any errors including typographical in the operations report that do not materially alter the underlying message of the report.</li> </ol> |
| Support Attachments                                                                                                                                                                                                                                                                                                                                                                                         |
| <ol style="list-style-type: none"> <li>1. Annual Report 2024-25 [13.5.5.1 - 151 pages]</li> </ol>                                                                                                                                                                                                                                                                                                           |

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

The Annual Report presents comprehensive information to our community about Council's operations and performance during the 2024-25 financial year and will be made available for reference by the community on Council's website.

### Collaboration

Not Applicable

### Financial Impact

The Annual Report contains Council's audited Financial Statements and Performance Statement for the year ended 30 June 2025 which show that Council is financially sustainable and that services are being delivered within expected parameters.

### Legal and Risk Implications

The Audit and Risk Committee were presented with the draft Financial Statements and Performance Statement and the final Financial Statements and Performance Statement with a copy of VAGO's closing statement.

### Regional, State and National Plans and Policies

Section 100 of the *Local Government Act 2020* contains a requirement stating that the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council Meeting open to the public within four months of the end of the financial year.

## **Innovation and Continuous Improvement**

Council used internal resources to prepare and compile the report again this year, rather than employing an external designer, to maximise cost-efficiencies in preparation of the Annual Report. Council will not print hard copies of the report except on an as-needs basis.

## **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council

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

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

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

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

**13.5.6. MAV State Council Advocacy Motions Update**

|                    |      |                            |                                            |
|--------------------|------|----------------------------|--------------------------------------------|
| <b>File Number</b> | E364 | <b>Responsible Officer</b> | Chief Executive Officer, Kirsten Alexander |
| <b>Purpose</b>     |      |                            |                                            |

To provide an update to Council on the key resolutions passed at the MAV State Council Meeting on 10 October 2025.

**Executive Summary**

The Municipal Association of Victoria (MAV) State Council is a forum where Victoria's 79 councils come together to shape the future of local government through evidence-based advocacy. Through their delegates, Victorian councils contribute to important decisions that guide the strategic priorities of the MAV's Intergovernmental Relations & Advocacy Framework and influence sector-wide priorities for Federal and State Government action.

Meeting twice a year, State Council plays a key role in strengthening local government by enabling collaboration, informed debate and democratic decision-making. It provides an opportunity for councils to raise issues, propose solutions and work collectively on behalf of their communities.

At the State Council Meeting on 10 October 2025, 75 motions were considered and 72 motions passed.

The Hume Region Local Government Network (HRLGN), made up of 12 member councils being Alpine, Benalla, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Shepparton, Strathbogie, Towong, Wangaratta and Wodonga, submitted 4 motions for consideration at the State Council Meeting being; Planning Reform, Emergency Services and Volunteers Fund, Fee Increases for Mining and Quarry Sector, and Drought Support. These motions were all passed.

**Key Issues**

Key resolutions passed at MAV State Council of note to Mansfield Shire are as follows.

**Planning Reform**

Based on Mansfield Shire Council's adopted advocacy position on the planning reforms, Council submitted a motion to HRLGN that any changes to the Act should uphold five key principles:

- Keep it Country
- Keep it Local
- Keep it Transparent
- Keep it Fair
- Keep it Simple

This was supported by HRLGN and was submitted to the MAV State Council and included in the Business Papers as follows:

*That Municipal Association of Victoria, in collaboration with representation of rural and regional local government networks, calls on the Victorian Government to ensure that the review of the Planning and Environment Act 1987 has due regard for rural Victoria and maintains the ability of Local Government to do the following:*

- 1. Keep it Country (including Local Towns and Rural Character) - Ensure that any changes allow Councils to continue to protect local vision, values and character, heritage significant areas and natural areas, including the protection of large trees.*
- 2. Keep it Local – Ensure that any changes allow Councils to continue to make decisions for the community at a local level and that Council is not removed as the determining authority.*
- 3. Keep it Transparent – Ensure that any changes allow Councils to continue to provide the community with information and the ability to advertise planning proposals and consider and respond to community input.*
- 4. Keep it Fair – Ensure that any changes continue to allow balanced and fair third party objection and appeal rights in planning and development assessment, including for major projects that have an environmental impact on rural and regional communities.*
- 5. Keep it Simple - Ensure that any changes to the Act minimise complexity so that anyone can engage in the planning system without undue cost.*

The MAV State Council adopted the position, with a change in wording in the first paragraph to move from 'rural' to 'all' to reflect the universality of the need for local government to maintain local planning powers and continue to make decisions and seek community feedback at a local level.

### **Emergency Services and Volunteers Fund (ESVF)**

7 motions were submitted to the MAV State Council regarding the ESVF which resulted in the following consolidated motion being included in the Business Papers:

*The MAV calls on the Victorian Government to review and reform the Emergency Services and Volunteers Fund (ESVF) by:*

#### *Repeal and Reinstate Fair Levy Framework*

- 1. Ongoing advocacy to introduce legislation to fully repeal the Emergency Services and Volunteers Fund Act 2025 and reinstate the previous Fire Services Property Levy framework.*
- 2. Immediately transferring full responsibility for levy administration to the State Revenue Office, with no role for local government.*

#### *Urgent Amendments if Repeal is Not Supported*

- 3. Advocate to extend partial levy rebates for primary producers (farmers) beyond the 2026–27 financial year, ensuring rebates are independent of eligibility under government drought support programs.*
- 4. Advocate to introduce partial levy rebates (via a capped variable rate or flat partial rebate) for regional businesses, recognising the comparable economic pressures they face alongside farmers.*

*Equity, Transparency, and Economic Impact*

5. *Advocate for a Parliamentary Inquiry into the equity, transparent financial impact assessment, and proposed distribution of ESVF funds, ensuring that levy structures do not disproportionately burden rural communities or regional businesses.*
6. *Calls for a formal review of the levy's impacts within 24 months of implementation, with findings to be made public.*

The MAV State Council resolved to continue their express disappointment in the Emergency Services and Volunteer Fund, stating that the administration of the collection of the fund shouldn't be the burden of local government and seeking further community engagement on the tax. They are also calling on the state government to change the model to an equitable one that doesn't unfairly impact rural communities and to conduct an ongoing economic impact assessment.

**Road Funding**

The following motion was resolved calling for a road funding model to meet asset renewal demands:

*That the MAV advocate to the Victorian and Commonwealth Governments for the development and implementation of a per kilometre funding model for local roads—sealed and unsealed—that is directly informed by each council's measured renewal gap, with the objective of enabling councils to meet their long-term asset renewal demand.*

**Drought Support**

2 motions were submitted to the MAV State Council regarding the Drought Support which resulted in the following consolidated motion being included in the Business Papers:

*That the Municipal Association of Victoria, in collaboration with representation of rural and regional local government network, seeks a commitment from the Victorian Minister for Agriculture and Minister for Natural Disaster Recovery to:*

1. *Reassess current drought criteria.*
2. *Revisit the eligibility criteria for drought support packages.*
3. *Extend drought support to all affected LGAs, including meaningful day-to-day operational support going forward.*
4. *Acknowledge the financial distress caused by the current drought means farmers will require continued support beyond the package announced on 4 July 2025.*

**Protecting and Expanding Urban Tree Canopy**

3 motions were submitted to the MAV State Council regarding protecting and expanding urban tree canopy which resulted in the following consolidated motion being included in the Business Papers:

*That the Municipal Association of Victoria (MAV) advocate to the Victorian Government for urgent reforms to better protect and grow urban tree canopy, including:*

- 1. Recognising the role of tree canopy in climate resilience, public health, biodiversity, and urban amenity in planning decisions*
- 2. Revise Clause 55 (Townhouse and Low-rise Apartment code), any further redesigned built-form standards and codes, to align with the 30% tree canopy target now required in all planning schemes*
- 3. Moving away from broad vegetation clearance practices around powerlines in low bushfire-risk areas, where safety risk is low*
- 4. Endorsing evidence-based minimum vegetation clearance (e.g. 30cm) where appropriate—such as in inner metropolitan Councils that are classed as Low Bushfire Risk Areas (LBRA)*
- 5. Establishing statewide standards and targeted investment to support councils in retaining and expanding canopy cover through planning controls, infrastructure coordination, and local greening initiatives.*

The following funding based consolidated motion (3 motions were submitted) was passed by MAV State Council to protect the future of our public pools.

*That the MAV:*

- 1. Recognises the critical importance of public pools and aquatic/leisure centres to our communities as:*
  - a. hubs of social connection;*
  - b. places for people to exercise and be healthy;*
  - c. places for people, particularly children, to learn the life skill of swimming; and*
  - d. places for people to cool down during extreme heat events, which will only become more frequent with worsening climate change.*
- 2. Notes that:*
  - a. the high cost of maintaining, upgrading and building new public pools and aquatic/leisure centres present huge financial challenges for Councils, particularly in the context of continued cost-shifting by other levels of government and rate-capping and ageing facilities that require replacement;*
  - b. many Councils' public pools and aquatic/leisure centres are ageing assets that require high levels of investment to maintain and upgrade in order to continue; and*
  - c. notes that demand for public pools and aquatic/leisure centres will only increase as Victoria's population and population density grow.*
- 3. Calls on the Victorian and Federal Governments to work with Councils to protect the future of our public pools by providing ongoing funding streams to support Councils to maintain, upgrade and build new public pools and aquatic/leisure centres in order to meet community demand, including a new and recurrent dedicated aquatic centre fund.*

Council also saw strong support for a motion put forward by HRLGN on calling for a review of proposed fee increases for the quarry sector that threaten local road building programs.

Attached to this report is a copy of MAV's State of the Sector State Council Communiqué, which includes advocacy priorities and challenges councils are facing, direct from the delegates at State Council.

| Recommendation                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------|
| THAT COUNCIL note the update on the key resolutions passed at the MAV State Council Meeting on 10 October 2025. |
| Support Attachments                                                                                             |
| 1. MAV State of the Sector - October 2025 [13.5.6.1 - 9 pages]                                                  |

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Council's advocacy positions have been formed through community feedback on areas of concern and priorities for funding, through engagement projects including the deliberative engagement over the Council Plan.

### Collaboration

The Hume Regional Local Government Network (HRLGN) is a collaboration made up of 12 member councils from across the Hume Region being Alpine, Benalla, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Shepparton, Strathbogie, Towong, Wangaratta, and Wodonga.

### Financial Impact

The fee for Council's membership of the MAV is included in the 2025-26 Budget, for an amount of \$24,449 (excl. GST)

### Legal and Risk Implications

Not Applicable

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

Not Applicable

### Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community  
Strategy 8.2 Develop capacity and capability to advocate powerfully for the most important interests of the Mansfield community

### Governance - Disclosure of Conflicts of Interest

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

### 13.5.7. Emergency Services and Volunteers Funding (ESVF) Levy Payment

|                    |        |                            |                                         |
|--------------------|--------|----------------------------|-----------------------------------------|
| <b>File Number</b> | E12189 | <b>Responsible Officer</b> | Financial Controller, Michael McCormack |
|--------------------|--------|----------------------------|-----------------------------------------|

#### Purpose

To seek approval for the payment of the Q1 Emergency Services and Volunteers Funding 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) appoints Council as a Emergency Services and Volunteers Funding Levy (ESVFL) collection agency in respect of leviable land in its municipal district including leviable land owned by the Council.

The total Q1 ESVFL amount is \$966,373.40 representing the first of four instalments for the 2025/26 financial year.

Approval is sought to ensure timely payment and compliance with legislative obligations.

#### Key Issues

Compared to Q1 of the previous financial year (2024/25) this amount reflects an increase of \$112,295.72 or 13.15% 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) | FSPL Amount (2024/25) | % Increase from 2024/25 to 2025/26 | FSPL Amount (2023/24) | % Increase from 2023/24 to 2024/25 |
|--------------|------------------------|-----------------------|------------------------------------|-----------------------|------------------------------------|
| Q1           | \$966,373.40           | \$854,077.68          | 13.15%                             | \$633,243.52          | 34.87%                             |
| Q2           |                        | \$864,735.43          |                                    | \$668,215.01          | 29.40%                             |
| Q3           |                        | \$621,441.21          |                                    | \$452,687.37          | 37.28%                             |
| Q4           |                        | \$592,984.26          |                                    | \$456,010.83          | 30.04%                             |
| <b>Total</b> | <b>\$966,373.40</b>    | <b>\$2,933,238.58</b> |                                    | <b>\$2,210,435.73</b> | <b>32.70%</b>                      |

#### Recommendation

THAT COUNCIL authorises the Chief Executive Officer to pay the Q1 Emergency Services and Volunteers Funding Levy for a total amount of \$966,373.40.

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

### Governance - Disclosure of Conflicts of Interest

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

## 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 12 October 2025. |                                                                                                       |
| Support Attachments                                                                                                         |                                                                                                       |
| 1.                                                                                                                          | Mansfield Shire Council Action Register as at 12 October 2025 [ <b>14.1.1</b> - 6 pages]              |
| 2.                                                                                                                          | CONFIDENTIAL Mansfield Shire Council Action Register as at 12 October 2025 [ <b>14.1.2</b> - 3 pages] |

## 15. Advisory and Special Committee reports

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

The Agenda & Minutes of the Mansfield Shire Audit and Risk Committee Meeting held Monday 15 September 2025 are attached for the Councils information.

| Recommendation                                                                                                                      |                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held on Monday 15 September 2025. |                                                                                                      |
| Support Attachments                                                                                                                 |                                                                                                      |
| 1.                                                                                                                                  | CONFIDENTIAL Audit and Risk Committee Meeting Agenda - 15 September 2025 [ <b>15.1.1</b> - 10 pages] |
| 2.                                                                                                                                  | Audit and Risk Committee Meeting Minutes - 15 September 2025 [ <b>15.1.2</b> - 4 pages]              |

## 16. Authorisation of sealing of documents

Nil

## 17. Closure of meeting to members of the public

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

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

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

| Recommendation                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| THAT COUNCIL close the meeting to members of the public under Section 66(2)(a) of the Local Government Act 2020 to consider Confidential Reports in accordance with section 66(2) of the Local Government Act 2020 for reasons set out in section 18 below. |

## 18. Confidential Reports

### 18.1. Tender Award: Station Precinct Pump Track

#### Confidential

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

### 18.2. Contract Award: Mansfield Heritage Museum

#### Confidential

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

### 18.3. Tender Award: Ogilvies - Rifle Butts Road Intersection

#### Confidential

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

## 19. Reopen meeting to members of the public

| Recommendation                                            |
|-----------------------------------------------------------|
| THAT COUNCIL reopen the meeting to members of the public. |

## 20. Close of meeting