

OFFICIAL



Mansfield Shire

Council Meeting

Wednesday 17 December 2025 5:00 pm
Mansfield Council Office

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

Our aspiration for our Shire and its community

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

Councillors

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

Officers

Kirsten Alexander, Chief Executive Officer
Melissa Crane, General Manager Investment & Planning
Janique Snyder, Executive Manager 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

13.2-13.6 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 25 November 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:

The end of the year is approaching. Before we know it, Christmas will be upon us and then we'll say goodbye to 2025. It's a year I will remember fondly. Because in 2025, the people of Mansfield Shire ignored the political manoeuvring of a state approaching an election, and a wider world filled with dissent, to come together to fight for a shared future we believe in.

We saw an overwhelming community response to the ESVF, an unfair tax legislated with no consultations with the communities it affects and we saw the same response more recently to the state government's proposed planning reforms. When our little shire speaks, it speaks with a big loud voice.

The Emergency Services and Volunteers Fund reared its ugly head again on Friday 5 December when the Treasurer Jaclyn Symes announced a further reprieve of two years for the Victorian farming community who were to be the hardest hit by the unfair tax at the time it was announced.

The Treasurer insists that this latest step down has nothing to do with opposition for the community and Victorian councils which just goes to show, this state government aren't interested in listening to the people they represent, no matter how passionate they are in making their argument.

In her announcement, she said that she didn't want the ESVF to turn into a debacle. I say it has been a debacle since the very beginning. A reprieve just kicks the can down the road when we need the unfair tax to be scrapped altogether. Council remains united in our stand against the ESVF.

In happier news, I'm honoured to once again see out the year as the Mayor of Mansfield Shire. Having been re-elected at the November Council meeting, I'm now entering my third term as your Mayor. Over the course of my first two terms, I feel like I developed the acumen, the experience and the political capital to really forge ahead and make a difference for the Mansfield Shire community.

I'm dedicated to further building the relationship between Council and community and fighting for Mansfield Shire's interests at a state and federal level. I'll continue to advocate for further investment and responsible growth in our Shire.

My sincere thanks go to the Rotary Club of Mansfield who have put together an engaging and effective campaign in the fight against family violence. My fellow Councillors and I were proud to support the 'Say no to Family and Domestic Violence campaign'. Cr Clark represented council at the well-attended Community Walk Against Violence while Cr Berenyi spoke at the screening of Left Write Punch at the Armchair Cinema.

I'm pleased to say Mansfield Shire has remained under the state average for domestic and family violence cases per capita in each of the past five years but while there are still instances of violence in our community, this remains an important cause.

The judging has now taken place for Mansfield Shire's Australia Day Citizen Awards. I'd like to thank my fellow Councillors, James Tehan and Mandy Treasure who joined me on the judging panel along with last year's award winners Graeme Stoney, Ian Mallyon and Ella Crathern. It

was a difficult task trying to determine a winner in each category given the high quality of nominations we received.

This year, we received 18 nominations from the community which represents an outstanding response that highlights the fact that we have so many people within our community who go above and beyond for the betterment of our Shire. I'd like to thank everyone who took the time to submit a nomination.

Deputy Mayor James Tehan and I travelled to Melbourne to complete the Municipal Association of Victoria's Mandatory training with our fellow Mayors and Deputy Mayors from across Victoria. The two-day training course and networking event provided some valuable knowledge and connections that I'm sure we will draw from over the next 12 months.

Given our trip to Melbourne, we were unable to attend the Engagement event for the Delatite Valley Plan at the Hunt Club Hotel. I'm pleased with the level of engagement we've seen regarding the plan. I'd like to encourage the entire Merrijig community to step forward and consult with Council on the second draft of the plan, whether you are for it or against it.

Council's position on mandated and irresponsible growth has been made clear in our vocal advocacy against the state planning reforms. This plan can be your tool to protect your vision for the Merrijig community, just as we are fighting to protect our vision for Mansfield Shire.

Though there was snow on the mountain at the beginning of the week, any hopes Mansfield Shire had for a white Christmas were dispelled with the warm weather we enjoyed for the Christmas Picnic and Carols. I was delighted to attend the event. As ever, the event was well attended and provided a festive opportunity for our community (young and old) to come together to celebrate the festive season with music, food, friends and family.

I'd like to remind everyone that as usual, the Council office will be closed over the Christmas/New Year period from 2pm on 24 December through until 5 January, 2026. If you need to contact Council urgently, please call the after-hours support on 5775 8555 or alternatively, you can raise a request on our website – mansfield.vic.gov.au

And I have to mention the petition against state planning reforms. At the final count of signatures, we smashed the target of 2000 signatures having gathered over 2400 with the final 800 coming in just four days. The community response was overwhelming, thank you to everybody who signed the petition and to all the local businesses who put copies in their storefronts.

Just three weeks passed between the launch of the petition and my trip down to Spring St to personally hand-deliver the signatures to Wendy Lovell, Victorian Legislative Council Member for Northern Victoria, who will formally table the petition for discussion in Parliament.

There is a sign on Mansfield High Street that states "Mansfield is a self-reliant community which aspires to control its destiny. It resists aggressive intrusion but welcomes contributors to community spirit. When threatened by inappropriate and irrelevant edicts there is a unity and strength of purpose that is profound and unrelenting."

As your Mayor, I hold these words dear. They go a long way in informing my thinking and my vision for this shire, the best little shire in Australia. In 2025, the community brought those words to life in its actions by sending a powerful message to the Victorian Government. You have told them you will not be silenced. As both Mayor and proud resident of Mansfield Shire, I couldn't be more proud of you.

I wish all the residents and ratepayers all the best as the year comes to an end. I hope you all get the opportunity to spend some precious time with your loved ones as I intend to. I'm confident 2026 will go down as a productive year in the history of our shire.

Merry Christmas and a happy New Year to you all.

*Cr Steve Rabie
Mayor*

Recommendation

THAT COUNCIL receive the Mayor's report for the period 26 November 2025 to 10 December 2025.

11. Reports from council appointed representatives

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

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

Recommendation

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

12. Public question time

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

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

13. Officer reports

13.1. Chief Executive Officer's report

File Number: E103

Responsible Officer: Chief Executive Officer, Kirsten Alexander

Introduction

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

The Chief Executive Officer report will provide information relation to:

- ▶ Customer Service
- ▶ Capital Works
- ▶ Statutory and Strategic Planning
- ▶ Waste Services (Landfill)
- ▶ Field Services
- ▶ Youth Services and Events
- ▶ Library
- ▶ Communications
- ▶ Digital Transformation Project

Recommendation

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

Support Attachments

1. CEO Monthly Report - November 2025 [13.1.1 - 38 pages]

13.2. Investment and Planning

13.2.1. Planning Permit Application: P030-25 - 131 Terry Road Mansfield

File Number	P030-25	Responsible Officer	Senior Coordinator Planning, Nicole Embling
Purpose			

The purpose of this report is to seek Council’s determination of planning permit application P030-25, lodged for *use and development of land for Extractive Industry (stone extraction)*, at 131 Terry Road, Mansfield. This application is being referred to Council for a determination as the number of outstanding objections (19) exceeds delegation, and the Officer Recommendation is to refuse to grant a permit.

Executive Summary	
Application Details	
APPLICANT	Malkin Consulting Pty Ltd, on behalf of Aspire to Inspire Holding Trust
PROPOSAL	Use and development of land for Extractive Industry (Stone Extraction)
NOTICE AND SUBMISSIONS	Letters to (109) owners and occupiers of neighbouring properties (16 June to 23 July 2025). There are 19 outstanding objections
Property Details	
PROPERTY ADDRESS	131 Terry Road, Mansfield
LAND DESCRIPTION	Lot 2, PS824836
RESTRICTIVE COVENANTS	None on Title
LAND AREA	80 hectares
EXISTING USE	Vacant cleared grazing (farm) land
Planning Provisions	
ZONE	Clause 35.07 - Farming Zone (FZ)
OVERLAYS	Clause 42.01 - Environment Significance Overlay Schedule 2 (partially) - Catchments at Medium Risk of Water Quality Impacts (ESO2) Clause 42.03 – Significance Landscape Overlay Schedule 1 – Alpine Approach Significant Landscape Area (SLO1)
MUNICIPAL PLANNING STRATEGY	<ul style="list-style-type: none"> – Clause 02.03-1 – Settlement – Clause 02.03-2 – Environmental and Landscape Values – Clause 02.03-4 – Natural Resource Management (Agriculture) – Clause 02.03-4 (Water and Declared Special Water Supply Catchments) – Clause 02.03-7 – Economic Development (Tourism)

<p>PLANNING POLICY FRAMEWORK</p>	<ul style="list-style-type: none"> - Clause 12.05-2L – Significant landscapes, Ridgelines, and Alpine Approaches - Clause 13.05-1S- Noise Management - Clause 13.07-1S – Land Use Compatibility - Clause 14.01-1S – Protection of Agricultural Land - Clause 14.02-1S – Catchment Planning and Management - Clause 14.02-1L – Catchment Planning and Management - Clause 14.02-2S – Water Quality - Clause 14.03-1S – Resource Exploration and Extraction - Clause 4.03-1R – Resource Exploration and Extraction - Hume - Clause 15.01-6S – Design for Rural Areas - Clause 17.01-1R – Diversified Economy – Hume - Clause 17.03-2S – Sustainable Industry - Clause 17.04-1S – Facilitating Tourism - Clause 17.04-1R – Tourism – Hume - Clause 17.04-1L – Facilitating Tourism in Mansfield Shire - Clause 18.02-4S – Roads
<p>PARTICULAR PROVISIONS</p>	<ul style="list-style-type: none"> - Clause 52.06 - Car Parking - Clause 52.08 – Earth and Energy Resources Industry - Clause 52.09 - Extractive Industry and Extractive Industry Interest Areas

Permit Triggers

<p>Clause 35.07-1 – Farming Zone</p>	<p>A permit is required to use land for Extractive Industry</p>
<p>Clause 35.07-4 - Farming Zone</p>	<p>A permit is required for works associated with a Section 2 Use (Extractive Industry)</p>
<p>Clause 42.01-2 - Environmental Significance Overlay (ESO2)</p>	<p>A permit is required for to carry out works, where no relevant exemption applies</p>
<p>Clause 42.03 - Significant Landscape Overlay (SLO1)</p>	<p>A permit is required for works, where no relevant exemption applies</p>
<p>Clause 52.08-1 – Earth and Energy Resources Industry</p>	<p>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</p>

A planning permit application was submitted to Council on 16 April 2025 for *use and development of land for Extractive Industry (stone extraction)*, at 131 Terry Road, Mansfield. The application has undergone extensive public notice and received 20 objections, one of which has since been withdrawn.

Subject Land and Surrounds

The subject site comprises a single piece of land which is triangular in shape and 85.5 hectares with vehicle access from Terry Road. The land is naturally undulating, sloping up away from Terry Road to a ridgeline (proposed works site) before sloping down and away to the north. The land sits across the ridgeline for the two catchment areas; the south portion of the land flows into the Lake Eildon (Ford Creek) catchment and the north portion into the Lake Nillahcootie (Broken River). The land is currently vacant and includes an informal farm track along the west boundary to gain access from Terry Road.

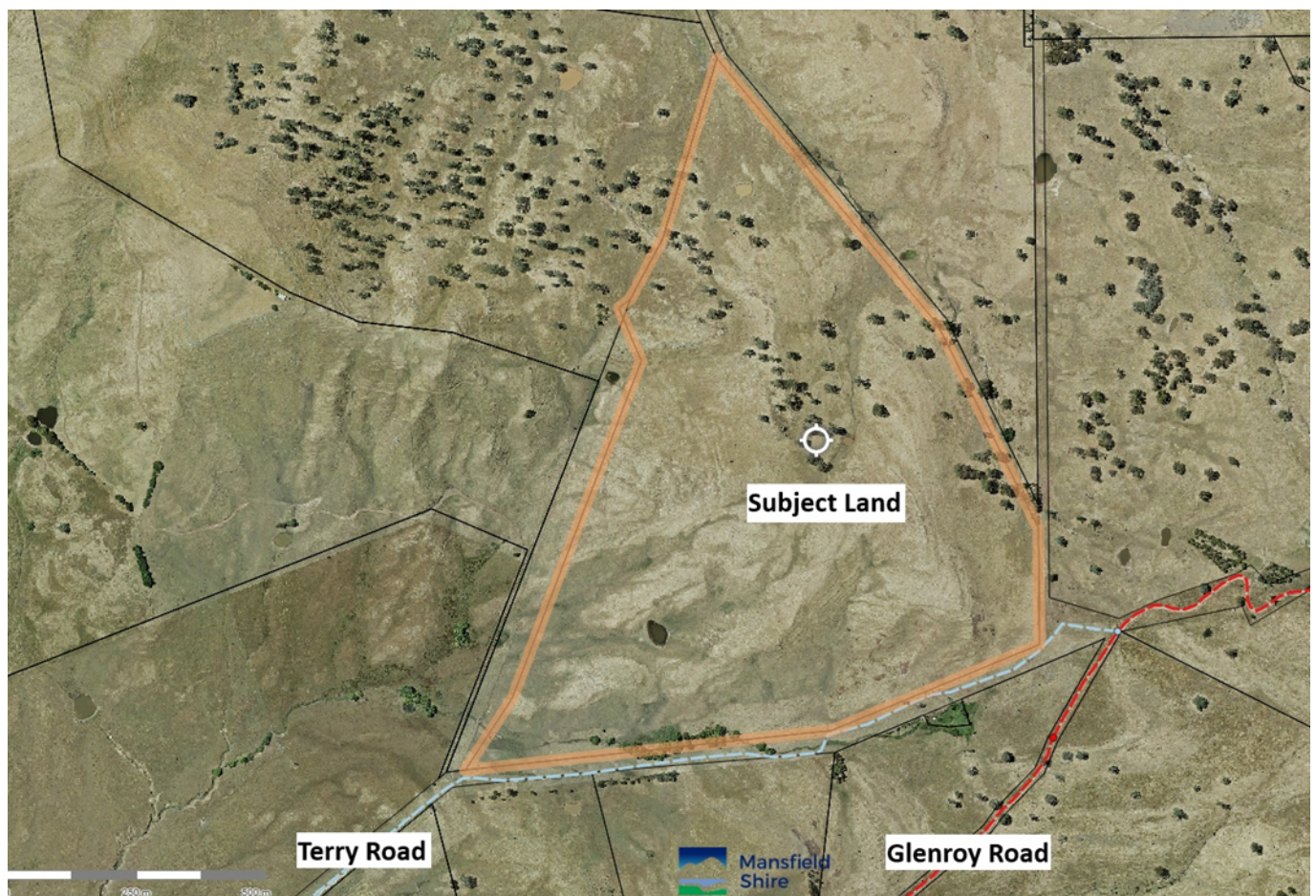


Figure 1: Aerial of the subject land

The subject land is approximately 2.8km from Mt Buller Road, accessed from either Glenroy Road or Ingomar Road to Terry Road. Glenroy Road is an Unsealed Access Road and Ingomar Road and Terry Road are Unsealed Limited Access Roads.

The land and all surrounding properties are in the Farming Zone and the Significant Landscape Overlay (Alpine Approaches) applies to the subject land. The Environmental Significance Overlay (Schedule 2) applies to the northern portion of the land, which is in the Broken River catchment. The maps below show the extent of the Overlays applying to the land and surrounding properties.

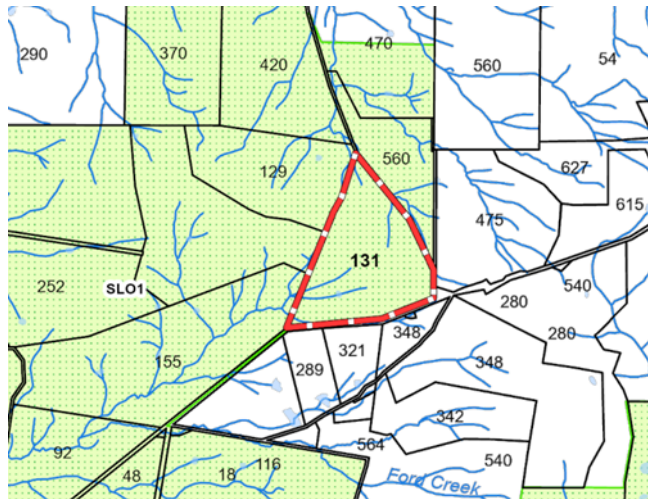
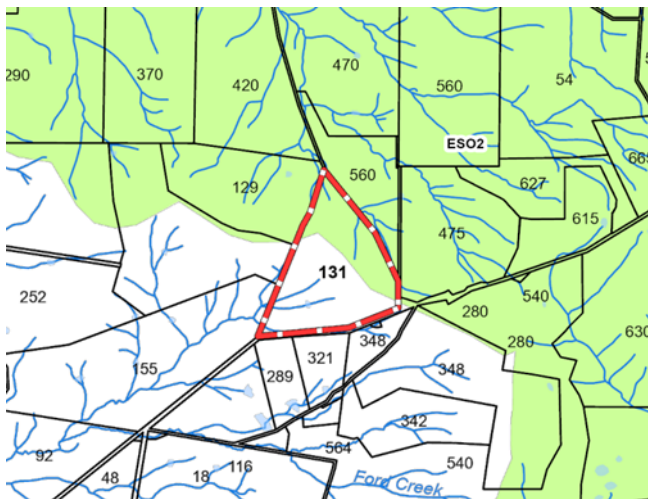


Figure 2: Environmental Significance Overlay

Figure 3: Significant Landscape Overlay

The Significant Landscape Overlay (SLO) for the Alpine Approach Significant Landscape Area applies to the land, however it does not apply to the adjoining land to the east or south. The objectives of the SLO are:

- ▶ *Identify and protect the visual values of the landscape of state significance on the approaches to mountains and ranges, including Mount Buller, Mount Stirling, Mount Timbertop, and other significant mountains.*
- ▶ *Protect short and long-distance views of Mount Buller from the Mt Buller Road, other approach roads and public viewpoints.*
- ▶ *Avoid the visual impact of buildings and works in the landscape.*
- ▶ *Minimise the visual impact of buildings and works by requiring setbacks from prominent visual areas, ridgelines and adjoining and nearby private land.*

The SLO has been applied to entire properties which are able to be viewed from the Alpine Approach, along Mt Buller Road. An assessment of the subject land determines that the subject land is visible from Mt Buller Road.

The photo below (Figure 4) was taken from the subject land (at the proposed work area) on 27 March 2025 by Council Officers, while onsite for a pre-application meeting hosted by Resources Victoria as part of the Work Authority process for Extractive Industry applications. Council Officers, including Planning and Compliance, attended the pre-application site meeting with the landowners, the Permit Applicant (Consultant on behalf of the landowner), Resources Victoria, Department of Energy, Environment and Climate (DEECA) (Environment Officer), and Goulburn Murray Water. During the site meeting, Council Officers raised concerns about the visibility of the land from the surroundings and particularly how the site and proposal would not likely be able to comply with the SLO.



Figure 4: Photo from the subject land towards Mt Buller Rd – 27 March 2025

A visual assessment of the surrounds from the proposed development area determines that the site would be significantly visible in the landscape, including many public roads, private dwellings, nearby accommodation facilities and the Delatite Winery.

The application documents provide that there is only one dwelling within 1km of the proposed work area, which is on a separate parcel of land, 475 Glenroy Road, but in the same ownership as the subject land. Beyond 1km of the work area there are a significant number of dwellings, which are shown on the maps below. The dwellings most affected by the proposal are the cluster of 6 dwellings directly south of the land, on Glenroy Road, two of which have tourist accommodation. Additionally, there is a current planning permit application for accommodation, a wellness centre/retreat and function centre across two parcels of land addressed as 219 Glenroy Road which would be the closest development, save for the existing dwelling owned by the Permit Applicant. The second map highlights the expanse of residential uses across the Delatite River and Broken River valleys, which could be impacted by the proposal.

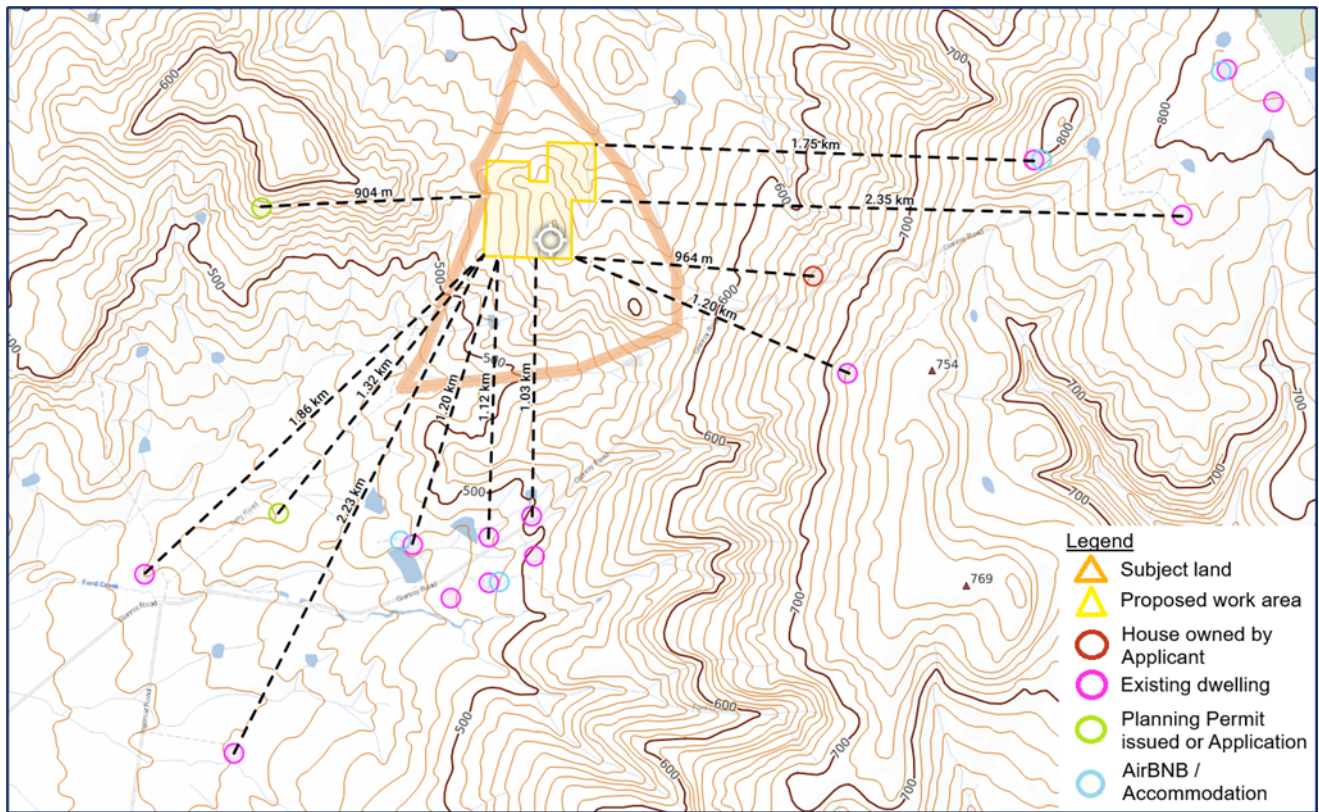


Figure 5: Map of nearby dwellings

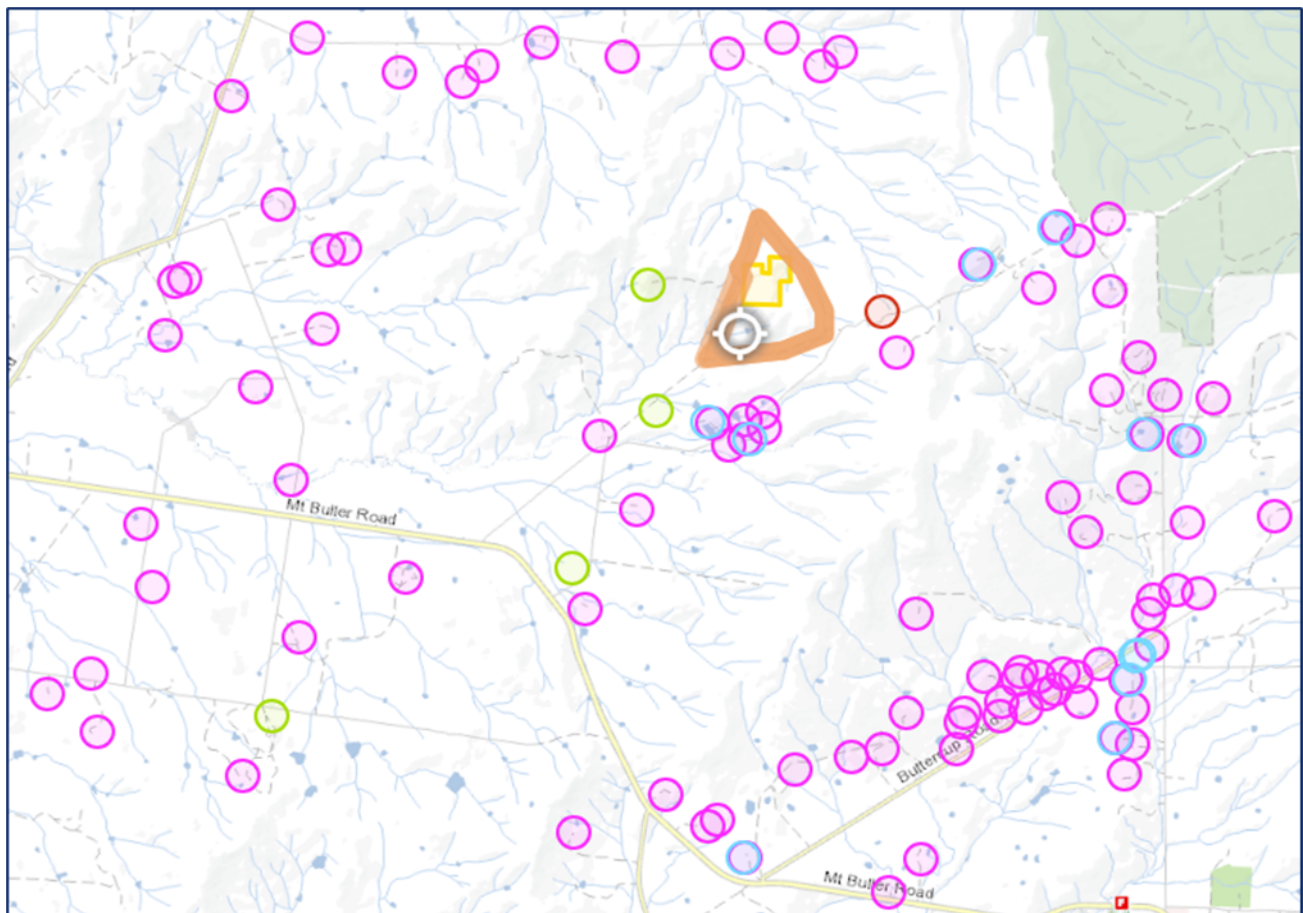


Figure 6: Location of dwellings that could be affected

Proposal

The planning permit application proposes the use and development of land for extractive industry (mudstone). The Permit Applicant is seeking approval for five stages to include a combined area of 5 hectares. The location of the extractive areas is adjoined in a patch that sets out the proposed staging, as shown below in the excerpt from the submitted Operations Plan.

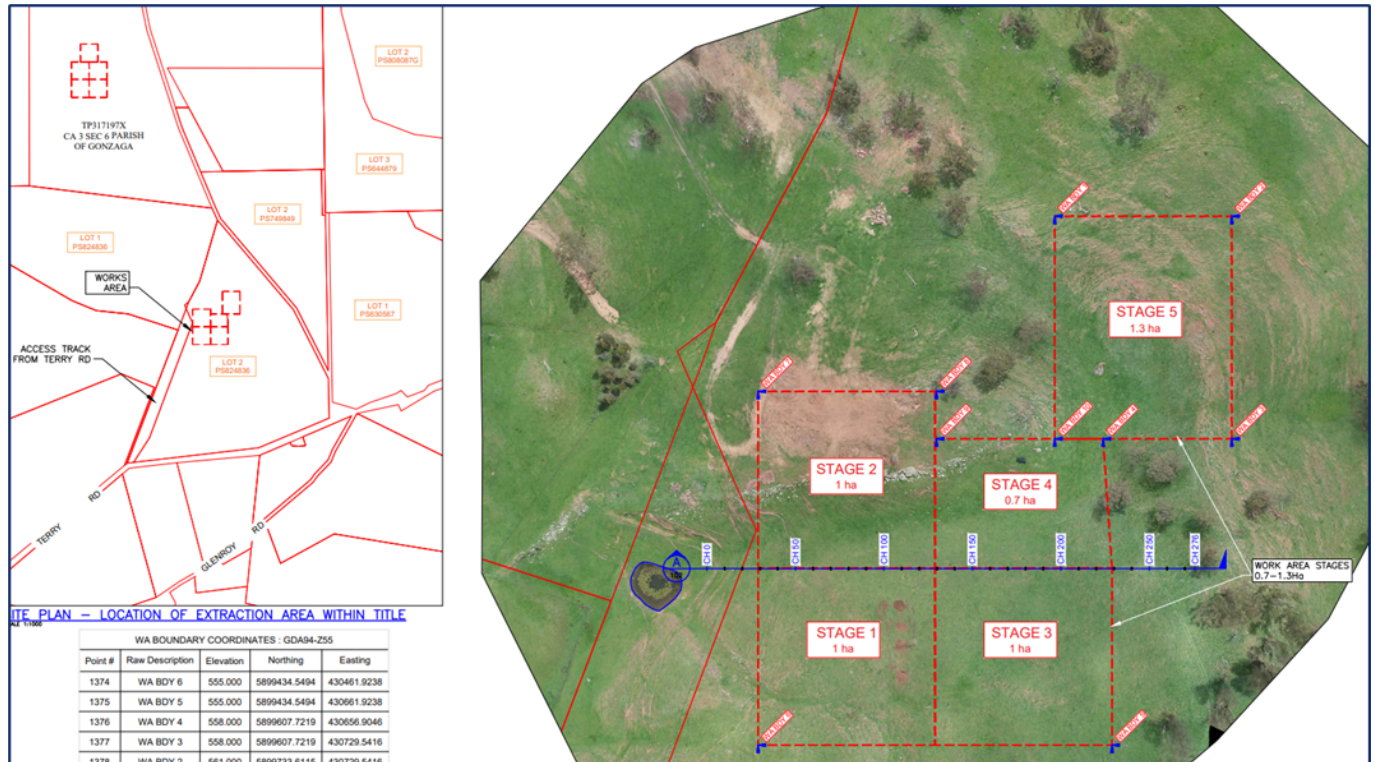


Figure 7: Proposed extraction sites in stages, submitted Operations Plan

As the proposed work areas are not more than 5 hectares in area and the extraction is not proposed to be deeper than 5 metres, the proposal is exempt from requiring a Work Plan from Resources Victoria. As a Work Plan is not required, the proposal requires a planning permit from Council and a Work Authority from Resources Victoria.

The proposal will require heavy vehicle access to the extraction sites, and it is proposed that the existing farm track be suitably upgraded to accommodate this, with extensive works required to establish an all-weather access. During wet periods and following rain events, the land is not accessible with the existing farm track access.

The proposal includes the following operations:

- ▶ 3,000 cubic metres of rock removed, per stage
- ▶ Estimated timeline for completion – 5 years
- ▶ Excavate to approximate 2 metres deep for extraction of Mudstone Rock “Floaters”
- ▶ No native vegetation removal or impact
- ▶ 4 truck movements per day (2 full loads leaving the site)
- ▶ Hours of operation – 7am to 4pm Monday to Friday
No operation on weekends or public holidays
- ▶ Up to four staff/operators on site

The application documents include a proposed Haul Route, which details that empty trucks travelling towards the site would turn left onto Glenroy Road to Terry Lane, to access the subject land. When leaving, the trucks would use Terry Lane and then proceed down Ingomar Road, to turn right onto Mt Buller Road. This route has been proposed as it provides the longest possible site lines along Mt Buller Road. While Department of Transport (VicRoads) have determined that no intersection upgrades would be required, Council Officers are concerned about the site lines and stopping distance available to trucks and large volumes of tourist traffic travelling along Mt Buller Road. It is considered that the proposal could have traffic safety impacts on Mt Buller Road.

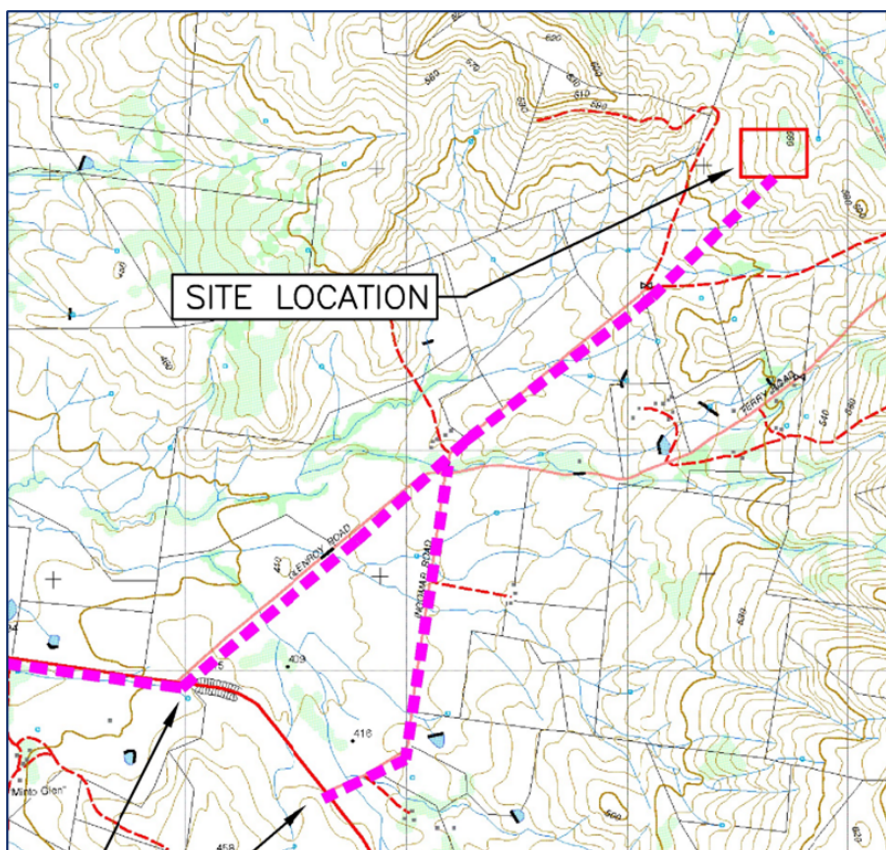


Figure 8: Excerpt of proposed Haul Route

The proposal has not detailed any requirement for the removal of, or any impact to, native vegetation, and there are no areas of the subject land that are within an area of Cultural Heritage Sensitivity. Therefore, a Cultural Heritage Management Plan is not required.

Key Issues

Referral Authorities

Authority	Trigger	Response
Heritage Victoria	Determining	No objection
Goulburn Murray Water (GMW)	Determining	Conditional consent
Resources Victoria	Determining	No response (as of 5 Dec)
Department of Transport and Planning	Determining	No objection
Councils Environment Team	For comment	Unconditional consent
Councils Engineering	For comment	Conditional consent

Resources Victoria has not provided a response to the planning permit application however, the Applicant has provided advice from Resources Victoria which confirms that the application qualifies for a Work Authority and has a current application number. A Work Authority is not able to be issued until a Planning Permit is issued.

Public Notice

The application was advertised to adjoining and nearby properties by way of letters (109 letters) and notice was published in the Mansfield Courier, with the public notice period from 16 June to 23 July 2025. Following the completion of the public notice period, a total of 20 submissions were received, all raising objections. The objections raise the following concerns:

- ▶ Road safety impacts and infrastructure upgrade requirements
- ▶ Visual amenity impacts and incompatibility with the Significant Landscape Overlay
- ▶ Noise impacts
- ▶ Environmental and water catchment area impacts
- ▶ Impacts on tourism, recreation and Cultural Heritage Significance
- ▶ Dangerous intersections
- ▶ Dust, air quality and health impacts
- ▶ Bushfire risk and emergency management
- ▶ Incompatible with surrounding agricultural activities
- ▶ Contradicts draft Delatite Valley Plan and previous Buttercup Road VCAT case
- ▶ General amenity impacts, including social and community impacts
- ▶ Inconsistencies in application documents
- ▶ Economic impact
- ▶ Cumulative impact of extractive industries in the Valley

Extensive review of the objections has been undertaken by Council Officers and permit applicant, who provided a response to the objections.

The applicant response to the objections was provided to the objectors, resulting in one objection being withdrawn. The response from the applicant included that the roads in this area are already being used by large agricultural trucks and the increase would be minimal, an informal visual assessment was undertaken and they determine that the works area is not able to be seen from Mt Buller Road, and noise levels would be restricted to align with EPA Guidelines which restricts noise levels and impacts to tourism. The full response is attached.

Currently there are 19 unresolved objections.

The table below details the outstanding concerns raised through objections, the Permit Applicant response and an Officer Assessment.

Objection / Concern	Applicant Response	Officer Comments
<p>Road safety impacts and infrastructure upgrade requirements</p>	<p><i>The applicant acknowledges concerns regarding traffic on Glenroy Road. However, we note that this road is currently being used by heavy vehicles for agricultural purposes and has been for many years. The proposed traffic from the rock extraction will be minimal with the trucks being no wider or heavier than existing stock transport trucks. The applicant would be prepared to contribute for maintenance of this road and dust suppression subject to negotiation with Council. A traffic management plan will be submitted to ensure safety for all road users, including farmers, cyclists, and wildlife.</i></p>	<p>Councils Engineering Team have determined that if approved, significant upgrades would be required to approximately 2.9km of Council managed roads including Terry Road and Ingomar Road to provide safe passing width for vehicles and a surface suitable for heavy vehicles.</p> <p>The consideration of the access to and from Mt Buller Road was by the Department of Transport and Planning, who have not raised any concerns and provided unconditional consent to the granting of a permit. However, an officer assessment of the access has raised some concerns about the slope of Ingomar Road approaching Mt Buller Road, lack of a turning lane into Glenroy Road and potential stopping distance for cars along Mt Buller Road when a large (full) truck enters from Ingomar Road.</p> <p>The application is not supported by a Traffic Impact Assessment and therefore cannot be considered in suitable detail.</p> <p>It is acknowledged that multiple concerns were raised by objections about road safety and the implications on maintenance of the local gravel roads.</p>
<p>Visual amenity impacts and incompatibility with the Significant Landscape Overlay</p>	<p><i>Schedule 1 to clause 42.03 significant landscape Overlay specifies the protection of the visual landscape in the approaches to the local mountains and ranges. Under Clause 5.0 "Decision Guidelines" of the ordinance, the following relevant guideline applies to the consideration of the permit: "The impact of buildings and works on views to the land from any road, public viewpoints and private land." In conjunction with the applicant, we have carried out observations to determine if there is a considerable impact on amenity for vehicles</i></p>	<p>A detailed Officer assessment has been undertaken to consider the proposal against the policies of the Significant Landscape Overlay and other relevant policies in the Mansfield Planning Scheme, see attached Officer Assessment against Planning Scheme.</p> <p>In conclusion, the assessment determines that the visual impact of the proposal does not comply with the Mansfield Planning Scheme and is therefore not able to be supported.</p> <p>The objections received raise specific concerns about the visual</p>

Objection / Concern	Applicant Response	Officer Comments
	<p><i>travelling along the Buller Road. The investigation consisted of:</i></p> <ol style="list-style-type: none"> <i>1. Placing heavy equipment on the highest elevation of the proposed works area, including a light vehicle with lights on and facing Mt Buller Road;</i> <i>2. Driving Mt Buller Road in both directions between Pollards Lane and Scullys Lane;</i> <i>3. Making visual observation in the direction of the proposed works area with the naked eye and then with a phone camera at varying stages of magnification.</i> <p><i>The investigation resulted in the following conclusions:</i></p> <ol style="list-style-type: none"> <i>a) The works area wasn't visible to the naked eye from any of the above vantage points;</i> <i>b) We therefore have concluded that there is no impact on amenity for vehicles travelling along the Mt Buller Road due to the proposed works.</i> 	<p>impact of the proposal on neighbouring properties, most with dwellings and some tourism (accommodation). It is considered that the impact from the proposal would be significant and is not able to be mitigated through conditions of a permit.</p> <p>The application has failed to provide a suitable landscape assessment to determine where the proposal may and may not be visible across the Delatite Valley.</p>
<p><i>Noise impacts</i></p>	<p><i>Machinery will be fitted with appropriate mufflers and maintained to minimise operational noise. The owner will carry out noise monitoring during active periods to ensure compliance. The owners are mindful of neighbours' right to quiet enjoyment and will take all practical steps to reduce disruption. The main noise generated by the rock extraction will be the hammering of mudstone and the loading of trucks.</i></p>	<p>An acoustic assessment has not been provided with the application. Whilst the neighbouring dwellings are more than 900m from the extraction site, the elevation of the works area could cause noise to travel across the valley. Additionally, there are some dwellings close to the haul route, which includes gravel roads, that will likely be impacted by the passing trucks.</p>
<p><i>Environmental and water catchment area impacts</i></p>	<p><i>As extraction has occurred on the site for many years, any impacts are already observable and managed. The owners are committed to:</i></p> <ul style="list-style-type: none"> <i>- Erosion control and land stability</i> <i>- A rehabilitation plan that restores the land post-use</i> <p><i>The priority of the proposal is land improvement and to maximise arable land.</i></p>	<p>The application has not provided any detailed assessments to determine the design of the proposed sediment dams or the ongoing maintenance. The land falls within two catchment areas and is at the top of the catchment, with relatively steep topography the impact from overland water run-off could be significant if not suitably managed.</p>

Objection / Concern	Applicant Response	Officer Comments
	<p><i>The operation site has been selected to adhere to statutory setbacks from waterways and the operations plan has specific sediment protection measures to protect downstream waterways. Officers from the local CMA and GMW have attended and placed no objection to the proposal provided the specified protection measures are implemented.</i></p>	
<p><i>Impacts on tourism, recreation and Cultural Heritage Significance</i></p>	<p><i>We understand the concerns regarding the affect noise has on tourists, however maintain that given the significant distance to sensitive receptors, similar noise being generated in the precinct through farming activities and a review of the relevant EPA guidelines, that noise levels will not exceed prescribed EPA limits for this planning zone.</i></p> <p><i>We also would like to emphasize that the stone extraction operations will not be taking place at times of high visitor occupancy such as weekends or public holidays. The operations would also be sporadic in nature and rarely in place on a full-time basis.</i></p>	<p>The attached Officer Assessment details how the application fails to comply with the Mansfield Planning Scheme in relation to the importance of tourism on a regional and local level. The location of the subject land is within the prominent Delatite Valley where there are many accommodation venues nearby that would be visually and acoustically impacted by the proposal. The proposal poses a risk to the natural scenic beauty of the significant landscape which could negatively affect tourism in the area. Additionally, a current proposal for additional accommodation and other tourist activities could be significantly impacted, or not proceed, if the proposed stone extraction is approved. The Mansfield Planning Scheme specifically aims to facilitate tourism within the Mansfield Shire, at Clause 17.04-1L, which this proposal threatens.</p>
<p><i>Dangerous intersections (traffic)</i></p>	<p><i>With respect to access onto Mt Buller Road, we note that the Department of Transport and Planning have not objected to the proposal and thus do not consider there to be any safety issues associated with the truck route.</i></p>	<p>A detailed response to the safety of the intersections with Mt Buller Road is included in the attached Officer Assessment, in relation to Clause 18.02-4S Roads. It is considered that potential safety risks at the road intersections with Mt Buller Road have not been suitably addressed and the supporting response by the Department of Transport is not reason enough to support the proposal.</p>

Objection / Concern	Applicant Response	Officer Comments
		<p>The concerns raised through the objections about road safety come from nearby residents who are regular users of these intersections, and it is considered that their concerns are reasonable and should not be ignored.</p>
<p><i>Dust, air quality and health impacts</i></p>	<p><i>Dust generated by the operations will be controlled on an as-needs basis with spraying by a water truck. Dust monitoring shall be carried out to ensure levels are kept within EPA guidelines.</i></p> <p><i>With respect to dust generated from truck movements on Glenroy Road, it is submitted that the volumes of truck movements generated by the proposed operation fall within standards limits for this class of road.</i></p> <p><i>Notwithstanding this, the landowners is prepared to consider maintenance contributions to Glenroy Road consistent with the scale of increased traffic movements generated by the operation.</i></p>	<p>The submitted Operations Plan details how dust, air quality and health impacts could be mitigated to align with the EPA guidelines and legislative requirements. Whilst this is a valid concern of the objectors, it is considered to be a matter that could be mitigated through standard planning permit conditions, if the proposal is approved.</p>
<p><i>Bushfire risk and emergency management</i></p>	<p><i>We take fire safety seriously. Mitigation measures include:</i></p> <ul style="list-style-type: none"> <i>- Daily machinery inspections during fire season</i> <i>- Operations will cease on days of Total Fire Ban</i> <i>- On-site firefighting equipment will be kept on site and maintained.</i> 	<p>It is considered that the operations plan does not suitably address and mitigate bushfire risk. The subject land is not within a Bushfire Management Overlay. However, it is within a designated Bushfire Prone Area.</p> <p>Should the application be approved, an Emergency Bushfire Management Plan would be required to be prepared and approved prior to the commencement of any works.</p>
<p><i>Incompatible with surrounding agricultural activities</i></p>	<p>No response was provided by the Permit Applicant.</p>	<p>Upon inspection of the subject land and surrounds, the immediate adjoining properties appear to be used for stock grazing. The proposal would not likely cause any significant disturbance to traditional agricultural activities.</p> <p>However, it is noted that one of the objections raises concerns about particular crops and flowers being grown close the haul route, which</p>

Objection / Concern	Applicant Response	Officer Comments
		<p>could be severely impacted by dust from the roads. This could potentially be mitigated by the use of water carts during dry periods and windy days.</p>
<p><i>Contradicts draft Delatite Valley Plan and previous Buttercup Road VCAT case</i></p>	<p><i>While mudstone may be present in the area, this application does not create automatic precedent for wider extraction. The purpose of requiring permits is to ensure that both existing and future rock extraction sites in the community are subject to full Council and community scrutiny, and each would require its own merit-based assessment, environmental studies, and planning process.</i></p>	<p>The draft Delatite Valley Plan is a proposed Council Strategic Structure Plan to provide for the next 20-years across the Delatite Valley, which includes the subject land. The key objectives and principles of the plan are:</p> <ul style="list-style-type: none"> • Local Character – <i>acknowledge and protect the unique local character of the region while providing future development opportunities.</i> • Environmental Conservation – <i>prioritise the preservation of local ecosystems, with particular emphasis on the Delatite River, promoting biodiversity and sustainability.</i> • Infrastructure Enhancement – <i>address current infrastructure challenges, including public toilets, road safety and digital connectivity to meet future needs.</i> • Economic Growth and Tourism – <i>manage the impact of year-round tourism while promoting local and sustainable businesses and job opportunities.</i> • Cultural Heritage – <i>respect, celebrate and integrate the regions indigenous heritage alongside the promotion of high-country and pastoral history.</i> • Community Wellbeing – <i>enhance local services and amenities to improve the overall quality of life for residents.</i> <p>It is acknowledged that this document is currently in draft form and is open for community consultation, meaning it is not yet a 'seriously entertained' strategic plan.</p>

Objection / Concern	Applicant Response	Officer Comments
<p><i>General amenity impacts, including social and community impacts</i></p>	<p><i>The operation creates local employment opportunities within the region and provides a sought-after landscaping resource to customers locally and further afield. We submit that the significant improvements in the viability of the land for agricultural needs will serve the region for generations to come.</i></p>	<p>An assessment of the relevant of the 'Buttercup Road VCAT Case' is included below.</p> <p>The application has been assessed against the Integrated Decision Making policy in the Mansfield Planning Scheme at Clause 71.02-3 which includes: <i>Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.</i></p> <p>The permit applicant has provided that the improvement in the 5ha of pastures will benefit future generations however, there has been no evidence provided that determines the land will have higher agricultural qualities than current. Previous experience of Council has determined that the soil quality and grasses in and around mudstone are of a better quality due to the heat and water retention, than after the mudstone is removed. Additionally, these areas typically provide for native grasses which provide soil stabilisation on slopes. Additionally, as the proposal is for landscaping stone to be removed and sold, there is not considered to be any net community benefit from the proposal.</p>
<p><i>Inconsistencies in application documents</i></p>		<p>The application documents provide for some details of the proposal, it is not clear where there are inconsistencies.</p> <p>It is noted that the application mentions that stone would likely be removed up to 2 metres deep, but the MRSD Act allows up to 5 metres.</p>
<p><i>Economic impact</i></p>	<p><i>Whilst it does provide some financial benefits through sale of the mudstone as landscaping product,</i></p>	<p>The economic outcome of a proposal through a planning permit application is not able to be</p>

Objection / Concern	Applicant Response	Officer Comments
	<i>the activity is considered more of a land rehabilitation exercise due to the vast improvements in pasture that result from removal of the rock and subsequent rehabilitation.</i>	considered under the provisions of the <i>Planning & Environment Act 1987</i> nor the Mansfield Planning Scheme.
<i>Cumulative impact of extractive industries in the Valley</i>	<i>Rock Extraction activity at this site has been ongoing for over 10 years.</i>	There were previous active extraction sites operating in the area, particularly within the Broken River/Lake Nillahcootie catchment, north of the subject land. It is important to note that Council Officers are not aware of any approved activities occurring within the Delatite Valley or the Significant Landscape Overlay.

Officer Assessment

A detailed assessment of the application against the relevant provisions of the Mansfield Planning Scheme is attached within the Assessment Against Planning Scheme.

Having assessed the application against the relevant clauses of the Mansfield Planning Scheme, it is considered that insufficient supporting information has been provided to demonstrate that the proposal can respond appropriately to the requirements of the Scheme with respect to development in the Farming Zone, Significant Landscape Overlay, Environmental Significance Overlay, local and state policy, and the General Provisions.

The proposal for use and development of land for extractive industry (stone extraction) is unlikely to be in keeping with the area's existing rural character. The proposed work extraction areas are not considered to be respectful of the existing and future proposed uses and development on adjoining and nearby properties and would detract from the significant landscape and views to the alpine regions. The subject land is in a significant area recognised for its landscape views and prominence in the Delatite Valley which is a key contribution for tourism in the Mansfield Shire. The visual amenity, noise and dust impacts from the proposal would be significant, and the application has not suitably demonstrated how these impacts could be mitigated. Also, the land is in an area mainly used for productive agriculture, and the proposal has not justified the benefit to agriculture. The assessment of the application has raised concerns about sediment and erosion control and the supporting documentation does not provide suitable detail to reduce the risk of water quality impacts.

The concerns raised through objector submissions have been considered in relation to the relevant planning policies. The scale of the shortfall in supporting material means that conditions cannot be recommended to ensure the proposal is an acceptable land use outcome without detriment to the surrounding landscape.

The proposal does not provide the core necessary supporting information to demonstrate accordance with the relevant provisions of the Mansfield Planning Scheme. The application is therefore recommended for refusal.

Additionally, the Officer Recommendation to refuse to grant a permit aligns with a previous decision of the Victorian Civil and Administrative Tribunal (VCAT), [Harris v Mansfield SC \[2018\]](#). The VCAT case is relevant in this application as it was also for the extraction of mudstone on land with the same planning controls as the subject land, including being in the Farming Zone and effected by the Significant Landscape Overlay (Alpine Approaches) and Environmental Significance Overlay. The decision of Council to refuse to grant a permit was affirmed by the Tribunal and no permit was issued, Senior Member Baird made the following remarks in their conclusion; *The proposal would have unacceptable amenity and would give rise to land use conflict. The proposal would have unacceptable landscape impacts; it would diminish the highly valued landscape qualities of the location.*

It is considered that the proposal for stone extraction at 131 Terry Road Mansfield does not align with the provisions of the Mansfield Planning Scheme and is therefore recommended that a Notice of Decision to Refuse to Grant a Permit be issued.

Recommendation

THAT COUNCIL having caused notice of the application to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all matters under Section 60, resolves to issue a **Notice of Decision to Refuse to Grant a Permit** for planning permit application P030-25 for the *use and development of land for Extractive Industry (Stone Extraction)* on Lot 2 PS824836, commonly addressed as 131 Terry Road, Mansfield, on the following Grounds:

1. The Application and Further Information provided with the application is significantly deficient such that it should be refused as it cannot be adequately assessed, including:
 - a. No noise assessment.
 - b. No dust or air quality assessment.
 - c. No soil assessment or geological supporting information.
 - d. No satisfactory assessment of visual amenity impact on the surrounding properties and landscape.
2. The proposal does not align with the Strategic Directions of Clause 02.03-1 Settlement and Clause 02.03-2 Environmental and Landscape Values (Landscapes), the Objective and Strategies of Clause 12.05-2L – Significant Landscapes, Ridgelines and Alpine Approaches, and the Purpose and Decision Guidelines of Clause 42.03 - Significant Landscape Overlay – Schedule 1, Alpine Approach Significant Landscape Area (SLO1), specifically:
 - a. The extraction areas are within the SLO1 and would impact the visual amenity of the area as viewed from the Alpine Approach and surrounds, including impeding the views to the Alpine Region.
 - b. The visual amenity of the prominent Delatite Valley will be impacted.
 - c. The location of extraction sites and internal accessways has not been designed to be responsive to the land's topography or unobtrusive in the landscape.
3. The application has not suitably addressed how the proposal will be beneficial for agricultural purposes or how it complies with the Strategic Directions of Clause 02.03-4 – Natural Resource Management (Agriculture), the Objective and Strategies of Clause 14.01-1S – Protection of Agricultural Land, or the Purpose and Decision Guidelines of Clause 35.07 - Farming Zone.

4. The application does not include sufficient information for sediment and erosion control for the protection of water quality and has not demonstrated compliance with the Strategic Directions of Clause 02.03-4 Natural Resource Management (Water and Declared Special Water Supply Catchments), The Objective and Strategies of Clauses 14.02-1S and 14.02-1L – Catchment Planning and Management, The Objective and Strategies of Clause 14.02-2S – Water Quality, and the Purpose and Decision Guidelines of Clause 42.01 - Environmental Significance Overlay – Schedule 2, Catchments at Medium Risk of Water Quality Impacts (ESO2).
5. The proposal will have an unreasonable impact on tourism and the application does not accord with the Strategic Directions of Clause 02.03-7 Economic Development (Tourism), and the Strategies of Clause 17.01-1R – Diversified Economy – Hume.
6. The application does not include sufficient information for noise, dust and air quality impacts, and does not align with the Objective and Strategies of Clause 13.05-1S – Noise Management, and the Objective and Strategies of Clause 13.07-1S – Land Use Compatibility.
7. The application proposes use and development of land which will visually detract from the valued area of rural character and will visually impact on the natural scenery, the proposal does not align with the objective and strategies of Clause 15.01-6S Design for Rural Areas.
8. The proposal does not provide for any net community benefit, would detract from the tourism qualities of the surrounding area and is not in accordance with Clause 71.02-3 Integrated Decision Making.

Support Attachments

2. P030-25 - Officer Assessment against Planning Scheme [13.2.1.1 - 34 pages]
3. P030-25 - Submitted Plans [13.2.1.2 - 29 pages]
4. P030-25 - Permit Applicant response to objections [13.2.1.3 - 4 pages]
5. CONFIDENTIAL ATTACHMENT - Additional Objections - FOR COUNCILLORS ONLY [13.2.1.4 - 23 pages]

Considerations and Implications of Recommendation

Sustainability Implications

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

Community Engagement

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 owners and occupiers of nearby properties and a notice in the Mansfield Courier. During the public notice period, 20 objections were received.

Following a response to the objections by the Permit Applicant, 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 \$1,265.60 have been received to date, with additional fees of \$644.00 paid for cost recovery in relation to Public Notice (advertising).

Legal and Risk Implications

The application has been assessed under the provisions of the *Planning and Environment Act 1987* and the Mansfield Planning Scheme. Should Council determine to issue a Notice of Decision to Refuse to Grant a Permit, the permit applicant may seek a review of this decision at the VCAT. If a Notice of Decision to Grant a Permit is issued the submitters may seek a review of Councils decision at the VCAT, or the permit applicant may seek a review at the VCAT of any conditions placed on the permit

Regional, State and National Plans and Policies

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

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 2: Vibrant Liveability

Strategic Objective 2.1 Look after the land, the environment and our country character

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

Theme 3: An Effective and Efficient Council

Strategic Objective 3.2 Ensure responsible and innovative resource management

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

Governance - Disclosure of Conflicts of Interest

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

13.2.2. **VCAT Matter: 138 Hearn Road Boorolite**

File Number	P214-22 and P455/2025	Responsible Officer	Senior Coordinator Planning, Nicole Embling
Purpose			

To seek a Council resolution to provide the Chief Executive Officer with an additional delegation under Section 61(1) of the *Planning & Environment Act 1987* to amend the Grounds of Refusal issued for planning permit application P214-22, 138 Hearn Road, Boorolite.

Executive Summary

At the Council meeting held on 20 May 2025, Council resolved to issue a refusal to grant a permit for stone extraction at 138 Hearn Road, Boorolite, on 6 different grounds. The permit applicant has since appealed that decision to VCAT, with the hearing scheduled for February 2026. As this is a decision of Council, any changes to the grounds of refusal would normally need to be done through a Council resolution.

The application is expected to be amended by the permit applicant prior to the scheduled hearing at the Victorian Civil and Administrative Tribunal (VCAT) process (Appeal P455/2025). These amended plans must be submitted at least 30 business days prior to the hearing. This information may impact on the grounds of refusal currently being defended by Council. In order to ensure that the grounds of refusal being argued at the hearing are appropriate, there may be a need to change them prior to the hearing.

Due to the short timeframes that will be available between when the amendments are submitted and the hearing dates, it is considered that there will not be time available to seek a further council resolution on this matter in time for the hearing. This report seeks a delegation for the Chief Executive Officer to amend the grounds of refusal being considered at VCAT prior to the hearing, without needing to come back to Council for a new resolution.

Key Issues

Planning permit application P214-22, submitted for use and development of land for Extractive Industry (Stone Extraction) on the land at 138 Hearn Road Boorolite, was required to be determined at a meeting of Council, as the outstanding number of objections (16) exceeded delegation and the Officer Recommendation was to issue a Notice of Decision to Refuse to Grant a Permit, in accordance with the Statutory Planning Applications Referral to Council Policy.

At the Meeting held on 21 May 2025 Council resolved as follows:

*THAT COUNCIL, having caused notice of the application to be given under Section 52 of the Planning and Environment Act 1987, and having considered all matters under Section 60 of the Planning and Environment Act 1987, resolves to issue a **Notice of Decision to Refuse to Grant a Permit** for Planning Application P214/22 for the Use and development of land for Extractive Industry (Stone Extraction) on **Portion 103 Parish of Beolite TP277128M, Crown Allotment 64 TP264856 and Crown Allotment 66 TP283083X**, commonly addressed as 138 Hearn Road, Mansfield, on the following Grounds:*

1. *The Application and Further Information provided with the application is significantly deficient such that it should be refused as it cannot be adequately assessed, including:*
 - a. *No noise assessment.*
 - b. *No dust or air quality assessment.*
 - c. *No adequate detail or estimate of the volume of stone to be extracted, nor stockpiling of extracted material and topsoil for rehabilitation.*
 - d. *No indication of the amount of time it would take to extract the stone before supplies are depleted.*
 - e. *No assessment of the potential drainage and water quality impacts on the site or adjoining land.*
 - f. *No soil assessment or geological supporting information.*
 - g. *No satisfactory assessment of visual amenity impact on the surrounding properties and landscape.*
2. *The proposal does not align with the Strategic Directions of Clause 02.03-1 Settlement and Clause 02.03-2 Environmental and Landscape Values (Landscapes), the Objective and Strategies of Clause 12.05-2L – Significant Landscapes, Ridgelines and Alpine Approaches, and the Purpose and Decision Guidelines of Clause 42.03 - Significant Landscape Overlay – Schedule 1, Alpine Approach Significant Landscape Area (SLO1), specifically:*
 - a. *Four (out of five) of the proposed extraction areas are within the SLO1 and would impact the visual amenity of the area as viewed from the Alpine Approach and surrounds, including impeding the views to the Alpine Region.*
 - b. *The visual amenity of the prominent Delatite Valley will be impacted.*
 - c. *The location of extraction sites and internal accessways has not been designed to be responsive to the land's topography or unobtrusive in the landscape.*
3. *The application has not suitably addressed how the proposal will be beneficial for agricultural purposes or how it complies with the Strategic Directions of Clause 02.03-4 – Natural Resource Management (Agriculture), the Objective and Strategies of Clause 14.01-1S – Protection of Agricultural Land, or the Purpose and Decision Guidelines of Clause 35.07 - Farming Zone.*
4. *The application does not include sufficient information for sediment and erosion control for the protection of water quality and has not demonstrated compliance with the Strategic Directions of Clause 02.03-4 Natural Resource Management (Water and Declared Special Water Supply Catchments), The Objective and Strategies of Clauses 14.02-1S and 14.02-1L – Catchment Planning and Management, The Objective and Strategies of Clause 14.02-2S – Water Quality, and the Purpose and Decision Guidelines of Clause 42.01 - Environmental Significance Overlay – Schedule 2, Catchments at Medium Risk of Water Quality Impacts (ESO2).*
5. *The proposal will have an unreasonable impact on tourism and the application does not accord with the Strategic Directions of Clause 02.03-7 Economic Development (Tourism), and the Strategies of Clause 17.01-1R – Diversified Economy – Hume.*
6. *The application does not include sufficient information for noise, dust and air quality impacts, and does not align with the Objective and Strategies of Clause 13.05-1S – Noise Management, and the Objective and Strategies of Clause 13.07-1S – Land Use Compatibility.*

On 18 May 2025 (4 days prior to the Council Meeting) the Permit Applicant's representative lodged an application with the VCAT under Section 79 of the *Planning and Environment Act 1987* for an application for review of a failure to grant a permit (application was with Council for more than 60 statutory days). While the Notice of Decision to Refuse to Grant a Permit could

not be issued due to the VCAT appeal, the decision at the meeting forms the position of Council and specifically, the Grounds of Refusal formed the Statement of Grounds which Council lodged with the VCAT.

It is expected that through the VCAT proceedings the Applicant will submit amended plans, specifically to address Council’s first Ground of Refusal (deficient application information), which will then likely require Council to amend the submitted Statement of Grounds accordingly.

The Applicant is required to submit amended plans to the VCAT at least 30 business days before the first day of the Tribunal Hearing (19 February 2025), plans are likely to be submitted on or before 7 January 2025.

If the content of the amended plans submitted requires Council to amend the Statement of Grounds, this is required to be completed within 19 business days of receiving the amended plans. As the prescriptive timeframes of the Tribunal do not allow time for a decision of Council to determine an amended Statement of Grounds, Officers are seeking a variation to the delegations under Section 61(1) of S6 Instrument of Delegations and the Statutory Planning Applications Referral to Council Policy to enable to Chief Executive Officer to amend the Grounds.

Amending the grounds of refusal does not change the position of Council, being to refuse the permit, but does allow Council officers to ensure that the grounds being considered are relevant to the application being considered by VCAT.

Recommendation
THAT COUNCIL approve a variation to <i>Schedule 6 – Instrument of Delegation from Council to Council Staff</i> ; and the <i>Statutory Planning Applications – Referral to Council Policy</i> to enable the Chief Executive Officer to amend the Grounds of Refusal for planning permit application P214-22 in response to any amended plans submitted through the VCAT proceedings.
Support Attachments
1. statutory-planning-applications-referral-to-council-policy-2024 (4) [13.2.2.1 - 5 pages]

Considerations and Implications of Recommendation

Sustainability Implications

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

Community Engagement

The application was advertised to nearby and adjoining landowners, to all objectors of a previous related application (P108/21), and a notice of application placed on the site, in accordance with the provisions of the *Planning and Environment Act 1987* and Council’s community engagement policy. A number of the objectors are parties to the VCAT process.

Collaboration

Not Applicable

Financial Impact

All work to create this report was done within existing Council officer resources. Council is engaging legal representation to present the case at VCAT in February, and costs for this representation will be incurred against the Statutory Planning legal budget.

Legal and Risk Implications

The application was assessed under the provisions of the *Planning and Environment Act 1987* and the Mansfield Planning Scheme. The permit applicant has appealed the permit application to VCAT on a Failure to Determine application. The resolution from 21 May 2025 forms the position of Council at VCAT.

Regional, State and National Plans and Policies

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

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

Governance - Disclosure of Conflicts of Interest

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

13.2.3. Consideration of Planning Reform Bill Implications

File Number	E4468	Responsible Officer	General Manager Investment and Planning, Melissa Crane
Purpose			

To note that the Planning Amendment (Better Decisions Made Faster) Bill 2025 has now passed through the Legislative Council with the support of the Labor and Greens parties. This report provides information on the implications this Bill has for local government and for the Mansfield Shire community.

Executive Summary

This report explores the implications of the Planning Amendment (Better Decisions Made Faster) Bill 2025 (the Bill) which introduces significant changes to the *Planning and Environment Act 1987*.

Prior to the draft Bill being released by the Victorian Government, Council previously resolved at the Council meeting on 15 July 2025, the following position:

THAT Council: 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:

- *Keep it Country - Ensure that any changes allow Council to continue to manage and protect local vision, values and character, including the protection of large trees.*
- *Keep it Local – Ensure that any changes allow Council to continue to make decisions for the community at a local level and that Council is not removed as the determining authority.*
- *Keep it Transparent – Ensure that any changes allow Council to continue to provide the community with information and the ability to advertise planning proposals and consider and respond to community input.*
- *Keep it Fair – Ensure that any changes allow our community to participate in the planning process and the right to have decisions reviewed at the Victorian Civil and Administrative Tribunal.*
- *Keep it Simple - Ensure that any changes to the Act minimise complexity so that anyone can engage in the planning system without undue cost.*

This paper provides information to Council regarding its advocacy actions in line with the resolution and the far-reaching consequences for Council and the community. The ramifications of the Bill are still being explored by Council officers and planning practitioners across the state.

Key Issues

The Planning Amendment (Better Decisions Made Faster) Bill 2025 was introduced into the Legislative Assembly on 28 October 2025. The Bill passed through the Upper House on 9 December 2025 – the last sitting day of the year. The Bill represents the most significant change to planning legislation in Victoria in almost 40 years. This is the largest expansion of the

Planning and Environment Act (the Act) since it was introduced in 1987.

Background

This Bill is a continuation of the Victorian Government's planning reforms that began with the release of Victoria's Housing Statement in September 2023. Subsequent legislative and policy changes include:

- ▶ *Four Acts of Parliament that amend or will amend the Planning and Environment Act 1987.*
- ▶ *The release of Plan for Victoria, replacing Plan Melbourne.*
- ▶ *Significant amendments to the Victorian Planning Provisions (VPPs)*

The cumulative impact of the reforms is substantial, and there is potential for unintended consequences if delivery occurs without coordination and consultation of councils and the communities they serve.

Overall, Council supports the Victorian Government's objective of updating the planning system. Land uses, technology and the urban and environmental context have all changed considerably since the Act was first drafted. An updated legislative framework is needed to respond to these shifts. However, there are significant elements of the Bill that require closer consideration, and a parliamentary inquiry would have provided an appropriate forum to examine these matters in detail.

Advocacy efforts

Council created a petition to the Legislative Council to ask for an inquiry. The inquiry would have ensured consultation. Given that the lack of consultation with the community and with local governments was a key concern for Council, an inquiry would have worked to address these concerns. The petition had significant community support, with 2,414 signatures.

Through Council's advocacy efforts, the petition was sponsored by Liberal Member for Northern Victoria Region, Wendy Lovell MP, Member of the Victorian Legislative Council. The petition was delivered by hand by Mayor Cr Steve Rabie to be tabled at parliament.

Councils across Victoria were united in the call for a public inquiry into the Bill. This was supported by joint advocacy efforts facilitated by the Municipal Association of Victoria (MAV) and other peak local government bodies.

Despite the petition being tabled in parliament, the Bill was passed in the upper house on 9 December with the support of Labor and Greens MPs with the Legislative Council holding a division with 20 in favour and 16 against.

Process concerns

The state government said that local government planners were consulted as a key stakeholder group, which was asserted to be through a working group formed by MAV. In addition, the state government held a workshop in early 2025 with local councils. The invitation to the workshop explicitly stated that the department was not seeking councils' views. Council does not see this as genuine consultation.

Further, the community was not consulted at all. The Victorian Government has stated that it used community engagement results from its consultation process for *Plan for Victoria* as the justification that no further broad community engagement was required.

The Plan states a purpose that it would give certainty and transparency to councils and communities. However, it does not provide any detail about removing notice and review rights. This eliminates transparency for communities. The community has not been given an opportunity to engage on this foundational decision – a decision that represents significant change in the rights of community members to be notified of planning applications or have them reviewed through an appeal process.

The MAV working group did provide a sector submission. Council has not received any information that a response has been provided on this submission. Planning practitioners and Councils across the state have not been heard on this issue.

The Department of Transport and Planning acknowledged that the local government planners who were involved in the MAV working group, including Mansfield Shire Council's representative, did not sign confidentiality agreements which meant that detailed discussions regarding the content of the Bill could not take place. DTP advised that CEOs were also asked to sign confidentiality agreements; however, Council has received feedback from CEOs in both rural and metropolitan councils that they did not receive a copy of the agreement; nor was it provided to the Mansfield Shire CEO. Council's concerns over the need to sign a confidentiality agreement to obtain information on such important legislative changes has been raised with DTP.

DTP advised that it is 'the norm' for development of legislative reform to include confidentiality agreements to support detailed discussions in stakeholder engagement. This raises a concern that other legislative changes are being undertaken without transparent engagement. At the end of December 2024, Council was notified of another example of sweeping changes that would have unfair consequences for its community – the ESVF, which drastically increased the levy proportion for rural communities.

Council's view is that the proposed far-reaching reforms to the planning system require input from our local community. It is noted that input on the content of the Bill was not sought from our planners, senior Council officers or from our Councillors. A public inquiry should have been undertaken to allow for meaningful consultation and refinement of the Bill. Given that the Bill has now passed, the opportunity for engagement has been eliminated.

Implications

Council acknowledges that there are many implications which are still being explored by planning practitioners across the state. Some of these will have devastating impacts on the community.

The Bill proposes a reduction in third party notice and appeal rights, creates three process streams for planning permit applications (see attached) and planning scheme amendments, and new objectives for planning in Victoria.

The first stream has no notice or review process, and the second stream provides limited notice and review rights. This means that community members may not be notified of planning applications that may affect them. It also means community will not have the right to ask that a planning decision be reviewed through an appeal process.

The changes will place a significant administrative burden on Council through reduced statutory timeframes for determining planning applications and increased complexity within the planning system and will remove community input from the majority of development applications in Mansfield Shire Council.

The specific areas of concern at this point are as follows:

▶ Public trust and community engagement

The Bill reduces community input into planning decisions. The process for Stream 2 planning applications will include 'notice in limited circumstances' for townhouse developments and low-rise (up to three storey) apartments. There will be no notice required for Stream one.

Public notice can help identify local issues, as neighbours are often best placed to confirm site conditions and highlight matters that may not be evident from the plans alone. The short timeframes for determination of Stream 1 and Stream 2 planning applications also limits the ability of decision makers to conduct site visits.

The winding back of public notice and engagement requirements will weaken community trust in the planning system. Many residents already feel disconnected from planning outcomes, and removing their ability to be aware of and understand or respond to proposals risks further disengagement. This reputational damage will be pointed toward local government as the planning authority, despite local government being an advocate against these changes.

The Bill also changes how single dwelling covenants operate in Victoria. At present, a planning permit cannot be issued if it would breach a covenant. The Bill will allow permits to be granted even where they authorise a breach of a covenant, although the covenant itself continues to operate between private parties. These changes require greater communication to ensure that the obligations on landowners are clear going forward.

▶ Lack of consultation with the local government sector

The Bill has been introduced without adequate consultation of local government. Local government planners are the primary administrators of the Act and testing the reforms with planners prior to passing the legislation would allow for consideration of all the impacts of the Bill and avoid unintended consequences.

The Bill is primarily being considered in terms of the impact on the delivery of housing, but land uses are also covered by the reforms. There is currently a lack of operational detail that makes it difficult to fully assess the implications of the Bill.

There is also lack of clarity given that a significant part of detail about the reforms is proposed to be contained in the updated Planning and Environment Regulations, which makes it difficult to fully assess the implications of the reforms.

▶ Administrative burden

The Bill introduces new statutory timeframes that will require councils to assess and determine applications more quickly. These shorter periods may limit the opportunity for comprehensive assessment and place added pressure on planning officers already managing high workloads. This element is of more serious concern for small rural councils with limited staffing. It is not clear how the 'deemed to comply' and 'deemed to be approved'

time frames will be managed with staff on leave, particularly during the Christmas office closure.

For example, the Bill introduces a new approach to assigning application streams. Applicants will nominate the stream, and councils have five business days to re-assign to an appropriate stream if required.

Implementing reforms will require substantial updates to council systems, including changes to planning software, internal processes and workflows. No statewide digital solution has been identified thus far.

The Bill allows referral authorities to charge applicants for providing advice, which is intended to support timely and properly resourced referrals. Councils also provide detailed technical advice for Ministerial planning applications, including engineering, arboricultural, heritage and planning input. This work is similar to that undertaken by referral authorities, yet councils cannot recover their costs and do not receive the associated planning fees for these applications. Extending fee-charging arrangements to councils in these circumstances would help address this gap.

▶ Failure to address affordable housing needs

The Bill adds 'the facilitation of social housing' to the objectives of planning in Victoria. However, there are no mechanisms for councils to secure affordable housing contributions. Plan for Victoria included an action to consider and explore targets and simpler rules for affordable housing, but the reforms delivered to date do not progress policy support for affordable housing.

The Government aims to complete planning for 60 Activity Centres by June 2026, yet none are required to deliver affordable housing; this raises a concern as to where affordable housing will be delivered if not in these uplift areas.

▶ Environmental and public safety risks

The Bill introduces shorter assessment timeframes for residential development, removes referrals, and allows certain known risks such as flooding and contamination to be set aside for Stream 1 and Stream 2 applications. It also amends the objectives of planning in Victoria by removing the reference to providing a 'safe living and working environment'.

While these changes are intended to support faster approvals, they may limit opportunities for councils to identify and address site-specific risks before decisions are made. There is also a possibility that higher-risk applications could progress through a low-risk stream, if the five-day window for initial application checks is missed.

Conclusion

While Council seeks to support improvements to the planning system in Victoria, any reform should be made with input from all stakeholders, including Local Government and the communities they serve, to enable local values and input into the planning system to remain strong in Victoria.

Further information to the community and to Councillors will continue to be provided as planners examine the ongoing implications of the new Bill for the Mansfield Shire community.

Recommendation

THAT COUNCIL resolves to:

1. Note that the Planning Amendment (Better Decisions Made Faster) Bill 2025 has far-reaching implications for Mansfield Shire and the broader Victorian community.
2. Continue to advocate in line with the Municipal Association of Victoria (MAV) position to 'keep it country, keep it local, keep it transparent, keep it fair and keep it simple'.
3. Continue to advocate and raise concerns about the implications of the Planning Amendment (Better Decisions Made Faster) Bill 2025 and support processes for consulting with the local government sector.
4. Request the Mayor to write to The Hon Sonya Kilkeny MP, Minister for Planning and copying The Hon. Ben Carroll MP, Member for Niddrie; The Hon Danny Pearson MP, Member for Essendon; the Leader of the Opposition, the Opposition Planning Spokesperson and the Municipal Association of Victoria summarising Council's view on the Bill as outlined in the officer's report with particular emphasis on:
 - a. The missed opportunity for mechanisms to enable responsible authorities to secure meaningful contributions for social and affordable housing, such as mandatory consistent contributions across municipalities;
 - b. Ensuring that responding to climate and environmental risk is not lost in strategic and statutory planning decisions and that community and infrastructure resilience is not weakened through reform;
 - c. Ensuring that councils, referral authorities, stakeholders and the community have an opportunity to participate meaningfully in planning reforms and significant land-use planning decisions affecting them;
 - d. Seeking assurances that Council's development contributions arrangements will be maintained and that funds collected through future infrastructure contribution plans are spent to support housing growth and to benefit communities where funds are collected.

Support Attachments

1. Planning Reform - Proposed Three Streams [13.2.3.1 - 1 page]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The State Government has not undertaken any meaningful community engagement with local government or the community in relation to the planning reform Bill, which is not in accordance with Council's Community Engagement Policy.

Collaboration

Not Applicable

Financial Impact

All work to create this paper and undertake advocacy actions is undertaken internally by Council Officers within existing staff resources.

Legal and Risk Implications

Regulatory Risk: There is a significant risk that decision-making powers will be removed from the local level and assumed by the State Government, reducing the ability of Council to consider local values in planning decisions.

Reputation Risk: With the reduction in the rights of notice and review for community, developments will be able to occur without the community having prior knowledge. This could appear as if Council is not being transparent, even though Council would have limited ability to advertise future applications.

Regional, State and National Plans and Policies

These reforms have been undertaken by the Victorian Government with reference to *Victoria's Housing Statement: The Decade ahead 2024-2034*.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 1: A Healthy and Connected Community

Strategic Objective 1.1 Strengthen community connection, inclusion and participation

Theme 2: Vibrant Liveability

Strategic Objective 2.1 Look after the land, the environment and our country character

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

Theme 3: An Effective and Efficient Council

Strategic Objective 3.1 Deepen community engagement and foster civic responsibility

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

Governance - Disclosure of Conflicts of Interest

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

13.3. Development & Customer Service

13.3.1. Domestic Animal Management Plan

File Number	E9510	Responsible Officer	Executive Manager Development & Customer Service, Maya Balvonova
Purpose			

The purpose of this report is to seek Council approval to adopt the Domestic Animal Management Plan (DAMP) 2026–2029.

Executive Summary

The current Domestic Animal Management Plan 2021–2025 was adopted by Council in October 2022, in accordance with the *Domestic Animals Act 1994* (the Act) and the *Domestic Animal Regulations 2015* (the Regulations).

Under section 68A of the Act, a review of the DAMP is required every four years.

The Act requires Councils to prepare the Plan in accordance with guidelines provided by the Agriculture Victoria, Department of Energy, Environment and Climate Action (DEECA). DEECA provides practice notes and guidance materials, including a template-based format to assist Councils with their review.

The DAMP outlines:

1. How Council delivers services and strategies to promote responsible pet ownership.
2. How compliance with the Act and associated regulations is managed, particularly regarding safety, nuisance, and amenity impacts.
3. Evaluation measures for assessing the effectiveness of the Plan.

Council Responsibilities

Council is responsible for developing a domestic animal management plan which:

- ▶ Promotes responsible pet ownership and the welfare of dogs and cats in the community.
- ▶ Protects the community and the environment from nuisance dogs and cats.
- ▶ Identifies a method to evaluate whether the animal management services provided by them are adequate.
- ▶ Outlines the training programs for their authorised Officers to ensure these Officers are capable of administering and enforcing the provisions of the Act.

The plan provides information on the daily operations of the Council, the current programs Council has in place and the policies the Council has adopted for the following standards of animal management to:

- ▶ Promote and encourage the responsible ownership of dogs and cats.
- ▶ Ensure that people comply with this Act, the regulations, and any related legislation.
- ▶ Minimise the risk of attacks by dogs on people and animals.
- ▶ Address any over-population and high euthanasia rates for dogs and cats.
- ▶ Encourage the registration and identification of dogs and cats.

- ▶ Minimise the potential for dogs and cats to create a nuisance.
- ▶ Effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and ensure that those dogs are kept in compliance with the Act and the Regulations.

The plan identifies the current local laws and Orders made under the Act and reviews them for effectiveness. Council must identify any other specific animal management issues within their local area. Council reviews the plan annually and publishes an evaluation of the implementation of their plan in the Council's annual report.

Key Issues

Since adoption of the Domestic Animal Management Plan 2021–2025, Council has made significant progress across key areas of domestic animal management and community compliance.

Actions Completed

- ▶ Secured \$32,500 (ex GST) in grant funding through the Victorian Government Animal Welfare Fund, enabling the subsidised desexing of 44 pets (6 cats and 38 dogs) belonging to financially disadvantaged ratepayers.
- ▶ Identified new off-leash areas and submitted a funding application as part of the broader Station Precinct Development Plan. The new dog park for large and small dogs at Station Precinct, co-funded by DEECA and RPPP grants, is currently being designed for delivery in early 2026.
- ▶ Included a fenced off-leash park in the Botanic Park Redevelopment Plan, supporting safe and accessible recreation for dog owners.
- ▶ Continued with the free community cat trap program, achieving an estimated 30% increase in hires over the past 12 months compared with the previous period.
- ▶ Delivered comprehensive Ranger training, including firearms, animal handling, psychological first aid, and mental health awareness, ensuring staff capability in compliance and animal welfare management.
- ▶ Maintained all legally required reporting obligations and compliance activities in accordance with the Domestic Animals Act 1994 and associated regulations.
- ▶ Proactively monitored social media to identify and respond to reports of lost or found animals, illegal breeding, and unregistered pet advertising.
- ▶ Provided ongoing community advice, both verbal and written, to promote responsible pet ownership and improve understanding of registration requirements and benefit

Process Applied in Reviewing and Developing the Plan

A Community Engagement Program and associated communication was initiated in October 2025 to give residents and other interested parties the opportunity to provide feedback on how Domestic Animals should be managed in the Shire.

The engagement program was made available through Council's Engage Mansfield platform on the website in the form of a structured survey based on several key areas of control, pet ownership requirements and sharing of information, and links were provided via social media and all of Council's communication channels - as well as a media release to print channels to engage with our communities. Posters were provided to local Vets and were distributed in areas used frequently by pet owners, such as off-leash parks.

The earlier Council Plan engagement, results of this survey and Council's internal data have provided the foundation for this updated Plan. The updated Plan concentrates on the management of dogs and cats to meet State Government requirements.

Community Engagement Process

To comply with legislative requirements, a draft Domestic Animal Management Plan 2026-2029 was developed following an initial community engagement period from 7 October – 3 November 2025. Feedback from this process informed the draft Domestic Animal Management Plan.

A second round of engagement was conducted from 26 November – 8 December 2025, with the final draft exhibited via multiple platforms, including Council's social media and Council's Engage website.

A *Community Engagement Summary Report* is attached, capturing key findings and demonstrating how community feedback informed the final Plan.

Survey Response Overview

All respondents were directed to submit their feedback through the online Engage Mansfield platform, ensuring a single, consolidated channel.

The final draft DAMP received 8 submissions and attracted 304 views on the consultation page. While the number of formal responses was limited, the feedback provided supported the key matters already addressed in the draft Plan, such as the creation of additional fenced dog off-leash areas, more bins and bag dispensers, and strategies to address wandering pets.

The submissions offered Council a valuable opportunity to reflect on community priorities. Feedback was specific, aligned with issues frequently raised with Council, and included practical suggestions relating to enforcement, education, and infrastructure improvements.

No objections were recorded to the draft DAMP.

The draft Domestic Animal Management Plan 2026-2029 has been developed to meet legislative requirements, following two rounds of community engagement and it builds on services delivered under the DAMP 2021–2025.

- ▶ The first round of engagement identified community concerns and informed draft development.
- ▶ The second round allowed public review of the final draft for three weeks, extended to ensure adequate submission time.
- ▶ A total of 304 visits to the Engage platform were recorded, with 8 submissions lodged during the second period.
- ▶ Contributors included 8 respondents (7 pet owners and 1 community group member, all primary Mansfield Shire residents).

Key Findings and Community Priorities were identified as follows:

- ▶ Off-leash areas were sufficient.
- ▶ Possible restricted times for use of off-leash areas
- ▶ More ranger patrols/enforcement
- ▶ Increased education and communication
- ▶ Cleaner public spaces (dog waste management)

All matters raised during engagement have been considered and addressed in the final Domestic Animal Management Plan 2026-2029. The DAMP includes actions for implementation over its four-year term, with a yearly review to track performance.

Recommendation
THAT COUNCIL adopts the Domestic Animal Management Plan 2026-2029 for submission to the Agriculture Victoria, Department of Energy, Environment and Climate Action (DEECA) for endorsement.
Support Attachments
1. Domestic Animal Management Plan 2026-2029 [13.3.1.1 - 35 pages]
2. Domestic Animal Management Plan Review - Engagement Report [13.3.1.2 - 6 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Domestic animals contribute significantly to an individual's social wellbeing, and for some, pets may be their primary daily social contact. In accordance with State Government requirements, the Domestic Animal Management Plan (DAMP) focuses on dogs and cats.

The Plan seeks to ensure pets are well cared for and that responsible pet ownership is encouraged. Responsible pet ownership imposes duties on owners to care for their animals and to be accountable for their actions. The DAMP recognises that enabling social interaction requires certain features, such as off-leash areas, to be available or considered by Council.

Community Engagement

Community engagement has been undertaken in accordance with Council's Community Engagement Policy, with input sought both prior to development of the Plan and again in response to the final draft DAMP. The second round of consultation raised no new issues, and all topics raised have been considered and incorporated as scheduled actions to be implemented.

Collaboration

Not applicable.

Financial Impact

Resource and financial implications have been considered in the development of the DAMP. While there is no specific budget allocated for preparation or implementation of the Plan, it has been undertaken using existing staff resources. Implementation of the Plan is designed to be performed within current resources and budget allocations.

Legal and Risk Implications

The review and implementation of the DAMP is a key action in managing community safety risks through the maintenance and review of Council processes for domestic animal management. The actions referenced in the Plan provide for an appropriate and timely response to issues identified by the community or Council officers.

Regional, State and National Plans and Policies

The Agriculture Victoria - Department of Energy, Environment and Climate Action (DEECA) has released practice notes and guidance materials, including a template-based format, to assist Councils in reviewing domestic animal management plans. The DAMP has been updated in accordance with these guidelines.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

Theme 1 – A Healthy and Connected Community

Strategic Objective 1.1

Strengthen community connection, inclusion, and participation

Strategic Objective 1.2

Enable active lifestyles through inclusive, accessible, and utilised public spaces

Theme 3: An Effective and Efficient Council

Strategic Objective 3.2 Ensure responsible and innovative resource management”

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. Capital Works and Operations

13.4.1. Heritage Museum Exhibit Project Procurement Policy

File Number	E12483	Responsible Officer	Executive Manager Capital Works and Operations, Justin Hotton
Purpose			

To seek Council endorsement of the Heritage Museum Exhibit Project Procurement Policy.

Executive Summary

The Heritage Museum Exhibit Project Procurement Policy establishes the governance framework for all procurement activities associated with the Heritage Museum exhibition fit out.

The Policy sets out how goods, services and works will be procured in a fair, transparent and equitable manner, with appropriate consideration for local content and best value for money.

The Policy has been specifically developed to guide procurement undertaken by the external Project Manager, Studio Johnson, engaged by Council to manage the production and delivery of the Museum exhibition fit out. Studio Johnson will manage all procurement recommendations for the delivery of the Heritage Museum Exhibits, working closely with project stakeholders.

All procurement activities will be governed by the processes and thresholds contained in this Policy and will be overseen by Council officers. Studio Johnson will perform the initial phases of procurement, and recommendations will be made to Council officers, who will undertake internal verification processes. Council remains the authority for raising purchase orders and making procurement commitments and payments.

Key Issues

The Museum Exhibit fit out is being delivered as part of the Station Precinct Redevelopment. Due to the specialist nature of exhibition design and installation, Council appointed Studio Johnson as the Project Manager to oversee the procurement and delivery of all exhibit components.

Given the value, complexity, and specialist nature of the works, a dedicated Project-specific Procurement Policy was prepared to ensure procurement is compliant, consistent, and appropriately documented for audit purposes.

The fundamental principles of this Policy include:

- ▶ Value for money
- ▶ Sustainability
- ▶ Open and fair competition
- ▶ Accountability and auditability
- ▶ Risk management proportional to procurement value and complexity
- ▶ Probity, transparency and management of conflicts of interest.

The Policy outlines clear procurement thresholds and the requirements for quotations, local supplier engagement, record-keeping, delegations and approvals, ensuring that procurement

activities associated with the Museum Exhibits fit out remain consistent and compliant with Council expectations. The Policy also includes a defined exemption process for exceptional circumstances.

The Policy defines procurement thresholds consistent with the scale of expenditure expected for the Museum Exhibits fit out and provides a framework for obtaining quotes, demonstrating value for money, managing conflicts of interest and ensuring that procurement activities align with Council's broader Procurement Policy and Local Government Act obligations.

Studio Johnson will be required to follow this Policy when conducting any procurement on Council's behalf. Key controls include:

- ▶ Mandatory written quotations aligned with set thresholds
- ▶ Documentation of local supplier engagement
- ▶ Provision of written recommendation reports to Council officers
- ▶ Council-run procurement processes for procurement exceeding \$100,000
- ▶ Clear records for audit and compliance purposes

Recommendation
THAT COUNCIL endorses the Heritage Museum Exhibit Project Procurement Policy.
Support Attachments
1. Heritage Museum Exhibit Project Procurement Policy [13.4.1.1 - 3 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The proposed Project Procurement Policy and the final Museum Exhibit designs have been reviewed with members of the Station Precinct Stakeholder group, a group that was formed for the purpose of collaborative stakeholder engagement following a public expression of interest process.

Community engagement with the broader community is undertaken progressively in relation to each element of the Station Precinct Redevelopment project in accordance with Council's Community Engagement Policy.

Collaboration

Not Applicable

Financial Impact

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

Legal and Risk Implications

This Policy ensures alignment with current legislative and regulatory requirements. A dedicated Project-specific Procurement Policy was prepared to ensure procurement is compliant, consistent, and appropriately documented for audit purposes.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

Governance - Disclosure of Conflicts of Interest

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

13.4.2. Tree Management Policy and Plan

File Number	E1533	Responsible Officer	Acting Manager Operations & Capital Works, Tas Clingan
Purpose			

To seek Council endorsement of the updated Tree Management Policy and Tree Management Plan.

Executive Summary

This report presents Council with a revised Tree Management Policy and Tree Management Plan, which are proposed for adoption.

The revised Policy and Plan establish an updated framework for the management of trees on land owned or managed by Council. Together, they ensure a consistent, sustainable and risk-aware approach to tree management that protects public safety, enhances urban amenity and supports biodiversity across the Shire.

Key Issues

The Tree Management Policy (currently known as the Street Tree Policy), first implemented in 2009, establishes the governance framework for tree management on land managed or maintained by Council. It sets out the guiding principles and objectives that inform all tree-related decisions and aims to ensure that tree management is risk-aware, consistent and sustainable.

The key objectives of the policy are:

- ▶ Minimise tree-related risks to people and property.
- ▶ Support consistent and sustainable tree management practices.
- ▶ Enhance urban amenity and liveability.
- ▶ Protect and strengthen biodiversity.
- ▶ Ensure compliance with legislative and strategic requirements.

Council's Tree Management Plan, developed in 2021, supports the policy and provides clear and consistent directives for the management, maintenance and risk mitigation of tree assets located on Council-owned and managed land. This includes trees along streets, roads, reserves and public open spaces. The plan aims to balance the environmental, aesthetic, cultural and economic value of trees with the need to ensure public safety and protect infrastructure.

The key changes to the updated Tree Management Plan are;

- ▶ Outline focus areas and considerations for different tree environments within Council managed areas (see Table 1).
- ▶ Further guidance as to why Council will not consider the removal of trees.

Trees are vital assets that contribute to the health, safety, character and resilience of our communities and landscapes. The updated Plan emphasises that Council will not consider trees for removal for the following reasons:

- ▶ Blocking views
- ▶ Dropping leaves or fruit
- ▶ Minor nuisance or aesthetic and species preference.

Table 1: Summary of Tree Categories

Category	Focus	Considerations
Park and Open Space Trees (including cemeteries)	Biodiversity, canopy coverage, recreational safety and long-term sustainability.	<ul style="list-style-type: none"> ▶ Habitat value and contribution to ecological networks ▶ Shade provision for play spaces, paths and gathering areas ▶ Integration with landscape design and open space masterplans ▶ Succession planning and species diversity
Trees near Council Buildings or Structures	Structural safety, aesthetics, shade and asset protection.	<ul style="list-style-type: none"> ▶ Proximity to and interaction with buildings and services ▶ Root impacts on footpaths, pipes and underground infrastructure ▶ Maintenance access and tree protection during capital works ▶ Visual contribution to civic and community spaces
Roadside Trees	Fire risk management, road user safety and conservation values.	<ul style="list-style-type: none"> ▶ Sightlines and clearance for traffic and pedestrians ▶ Native vegetation protection and offset requirements ▶ Weed and pest plant management ▶ Compliance with state road and fire management agencies
Street Trees	Amenity, shade and cooling, pedestrian comfort and safety, contribution to neighbourhood character, minimising conflict with infrastructure.	<ul style="list-style-type: none"> ▶ Species selection for narrow verges and constrained sites ▶ Pruning and clearance near powerlines, buildings and signage ▶ Visibility at intersections, driveways and pedestrian crossings ▶ Resilience to drought, pests and diseases ▶ Contribution to canopy cover targets and climate goals

Recommendation

THAT COUNCIL adopts the updated Tree Management Policy and Tree Management Plan.

Support Attachments

1. DRAFT Tree Management Policy 2025 [13.4.2.1 - 4 pages]
2. DRAFT Tree Management Plan 2025 [13.4.2.2 - 30 pages]
3. Tracked Changes - Tree Management Policy 2025 [13.4.2.3 - 4 pages]
4. Tracked Changes - Tree Management Plan 2025 [13.4.2.4 - 30 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The Tree Management Plan recognises the significant environmental, social and economic value that trees provide within the natural and built environment. While tree management involves ongoing costs — including uplift pruning, maintenance, inspections and addressing impacts on infrastructure such as roads, footpaths and buildings — proactive risk mitigation remains far more cost-effective than responding to incidents or failures that may result in harm to people or property. Implementation of the Plan therefore supports long-term financial sustainability by reducing reactive maintenance and avoiding costly risk events.

From a social perspective, effective tree management enhances public safety, neighbourhood amenity, urban character and overall community wellbeing. Well-maintained trees contribute to attractive streetscapes and public spaces, strengthening community pride and liveability. Conversely, inadequate or inconsistent tree management can lead to safety concerns, disputes, or reduced public confidence.

Environmental sustainability is a central consideration of the Plan. By applying a structured, proactive approach to tree health, succession planning and canopy preservation, the Plan supports biodiversity, improves habitat values and contributes to climate resilience. Maintaining a healthy urban tree canopy assists with cooling, carbon sequestration, stormwater interception and improved air quality, ensuring long-term environmental benefits for the community.

Community Engagement

Engagement was recently undertaken through Engage Mansfield to develop Council's 2026 urban tree planting program across the Shire. Responses received were considered when reviewing the Plan. Following consideration by Council the community will be notified of the revised policy and plan through the Mansfield Matters column in the Courier and they will be published on Council's website.

Collaboration

There was cross organisational collaboration when updating both the Tree Management Policy and Tree Management Plan. This included officers from Parks & Gardens, Waste & Environment, Field Services and Asset Management teams.

Financial Impact

Review of the Policy and Plan has been undertaken internally within existing staff resources. Furthermore, Council's part time Inspection Arborist provides regular inspection and in-house arborist advice in support of the requirements of the Tree Management Plan. This resource allocation is included in the 2025-26 Budget and reduces the reliance on external contractors, providing an operational cost saving to Council. Succession planning is currently underway with a further staff member completing arborist training.

Legal and Risk Implications

Asset Risk:

The Tree Management Plan establishes clear directives for the inspection, maintenance and management of trees located on Council-owned and managed land, including managed

roadsides and public reserves throughout Mansfield Shire. By outlining structured processes for identifying defects, scheduling maintenance and prioritising risk mitigation, the Plan supports Council in reducing the likelihood of tree-related damage to public infrastructure and private property.

Environmental Risk:

Trees are dynamic, living assets whose condition naturally changes over time due to age, species characteristics, weather events, site conditions and past management history. While they provide significant environmental benefits, they can also present safety risks if not appropriately monitored and managed. The Plan provides a proactive framework to assess tree health, address hazards and support long-term tree longevity, thereby balancing environmental outcomes with the need to manage risks to community safety and property.

Financial and Legal Risk:

Tree management carries inherent financial and legal risks, particularly when maintenance is undertaken reactively. The Tree Management Plan promotes a proactive and systematic approach that helps regulate maintenance costs, reduces unexpected expenditure arising from emergency works, and lowers the probability of tree-related incidents.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

With recent training delivered to the Field Services team, Council staff have been able to undertake selected low-risk tree works in-house, resulting in an estimated cost saving of approximately \$2,500 per day.

Alignment to Council Plan

- 2.1 Look after land, the environment and our country character
- 2.2 Plan and deliver sustainable, future-ready infrastructure and land use
- 3.1 Deepen community engagement and foster civic responsibility
- 3.2 Ensure responsible and innovative resource management

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. Community Health and Wellbeing

13.5.1. Outlying Community Infrastructure Fund

File Number	E11951	Responsible Officer	Community Networks and Wellbeing Officer, Alex Ninnnes
Purpose			

To provide Council with an overview of the Outlying Communities Infrastructure Fund applications and to seek Council endorsement of recommendations for funding.

Executive Summary

To support the Council Plan objective for vibrant liveability by enhancing recreation, sport and community facilities (Strategic Objective 2.3), an allocation of \$50,000 was approved for the Outlying Communities Infrastructure Fund in the 2025-26 Budget.

The fund opened on 28 July 2025 and closed on 27 October 2025 after being extended by two weeks to enable more time for community submissions. A project workshop was held on 2 October 2025, providing an opportunity for community groups to discuss draft projects with Council staff prior to submitting their application.

This is the sixth round of the Council-funded grant. Feedback from the community has been positive, with the grant providing support to community groups to enable them to actively undertake projects to improve their own communities. The grant enables community-led projects, which in turn attract significant community in-kind investment and support, empowering community groups to deliver projects of benefit to them, with the support of Council

Over the past six years, projects funded by the grant have seen direct benefit to outlying communities across Mansfield Shire, including the 2024-25 delivery of a hall safety restoration at Ancona, community centre room upgrade at Bonnie Doon, arena resurface at Merton, shade sail and noticeboard installation at Macs Cove and new post and rail fencing at Jamieson.

Council received four (4) eligible submissions for 2025-26, which were referred to the assessment panel for consideration, requesting total funding of \$49,587 as outlined in the table below.

Organisation name	Project name	Grant request (\$)
Peppin Hub Inc	Peppin Hub Community Centre – Land Capability Assessment and Water Balance Testing	\$4,587
Delatite Valley Association Inc	Water Tank Mural Proposal - Carter’s Rd	\$15,000
Bonnie Doon Community Group Inc	Billy’s House - Roof Installation	\$15,000
Barjarg Community Group	Barjarg Community Outdoor Recreation Area	\$15,000
Total		\$49,587

Key Issues

During the application period, Council officers received interest from eight community groups in seven outlying community areas, with eight potential projects discussed.

The funding guidelines state that eligible projects must:

1. Demonstrate ongoing community benefit
2. Take place in an outlying community within the Mansfield Shire (not within Mansfield township as per the Planning Scheme)
3. Deliver capital improvement to:
 - a. Buildings
 - b. Facilities, or
 - c. Publicly accessible land managed/maintained for community benefit
4. Be completed 12 months from the agreement signing date

From the initial enquiries, there were four projects that did not progress to the application stage for the following reasons:

1. One project was out of scope with respect to the funding guidelines for OCIF (for example, not within the Mansfield township as per the Planning Scheme). The group was advised that their project request has been incorporated into another grant application made by Council for solar power on multiple sites.
2. One project required additional community engagement as not all community members agreed with the scope. The group plan to re-apply next time once further engagement has been completed.
3. Two projects were unable to progress further as they required more funding than could be provided through the program. These groups have been provided with information on alternative sources of grant funding.

Council has responded to all community groups with potential projects or submissions that were ineligible against the Fund Guidelines to advise that Council will continue to monitor alternative sources of funding (grants) to support their projects. The recently announced Tiny Towns Fund - Round 3 from the Victorian Government offers grants of up to \$50,000 to towns with fewer than 5,000 residents and may be suitable for the projects needing a greater funding amount.

The Assessment Panel:

As per the Fund Guidelines, applications were assessed initially by Council Officers to ensure applications are complete and meet the eligibility requirements. If the application is deemed eligible, it is then examined in more detail against the assessment criteria.

An internal multi-disciplinary assessment panel assessed the eligible applications to propose recommendations to Council on allocation of funding. Officers from across Council were consulted where specialist advice was required in formulating recommendations.

Criteria	Weighting
Demonstrated link to funding objective with clear evidence of demand for the project and the ongoing benefits to community	50%
Detailed project planning and demonstrated capacity to deliver project successfully	40%
Community contribution	10%

Additional weighting may be applied by the assessment panel to ensure the even distribution of funds across the Mansfield Shire’s geographical area.

Overview and Recommendations:

Council officers have reviewed four (4) projects and made the following recommendations:

Project Name	Grant Request	Funding Proposed	Recommendation	Officer Comment on Recommendation
Peppin Hub Community Centre LCA	\$10,000	\$4,587	Partially Fund	The panel requested further information, and a meeting was then held with the Peppin Hub Committee’s President and Secretary, to clarify their funding request. Their application has been amended to cover the Land Capability Assessment (LCA) and Water Balance testing required for the wastewater system.
Water Tank Mural Proposal Carter’s Rd	\$15,000	\$15,000	Fully Fund	The panel supported this proposal which will include community members painting over the current graffiti on the GVW water tank as an in-kind contribution, prior to the artist installing a new mural. The mural will include images of the historical sawmill in the area, and GVW have given in-principle approval for the mural. Designs will be provided to Council for review.
Billy’s House Roof Installation	\$15,000	\$15,000	Fully Fund	The panel supported this project, which will protect the integrity of the house once moved to the Community Centre site. The quote received for the new roof is \$28,000, with the panel recommending a \$15,000 contribution towards this cost. To date, the Community Group have raised \$130,000 from grants and \$6,000 from their fundraising efforts towards the relocation of Billy’s House to

Project Name	Grant Request	Funding Proposed	Recommendation	Officer Comment on Recommendation
				the site. They propose a contribution of \$1,000 towards the cost of the new roof and will need a further \$12,000 to complete the works (see funding request below).
Barjarg Community Outdoor Recreation Area	\$15,000	\$15,000	Fully Fund (subject to Landowner's consent)	The panel supported this project, which proposes the installation of a shelter for an outdoor community recreation and meeting area on Country Fire Authority (CFA) land at Barjarg. The Barjarg Community Group have discussed with the CFA, and as a formal response has not yet been received, the panel recommendation is to fully fund the project subject to Landowner consent. The group have obtained two quotes and have successfully negotiated a discount of \$600 for the shelter. They will also be undertaking the ground works as part of their in-kind contribution.
Total	\$55,000	\$49,587		

Additional Funding Request

The Bonnie Doon Community Group have requested Council's consideration of a further \$12,000 of funding to enable completion of the roof for Billy's House, which will be relocated to the Community Centre site.

Council's Capital Works team have confirmed that savings are available from the FY 2025-26 Capital Works program that could be allocated to this project, if supported by Council.

Recommendation

THAT COUNCIL:

1. Receives the assessment panel recommendations for the Outlying Communities Infrastructure Fund 2025-26.
2. Endorses the award of funding from the Outlying Communities Infrastructure Fund to:
3. Peppin Hub Inc for \$4,587 to fund the Land Capability Assessment and Water Balance testing for the proposed community centre.
4. Delatite Valley Association Inc for \$15,000 to fund the Water Tank Mural Proposal at Carter’s Road.
5. Bonnie Doon Community Group Inc for \$15,000 to install a new roof on Billy’s House after its relocation to the Bonnie Doon Community Centre site.
6. Barjarg Community Group for \$15,000 to install a shelter for an outdoor recreation area, subject to confirmation of landowner consent.
7. Endorses the award of a further \$12,000 to complete the new roof on Billy’s House, to be funded from savings from the FY2025-26 Capital Works program.
8. Thanks all community groups and organisations involved in the 2025-26 OCIF funding round.

Support Attachments

Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Community Engagement has been undertaken in accordance with Council’s Community Engagement Policy.

Collaboration

Not Applicable

Financial Impact

All work to assess the applications has been undertaken internally by Council Officers within existing staff resources. The grant funding is accounted for in the FY2025-26 Budget.

As mentioned above, the Bonnie Doon Community Group have requested Council’s consideration of a further \$12,000 of funding to enable completion of the roof for Billy’s House, which will be relocated to the Community Centre site. Savings are available from the FY 2025-26 Capital Works program that could be allocated to this project, if supported by Council.

Legal and Risk Implications

Not Applicable

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

The guidelines for this fund are reviewed against community feedback each year to ensure continuous improvement.

Alignment to Council Plan

Theme 1: A Healthy and Connected Community

Strategic Objective 1.1 Strengthen community connection, inclusion and participation

Strategic Objective 1.1 Enable active lifestyles through inclusive, accessible and utilised public spaces

Theme 2: Vibrant Liveability

Strategic Objective 2.3 Enhance recreation, sport and community facilities

Governance - Disclosure of Conflicts of Interest

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

13.6. Executive Services Directorate

13.6.1. Risk Management Policy and Plan

File Number	E1533	Responsible Officer	Manager People, Communications, & Governance, Tanya Tabone
Purpose			

To seek Council endorsement of the updated Risk Management Policy and Risk Management Plan which now incorporates Council’s newly developed Risk Appetite Statement. The updated framework enables a formal, structured approach to risk management consistent with the principles of AS ISO31000:2018 Risk Management – Guidelines.

Executive Summary

The Risk Management Policy, first implemented in 2019 to address recommendations made by an Internal Audit, outlines Council’s commitment to identifying, quantifying and managing risk and includes a broad overview of the roles and responsibilities as they relate to the policy.

A Risk Management Procedure to support the Risk Management Policy has undergone a comprehensive review which identified the opportunity to update the document to a Risk Management Plan (the Plan). The Plan incorporates the newly developed Risk Appetite Statement and aligns with the risk management standards (ISO 31000).

The updated Policy and Plan were presented to the Audit and Risk Committee and feedback provided which was taken on board and revisions incorporated in response.

Key Issues

The Risk Appetite Statement represents how much risk Council is willing to take on to achieve its strategies and goals. It is a shared understanding of what is acceptable and what is unacceptable risk taking at Council. The draft Risk Appetite Statement, incorporated into the Risk Management Plan, defines the appetite for each risk type as High, Moderate, Low or Zero.

Each risk type, as identified in Section 7 of the Plan, has had an appetite defined as follows:

Risk Type	Appetite
Reputational	Moderate
Service Delivery	Moderate
Assets, Infrastructure and Projects	Moderate
Financial Sustainability	Low
Governance	Low
People	Zero
Environment	Low

Risk Type	Appetite
Technology and Cyber Security	Low
Risk Taking*	High*

*Council has a High Appetite for well-considered, informed, and managed risk taking that enables innovation, transformation and progress towards strategic objectives.

Engagement with Council’s Audit & Risk Committee members was undertaken; however broader community engagement has not been undertaken due to the operational and technical nature of the documents. The updated Policy and Plan 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 Risk Management Policy and Risk Management Plan 2025.
Support Attachments
<ol style="list-style-type: none"> 1. DRAFT Risk Management Policy 2025 [13.6.1.1 - 4 pages] 2. DRAFT Risk Management Plan 2025 [13.6.1.2 - 25 pages] 3. Tracked Changes - Risk Management Policy 2025 [13.6.1.3 - 4 pages] 4. Tracked Changes - Risk Management Plan 2025 [13.6.1.4 - 25 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The updated Policy and Plan 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

Work to review the policy and plan and to develop the risk appetite statement has been undertaken internally by Council Officers within existing staff resources.

Legal and Risk Implications

The Risk Management Policy sets the overarching parameters for the management of risk to Council and aims to minimise risk organisation wide.

Regional, State and National Plans and Policies

The framework is consistent with the principles of AS ISO31000:2018 Risk Management – Guidelines.

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.

13.6.2. Gender Equality Policy

File Number	E1533	Responsible Officer	Manager People, Communications, & Governance, Tanya Tabone
Purpose			

To seek Council endorsement of the revised Gender Equality Policy.

Executive Summary

The Gender Equality Policy, first implemented in 2021, affirms Council’s commitment to Gender Equality and Council’s Gender Equality Action Plan consistent with its obligations under the *Gender Equality Act 2020*.

A review of the Policy has been completed which resulted in minor changes which were administrative only with no substantive policy change.

Key Issues

Community engagement has not been undertaken due to the minimal changes proposed to the policy. Following consideration by Council the community will be notified of the revised policy through Council’s Mansfield Matters column, and it will be published on Council’s website.

Recommendation

THAT COUNCIL endorses the Gender Equality Policy 2025.

Support Attachments

1. Tracked Changes - Gender Equality Policy 2025 [13.6.2.1 - 6 pages]
2. DRAFT Gender Equality Policy 2025 [13.6.2.2 - 6 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The updated Policy 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

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

Legal and Risk Implications

Not Applicable.

Regional, State and National Plans and Policies

Is in accordance with the *Gender Equality Act 2020*.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

Governance - Disclosure of Conflicts of Interest

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

13.6.3. Successful Grant Funding for Library Van

File Number	E14099	Responsible Officer	Grants Officer, Kate Berg
Purpose			

To seek Council approval to accept funding awarded by the State Government under the 2025-26 Library Infrastructure Program for the Mansfield Library’s Outreach Program for All Seasons (OPAS) project.

Executive Summary

The purpose of this report is to seek Council’s approval to accept \$242,750 of funding awarded by the State Government under the 2025-26 Library Infrastructure Program for the Mansfield Library’s (OPAS) project. The funding will be used to purchase a fit-for-purpose fully equipped AWD library van, enabling consistent delivery of library and Council services to outlying communities. Additionally, it will allow Council to provide on-site digital training through portable satellite internet, promote library services at community events and support partnerships with local community groups to deliver pop-up playgroups and Storytime sessions.

Key Issues

The Library Outreach Program is an integral part of Mansfield Shire Council’s library service, delivering essential library resources to the Shire’s most remote communities, including Gaffney’s Creek and Woods Point. These communities often experience isolation and loneliness. Community feedback has consistently highlighted the outreach program’s role in helping residents feel engaged, connected, and less isolated.

Despite its importance, the program faces challenges in maintaining consistent delivery. The main barrier is the lack of a dedicated library vehicle. Currently, staff rely on general fleet vehicles, which limits the number of books and resources that can be transported and reduces the program’s effectiveness.

To overcome these challenges, Council applied to the State Government’s 2025–26 Library Infrastructure Program for funding to purchase a dedicated library van through the *Outreach Program for All Seasons (OPAS) project*. This vehicle will enable the library to deliver current services more effectively and offer further services such as on-site digital training via portable satellite internet, pop-up playgroups and Storytime sessions and allow for participation in community events.

On 27 November, Council received confirmation from the Minister for Consumer Affairs that the grant application was successful. The \$242,750 funding will fund the purchase of an all-wheel-drive van, registration and on road costs, and a comprehensive fit-out. Key features include durable flooring, whiteboard panels, a safety cargo barrier, electric side-step, tailgate loader, custom shelving, mobile bookshelves, cabinetry with workspace, and a full power system with batteries, inverter, solar charging, and multiple outlets. Additional enhancements include LED lighting, safety equipment, an electric awning, Bluetooth audio with microphones, Starlink connectivity, and external vinyl wrap.

Delivery of the completed vehicle is expected between September and December 2026. A test drive will be undertaken by the Library Services team prior to purchase of the vehicle to ensure that the vehicle proposed provides a safe, comfortable and fit-for-purpose solution to the road conditions on the Mansfield-Woods Point Rd.

If Council accepts the funding, a community engagement campaign will be launched to gain residents input in selecting the external artwork for the library van. This collaborative process will ensure the final design reflects the community's vision, values, and identity.

Recommendation
THAT COUNCIL accept grant funding of \$242,750 from the State Government under the 2025-26 Library Infrastructure Program for the Mansfield Library's Outreach Program for All Seasons (OPAS) project to purchase a fit-for-purpose AWD library van.
Support Attachments
Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

The grant of \$242,750 requires no co-contribution from Council. The procurement and implementation of this grant will be undertaken within existing Council resources.

Legal and Risk Implications

Not Applicable

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

This project will provide for an improved service delivery for the library in our outlying areas, particularly Woods Point.

Alignment to Council Plan

Theme 1: A Healthy and Connected Community

Strategic Objective 1.1 Strengthen community connection, inclusion and participation

Governance - Disclosure of Conflicts of Interest

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

13.6.4. S6A Instrument of Delegation Under the Planning and Environment Act 1987

File Number	E2478	Responsible Officer	Coordinator Governance & Risk, Chelsea Young
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Purpose

To seek Council endorsement of S6A Instrument of Delegation Under the Planning and Environment Act 1987.

Executive Summary

Delegations to undertake a specific duty or power in accordance with a specific section of an Act of Parliament are essential to enable Council staff to carry out professional duties, particularly in areas which involve enforcement such as Planning, Local Laws, Environmental Health, Animal Management, Parking Control and Road Management.

Council subscribes to a delegations and authorisations service produced by the legal firm Maddocks. The firm reviews all legislation that impacts local government in Victoria and distributes an updated schedule of delegations that reflects any legislative changes bi-annually. This template is used by many Victorian councils and reflects common practice within the industry. Drawing on these updates, the Instruments of Delegation are updated periodically as legislation is amended, or new legislation is introduced which impacts the operations of Council. In addition to the bi-annual updates, Maddocks also issues mini-updates as required to address urgent or time-sensitive legislative changes.

This report seeks Council endorsement of S6A. Instrument of Delegation Under the Planning and Environment Act 1987 (S6A) which take into account legislative changes made to the *Planning and Environment Act 1987* by the *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025*.

Key Issues

Maddocks issued a ‘mini’ update to the Delegations and Authorisations Service specifically in response to the recent changes to the *Planning and Environment Act 1987* (as amended) which commenced on 25 November 2025.

The *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025* made several changes to the *Planning and Environment Act 1987*, including to Council’s powers and functions which may be delegated under s188.

S6A is intended as an interim instrument only. The S6 update scheduled for early 2026 will incorporate the changes contained within S6A and S6A will be revoked once the updated S6 Instrument is endorsed.

Recommendation

THAT COUNCIL:

1. Endorse 'Schedule 6A Instrument of Delegation Under the Planning and Environment Act 1987' dated 16 December 2025:
2. Approve Mayor Cr Steve Rabie to sign the endorsed instrument as listed in point 1 and Deputy Mayor Cr James Tehan to witness the signing.

Support Attachments

1. S6A. Instrument of Delegation under the Planning and Environment Act 1987 (December 2025) [13.6.4.1 - 6 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

Council's subscription to Maddocks delegations and authorisations service is invoiced bi-annually for \$2,200 (excl. GST), this is accounted for in the operational budget. All work to update Mansfield Shire Council's delegations and authorisations is undertaken internally by Council Officers within existing staff resources.

Legal and Risk Implications

Regular reviews of delegations and authorisations ensure compliance with the relevant Acts and Regulations.

Regional, State and National Plans and Policies

Delegations are kept in accordance with the *Local Government Act 2020*.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: An Effective and Efficient Council

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

Governance - Disclosure of Conflicts of Interest

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

14. Council Meeting Resolution Actions Status Register

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

Recommendation
THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 10 December 2025.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield Shire Council Action Register as at 10 December 2025 [14.1.1 - 6 pages] 2. CONFIDENTIAL Mansfield Shire Council Action Register as at 10 December 2025 [14.1.2 - 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, held 24 November 2025, are attached for the Councils information.

Recommendation
THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 24 November 2025.
Support Attachments
<ol style="list-style-type: none"> 1. CONFIDENTIAL Audit and Risk Committee Meeting Agenda - 24 November 2025 [15.1.1 - 184 pages] 2. Audit and Risk Committee Meeting Minutes - 24 November 2025 [15.1.2 - 6 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. Citizen Awards 2026

Confidential

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

18.2. Tender Award: Sealing Unsealed Roads Program

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: Dead Horse Lane - Mansfield Whitfield Roundabout

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