



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

TUESDAY, 20 July 2021

**Notice and Agenda of meeting
livestreamed via the
[Mansfield Shire Council website](#)**

Commencing at 5.00pm

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

Officers:

Chief Executive Officer:
General Manager Infrastructure and Planning
Interim General Manager Community and Corporate Services

Kaylene Corrick
Kirsten Alexander
Mandy Kynnersley



MANSFIELD SHIRE COUNCIL

Order of Business

1. OPENING OF THE MEETING

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

2. PRESENT

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

3. APOLOGIES

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

4. STATEMENT OF COMMITMENT

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

5. ACKNOWLEDGEMENT OF COUNTRY

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

6. DISCLOSURE OF CONFLICTS OF INTEREST

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

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

7. CONFIRMATION OF MINUTES

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

8. REPRESENTATIONS

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

9. NOTICES OF MOTION

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

10. MAYOR'S REPORT

The Mayor provides a report on his activities.

11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

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

12. PUBLIC QUESTION TIME

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



13. OFFICER REPORTS

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

13.2-13.7 Officer reports are presented to the Council, where required.

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

- Planning and Environment
- Operations and Capital Works
- Community Safety
- Field Services

A Council position is adopted on the matters considered.

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

- Business and Performance
- Community Health and Wellbeing
- Community and Economic Development
- Governance and Risk

A Council position is adopted on the matters considered.

14. ASSEMBLY OF COUNCILLORS

An assembly of Councillors is referred to in Council's Governance Rules as a "meeting conducted under the auspices of Council", meaning a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a 'Councillor Briefing' or by some other name);

A written record of each assembly is held by Council and is available for public inspection

15. COUNCIL RESOLUTIONS REPORT

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

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

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

17. 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.

18. 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.

19. PRESENTATION OF CONFIDENTIAL REPORTS

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

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

21. CLOSE OF MEETING

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



COUNCIL MEETING

TUESDAY, 20 July 2021

AGENDA

MANSFIELD SHIRE COUNCIL
Livestreamed to members of the public via the
[Mansfield Shire Council website](https://www.mansfieldshire.vic.gov.au/)
5.00pm

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MANSFIELD SHIRE COUNCIL
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5.00pm

1. OPENING OF THE MEETING

2. PRESENT

The Chair will call on each Councillor and ask them to confirm verbally that they can see all Councillors and hear the proceedings:

- Councillor Rabie
- Councillor Sladdin
- Councillor Tehan
- Councillor Webb

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

The Chair will ask each Councillor to confirm by raising their hand that they could all hear each statement of the councillors.

Councillors will raise their hand to acknowledge they can hear each other.

3. APOLOGIES

The Chair will call on the CEO for any apologies.

4. STATEMENT OF COMMITMENT

The Chair will read the statement and call on each Councillor to confirm their commitment:

"As Councillors of Mansfield Shire we are committed to ensuring our behaviour meets the standards set by the Mansfield Shire Councillor Code of Conduct and Councillor Charter. We will, at all times, faithfully represent and uphold the trust placed in us by the community."



5. ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor James Tehan will recite Council's Acknowledgement of Country:

"Our meeting is being held on the lands of the Taungurung people and we wish to acknowledge them as Traditional Owners. We would also like to pay our respects to their Elders, past and present, and Aboriginal Elders of other communities who may be here today."

6. DISCLOSURE OF CONFLICTS OF INTEREST

The Chair will call on each Councillor in turn and ask them to declare whether they have any conflicts of interest in relation to any agenda items:

- Councillor Rabie
- Councillor Sladdin
- Councillor Tehan
- Councillor Webb

7. CONFIRMATION OF MINUTES

Recommendation:

THAT the Minutes of the Mansfield Shire Council meetings held on 22 June 2021 be confirmed as an accurate record.

8. REPRESENTATIONS

9. NOTICES OF MOTION

Nil.

10. MAYOR'S REPORT

Mayor Mark Holcombe will present the monthly Mayor's report from 22 June to 13 July 2021 to the Council as follows:

During the last month the Budget for 2021/22 was passed. This was the first Budget for the new Council and contained a number of initiatives which are a clear indication that the approach of this Council will be one which involves listening to the Community and decisive action.

It was very obvious to a number of Councillors that many in our Community have done it very tough in the last 15 months. The rate relief offered through a zero increase in the base rate revenue reflects the fact that we are listening to the community and responding in areas where we can afford to do so.

The decision to pass the budget also means the heavy vehicle bypass will now progress after having been stop/start for the last 8 years. This significant piece of



infrastructure has real safety ramifications by removing trucks from the main streets of town as well as addressing safety concerns on the designated Dead Horse Lane route.

One of the highlights of the month for me was the Volunteers Morning Tea, held in the Council Chambers in recognition of the work undertaken by Volunteers in Council programs such as Friends of the Library, Youth, Planned Activity Groups, L2P, Meals on Wheels and many more. Volunteers play a crucial role in our Community and their commitment is greatly appreciated and valued.

The Playground at the Botanical Park was officially opened by Ms Danielle Green MP, Parliamentary Secretary of Sport and Regional Victoria. The playground, which was built with funding from the Victorian Government and Mansfield Shire is a terrific addition to the Botanical Park and Mansfield itself. Similarly, the toilet facilities next to the playground have been refurbished and reopened.

NAIDOC week was celebrated in Mansfield with the Flag raising ceremony at the Visitors Information Centre and the opening of the Ngobi–an Gadhaba Indigenous Garden at the Botanical Gardens. The Ngobi-an Gadhaba Indigenous Gardens were officially opened by Matthew Burns , CEO of the Taungurung Land and Waters Council and myself and commenced with a smoking ceremony conducted by Aunty Bernadette Franklin.

We were very fortunate to have a visit from the Victorian Governor the Honourable Linda Dessau AC. The Governor was visiting Shires that had been affected by the bushfires last year. It provided an opportunity to present background information on Mansfield Shire and the difficulties we have faced over the last 15 months. A member of our community, Dean Belle, also provided an overview of the challenges the hospitality sector has confronted during the same period.

Our CEO, Kaylene Conrick and I also met with our State Member for Eildon, Cindy McLeish MP to update her on issues within the Shire. I have also met with the Mayor of Benalla, Cr Danny Claridge.

During the month press interviews were held with ABC Shepparton and with Mansfield Community Radio.

Cr Mark Holcombe
Mayor

Recommendation:

THAT Council receive the Mayor's report for the period 22 June 2021 to 13 July 2021.



11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

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

COMMITTEE	Responsible Councillor(s)
Australia Day Awards Committee	<ul style="list-style-type: none">Mayor Mark HolcombeCr James TehanCr Steve Rabie
Mansfield Shire CEO Performance and Remuneration Review Reference and Advisory Group	All Councillors
Goulburn Murray Climate Alliance (GMCA)	<ul style="list-style-type: none">Cr Rohan Webb
Hume Regional Local Government Network (HRLGN)	<ul style="list-style-type: none">Mayor Mark Holcombe
Lake Eildon Land & On-Water Management Plan Implementation Committee	<ul style="list-style-type: none">Cr Paul Sladdin
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none">Mayor Mark HolcombeCr Rohan Webb
Mansfield Shire Business and Community Recovery Advisory Committee	<ul style="list-style-type: none">Mayor Mark HolcombeCr Paul Sladdin
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none">Mayor Mark HolcombeSubstitute - Deputy Mayor James Tehan
North East Local Government Waste Forum (a committee of the North East Regional Waste and Resource Recovery Group)	<ul style="list-style-type: none">Cr Steve Rabie
Rural Councils Victoria (RCV)	<ul style="list-style-type: none">Mayor Mark Holcombe (delegate)

Recommendation:

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

12. PUBLIC QUESTION TIME

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

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



13. OFFICER REPORTS

13.1 CHIEF EXECUTIVE OFFICER'S REPORT

File Number: E103
Responsible Officer: Chief Executive Officer, Kaylene Conrick

Introduction

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

The Chief Executive Officer report will provide information relation to:

- Customer Service
- Capital Works
- New Initiatives
- Building Services
- Regulatory Services
- Revenue Services
- Governance
- Community Health and Wellbeing

Attachment

- 1 CEO's report

Recommendation:

THAT Council receive and note the Chief Executive Officer's report for the period 22 June 2021 to 13 July 2021.

13.2.1 Road Access to 61A McCormacks Road, Merrijig – Cont...

The property is more than 40 hectares in size, and has an Environmental Significance Overlay, a Significant Landscape Overlay and part of a Bushfire Management Overlay. Under the Farming zone. A dwelling is only “as-of-right” if it complies with the following condition: “Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.” This essentially means that a dwelling must have a legal and practical access, constructed to an appropriate standard for emergency vehicle access, and managed to the satisfaction of Council.

While this property does have opportunity for legal access in terms of access to the road reserve, as this road is not constructed, nor is it on Council’s Road Register, officers have no certainty as to how this road will be maintained in perpetuity. As such, the current arrangement does not provide for a practical access.

In order to apply for a planning permit for a dwelling, the property must have both, and to do this, the road must be constructed to a suitable standard that is maintained all year around.

On 11 May 2021, Council officers met with the land owner to determine what possible solutions there may be to allow the owner access to his land.

Currently the owner accesses the land through a dirt track which is not on Council’s Road Register, as shown on Figure 2.0:

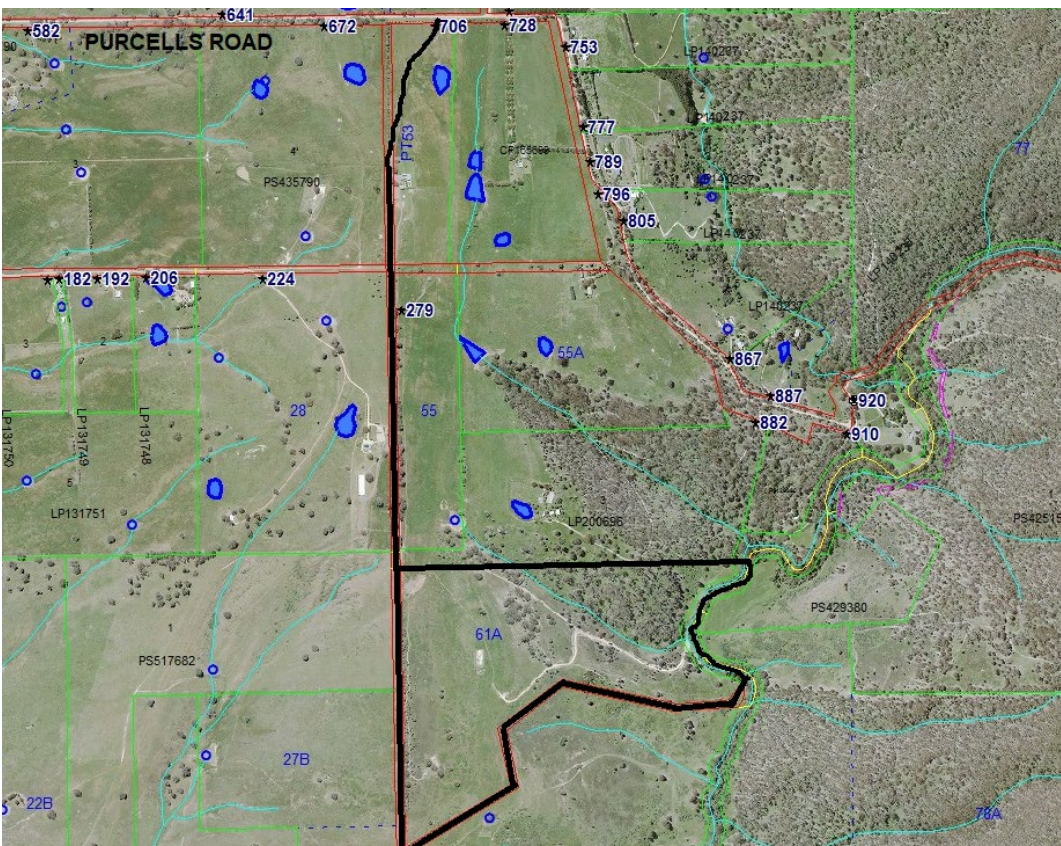


Figure 2.0: Current access to subject site

13.2.1 Road Access to 61A McCormacks Road, Merrijig – Cont...

Adjoining the lot in question is a road reserve. This reserve is managed by the Department of Environment, Land, Water and Planning (DELWP) and licensed out to another party for grazing under License No. 2008957.

The reserve managed by DELWP is highlighted in Figure 3.0 on the following page. To create an access to 61A McCormacks Road a portion of the DELWP licence has to be cancelled and an access track has to be constructed of length 670m. The proposed section is also marked on Figure 3.0.

DELWP can cancel a licence or a portion of a licence following a formal request by Council under Section 407, *Land Act 1958*. Upon receiving this request from Council, DELWP would begin the process to cancel the licence.

Upon cancellation of a licence, the road reserve would become the responsibility of Mansfield Shire Council.

If a road reserve becomes the responsibility of Council, it does not necessarily go on the Road Register. The road only goes on the Road Register if it is deemed to be “reasonably required for general public use.”

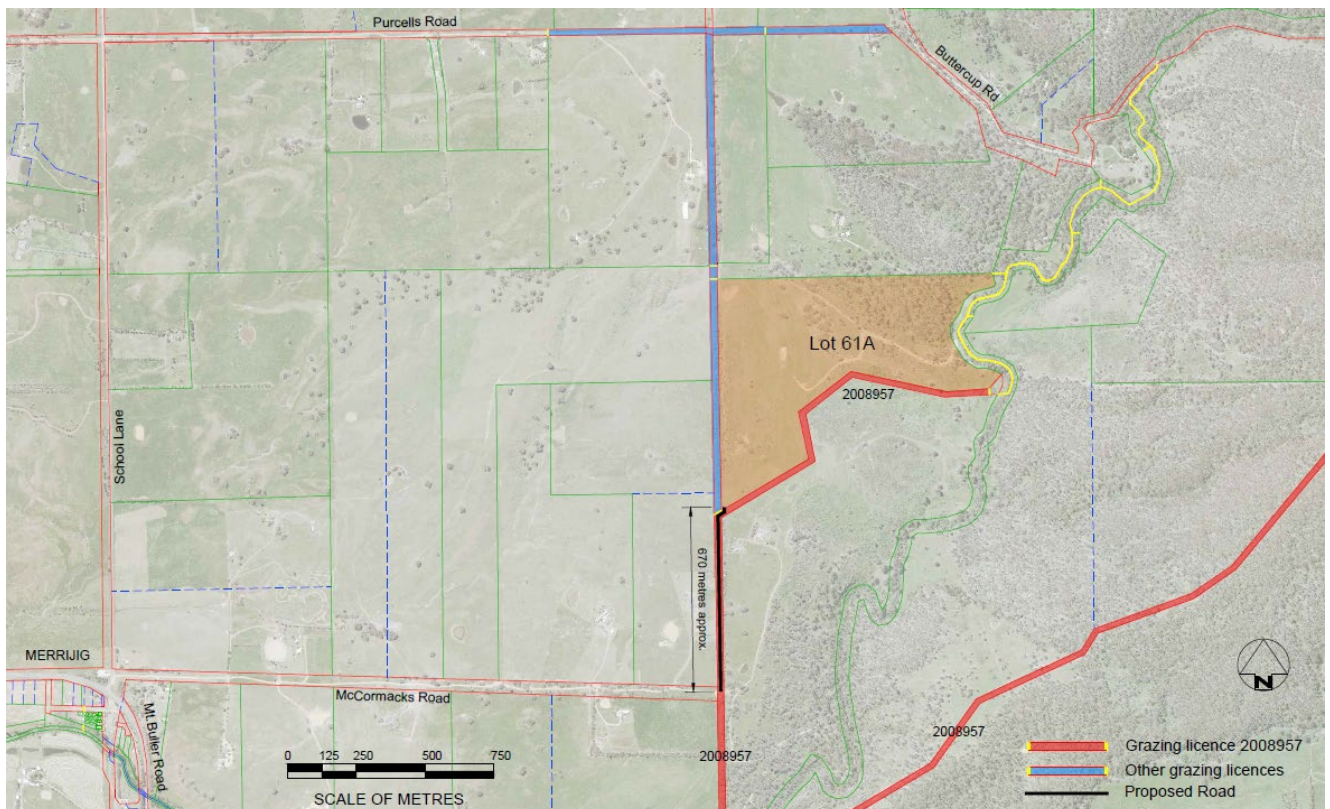


Figure 3.0: Land managed by DELWP and proposed access road

Policy and Legislative Implications

Council’s Road Management Plan, Section 4.2.1 details the criteria for including roads on Council’s Road Register. The specific details of this are found in Attachment 1, however,

13.2.1 Road Access to 61A McCormacks Road, Merrijig – Cont...

under the Act, Mansfield Shire Council is the responsible road authority for all municipal Public Roads listed in Council's Register of Public Roads. Council is not obliged to undertake any works on roads that are not registered as Public Roads.

Council Plan

This report relates to the following section of the Council Plan 2017-2021:

- Strategic Objective 2.3: We prudently manage our asset maintenance and capital works programs in line with our long term financial plan.
 - Adopt a 'whole of life costing' approach to asset management as part of a cost benefit analysis to inform decisions around the creation of any new asset.

Financial

The length of the gravel access track required is 650m with a minimum width of 4.0m. There will also be native vegetation that will be impacted by the construction. This will require a planning permit for removal, and there will be costs associated with offsetting any removal. These costs are not able to be estimated without a detailed design of the proposed road. There will be an associated increase in value to the site with a legal and practical access, which should result in an increased rate income.

The estimated cost of construction of the road is outlined below. The property owner has indicated their willingness to undertake both the construction and maintenance of the road.

Cost Estimate	Length (m)	Total
Initial Construction Cost		
4m wide gravel road	670	\$52,260.00
Maintenance Cost		
Maintenance Grading every 6 months	670	\$1,340.00
Re-sheeting every 10 years	670	\$17,420.00

Social

The construction of the road will allow legal and practical access to a property that has limited access currently. There is also a possibility that the grazing licence holder objects to the cancellation of a portion of the license. The licensee has 30 days to appeal upon receipt if a cancellation notice is issued. Depending on the option chosen below, it may or may not be necessary for Council officers to consult directly with the licensee.

Environmental

Any vegetation removal resulting from the construction of the road will need to be addressed in accordance with the requirements of the *Planning and Environment Act 1987*. Any trees fully removed, or that have more than 10% of their root zone impacted by the construction, will need to be accounted for and will require an offset and approval through a planning permit process.

13.2.1 Road Access to 61A McCormacks Road, Merrijig – Cont...

Economic

The construction of a road will allow the consideration of the development of the subject site for a dwelling and associated shedding. This proposal would generate some local benefit in terms of construction work for both the road and any future dwelling.

Risk Management

The risks associated with the proposal have been considered as part of this report, with appropriate mitigation actions identified, and conditions proposed by Council officers to address the identified risks.

Community Engagement

To date, there has been engagement with the owner of 61A McCormacks Rd and DELWP. Engagement will be had with the licensee if it is decided that Council wishes to cancel the licence.

Official notification of cancellation of a licence would be sent to affected parties by DELWP should the matter proceed.

Key Issues

In accordance with Section 4.2.1 of the Road Management Plan, Council officers use a checklist to ensure that a consistent, fair and impartial assessment is made in consideration of whether the road is “reasonably required for general public use” and can therefore be added to Council’s Road Register. A road cannot be maintained if it is not on the Road Register. A copy of the completed checklist is provided in Attachment 1.

The checklist has three mandatory criteria and seven non mandatory criteria. The checklist gives consideration to the number and nature of separately owned and occupied properties abutting onto the road or requiring the road for access purposes, but does not stipulate what that number should be. For fairness and consistency, Council officers have used 3 dwellings requiring access as that number in the past.

Per Attachment 1, assessment of the mandatory and non-mandatory criteria per the Road Management Plan reveals that in this case, the road is not “reasonably required for general public use”.

The following options have been considered in this matter:

Option 1: Property owner takes over the DELWP Licence

The property owner takes over Licence 2008957 from DELWP and uses the road reserve for access to his property without construction of an access road. (Not recommended).

- a. Pro – No cost to Council.
- b. Pro – No Council involvement required.
- c. Con – No building permit could be approved without an access road that meets the Councils requirements for emergency vehicle access.
- d. Con – This solution is only viable for the term of the lease.

13.2.1 Road Access to 61A McCormacks Road, Merrijig – Cont...

- e. Con – DELWP may not transfer the licence without cancelling it and turning it over to Council.

Option 2: Property owner builds the road, Council maintains it

DELWP cancels a portion of Licence 2008957. Council takes on management of that road reserve. The property owner clears the vegetation and constructs the road to Council standards. The road is adopted to the Council Road Register and added to the schedule of routine maintenance. (Not recommended).

- a. Pro – Property owner gets a route to the property that will be always accessible by emergency vehicles.
- b. Con – High ongoing cost to Council.
- c. Con – Provides little benefit to the community as nobody is likely to use the road other than the property owner.
- d. Con – sets a precedent for Council to maintain other private roads in the Shire.

Option 3: Property owner builds the road, property owner maintains it

DELWP cancels a portion of Licence 2008957. Council takes on management of that road reserve. Council agrees to allow the owner to construct the road to Council's standards, issues a works in road reserve permit, and places a 173 agreement to the title detailing that the land owner gaining access is responsible for the maintenance of the road to a standard that allows access to emergency vehicles. (Recommended with conditions).

- a. Pro – No cost to Council.
- b. Pro – Property owner gets access to the property that will be always accessible by emergency vehicles.
- c. Pro – Property owner may apply for a permit to build on the land.
- d. Con – May be difficult to enforce maintenance of the road into the future.
- e. Con – Gives rise to possible disputes if others start to use the road and the property owner takes exception to having to maintain the road for others to use, and may bring pressure to bear back to Council to take the road back onto the Road Register.

Council officers recommend that this option should only be agreed to on the following conditions:

1. The owner agrees to meet all costs associated with the construction of the road including:
 - i. Detailed plan preparation
 - ii. All construction works
 - iii. Planning permit application fees for any native vegetation removal
 - iv. All costs associated with removal of native vegetation, including offsetting.
2. The owner agrees to enter into a Section 173 Agreement under the *Planning and Environment Act 1987* that would apportion all future maintenance back to the subject site.



13.2.1 Road Access to 61A McCormacks Road, Merrijig – Cont...

Attachments

1. Criteria for Including Roads on Council's Road Register

Recommendation:

THAT Council:

- 1. Upon the satisfactory written request of the property owner, formally request the cancellation of a portion of grazing Licence 2008957 from the Department of Environment, Land, Water and Planning.**
- 2. Notes that a Works in Road Reserve permit will be required for the property owner to construct the access to a standard agreed to by Council officers.**
- 3. Enters into a Section 173 Agreement with the property owner under the *Planning and Environment Act 1987* to require any ongoing maintenance of the new access road to be at no cost to Council and remain the responsibility of the owner of Crown Allotment 61A, with this agreement to be prepared by Council's solicitors at no cost to council.**

13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility

File Number: E8175

Responsible Officer: Manager Operations & Capital Works, Kristian Burchat

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*.

Introduction

This report seeks Council endorsement for the nomination of a project for submission under the Local Roads and Community Infrastructure (LRCI) Program Extension Phase 3, for allocation of the \$1,183,186 grant funding provided to Council under this program.

Background

Council received notification from the Department of Infrastructure, Transport, Regional Development and Communications on 19 May 2021 of the funding allocation under Phase 3 of the LRCI program. The funding will be available from 1 January 2022, and projects must be completed by 30 June 2023.

LRCI Phase 3 aims to deliver local road and community infrastructure projects, as well as create local job opportunities particularly where employment in other sectors have been negatively impacted. Through providing a longer delivery timeframe, the Commonwealth intends that Phase 3 will provide local government the time to potentially take up larger, more complex builds than were possible under Phase 1 and 2 (see Attachment 1 and 2 for the road re-sheeting projects delivered and proposed under Phase 1 and 2).

A key principle of the LRCI program is to enable Councils to undertake infrastructure projects additional to what they had planned to undertake using their own funds, to stimulate local economies and provide employment opportunities. Given the longer construction period, local government was strongly encouraged to identify priority projects that maximise the opportunity for a range of workers to be retained, redeployed and employed on shovel ready projects that provide economic stimulus and benefits to communities.

The Heritage Visitor Facility was included in Mansfield Shire Council's 2021/22 Budget as a key project for advocacy to seek funding for construction of the facility. The project is shovel ready and would provide employment opportunities during construction, as well as acting as a focal point and catalyst for increased activation of the Station Precinct.

Although the guidelines for Phase 3 have not been released, the proposed project sits neatly within the eligibility for both Phase 1 and 2 community infrastructure requirements. Construction of a Heritage Visitor Facility at the Station Precinct is considered to be a suitable project for nomination to the Department for approval under this funding round.

13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility – Cont...

The Heritage Visitor Facility project involves the construction of a purpose built facility, carefully designed to complement the historic Station Precinct. The building includes the provision of display and storage areas, restoration and workshop spaces, and it is intended that the facility will accommodate the activities of Mansfield Historical Society and showcase both Taungurung and European heritage items, telling the story of the Mansfield region.

The Historical Society currently operates from inadequate space in the historic Station building. The proposed Heritage Visitor Facility will recognise and celebrate Aboriginal and post European settlement including railway history. This will include permanent and periodic displays, talks, open days, and other community gatherings and activities. The displays will celebrate the local environment, history and culture of the Taungurung people.

Policy and Legislative Implications

At Federal Government level, the LRCI Program is delivered under Outcome 3 of the Department of Infrastructure, Transport, Regional Development and Communication's Portfolio Budget Statement: Strengthening the sustainability, capacity and diversity of our cities and regional economies, including through facilitating local partnerships between all levels of government and local communities; through reforms that stimulate growth; and providing grants and financial assistance.

These Federal Government outcomes align well with Mansfield Shire's objectives under a range of policies and strategic plans, including the *Council Plan 2017-2021* and the *Economic Development Strategy*, as outlined below.

Council Plan

This project supports the key themes in the Council Plan:

- *Strategic Direction Four: Enhanced liveability*; collaborating with others to drive liveability, celebrate community connectedness and support community health and wellbeing, while balancing growth and changing community needs.
- *Strategic Direction One: Participation and partnerships* The Council Plan includes a theme around Participation and Partnerships which encompasses providing opportunities for community members to participate in Council decision making and having a say in matters that affect them.
- *Strategic Objective 3.2: We support our communities in meeting their own needs* emphasises Council's role as an advocate on behalf of the community and in partnering with other organisations to further the community's interests.



13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility – Cont...

This proposal aligns with Council’s objectives in relation to financial sustainability, enhanced liveability, community resilience and leadership.

Financial

There is no requirement for matched funding from Council for LRCI projects.

A detailed design and cost estimate was developed for the Heritage Visitor Facility component of the Station Precinct as part of the *Mansfield Station Precinct Activation* project, funded by the state government Department of Jobs, Precincts and Regions. A project budget has been prepared for the construction of the facility, following review of the cost plan prepared by a Quantity Surveyor, by Council’s Capital Works team.

Financial contributions have already been confirmed by two significant project partners, these being Mansfield Culture Heritage and Arts Centre (MCHAC) and Mansfield Historical Society. Cash contributions are proposed from these organisations as follows:

- Mansfield Historical Society (MHS) fund raising initiative: \$52,650
- Mansfield Culture Heritage and Arts Centre (MCHAC): \$10,000

Interest in the project has also been shown by the Community Bank Mansfield and District (Bendigo Bank); at a recent meeting with Mansfield Historical Society committee members the possibility of a funding contribution to the project from the Bank was discussed.

The table below provides a summary of the anticipated project income and expenditure:

Project Income		Project Expenditure	
LRCI Funding	\$1,183,186	Construction Cost Estimate	\$1,100,000
Funds from community organisations:		Design & Construction	\$110,000
• MCHAC	\$10,000	Contingency	
• MHS	\$52,650	Project Management	\$70,000
Total Income	\$1,245,836	Total Expenditure	\$1,280,000

As shown in the table above, there is currently an estimated shortfall of \$34,164, pending confirmation of a funding contribution from Bendigo Bank, and completion of the Request for Tender (RFT) process. In addition to undertaking the RFT process, confirmation of the building fit out scope will be undertaken by Council’s Capital Works team in collaboration with the Historical Society and the Taungurung Land and Waters Council over the coming months.

13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility – Cont...

When completed, the facility will become a Council asset. Council has established processes for infrastructure inspection and maintenance and annually allocates funds to enable cyclic maintenance and upgrade of community infrastructure. It is considered that the ongoing maintenance obligation associated with the facility is reasonable and sustainable. It is anticipated that maintenance responsibilities will be shared between Council and community groups operating from the facility.

Social

The Heritage Visitor Facility responds to the aspiration for community and cultural spaces to attract visitors to the precinct and support the visitor economy.

A broad community engagement program was implemented to ensure input from community members and stakeholders and to promote ownership of the vision for the Station Precinct as part of the Master Plan development. Specifically, the engagement process sought to understand competing demands for the future use and development of the precinct and how these can be best balanced to ensure an appropriate mix of activities.

Plans for the new facility include:

- Heritage displays
- Workshop space
- Retail space – sale of publications, photographs, maps, etc
- Storage of heritage items
- Meetings
- School programs
- Guest speakers

It is proposed that the facility will be open to community members and visitors to the region and operate on weekends, Public Holidays and Fridays. Subject to the availability of volunteers, activities will also be conducted outside those times for school programs and during School Holidays.

Environmental

The design and concept of the facility has taken into consideration The Mansfield Township Approaches Planning Controls and Guidelines Study, 2017 which provides guidelines and controls for the township entrances.

The Study identified the need for a preferred character to ensure that future development makes a positive impact, that it has regard for local context and character and that town approaches would be clearly defined through built form and landscape treatments.

Planning work and controls that are relevant to the Mansfield Station Precinct include Mansfield Urban Design Framework, 2005 which looks at sustainable and efficient development which meets the needs of the whole community while respecting local history and assets.

13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility – Cont...

Economic

The *Mansfield Shire Business Recovery Plan* has five objectives, several of which are relevant to the proposed development of the Mansfield Station precinct, including:

- Build a sustainable economy by supporting and growing a diverse range of sectors.
- Long term strategic planning and investment in infrastructure.

The proposed Heritage Visitor Facility is a substantial capital project (\$1.28 million) which will generate much needed economic activity. It is located in a high profile gateway location at the end of the Rail Trail and is anticipated to act as a catalyst for implementation of further stages of the *Mansfield Station Precinct Master Plan*.

The facility also meets the Shire's *Economic Development Strategy 2020-2025* four themes:

- Strengthen and diversify the economy;
- Enhance the visitor economy;
- Drive growth in infrastructure and public land enhancement; and
- Best practice economic development.

Strategic responses identified included:

- Improved township presentation, amenity and infrastructure;
- Investment in infrastructure and planning to ensure sustainable growth can occur; and
- Maintain and protect natural assets which are critical for the tourism and lifestyle sectors.

Risk Management

With adequate project funding Council is exposed to minimal risk for the completion of the Heritage Visitor Facility. To support staff resources, a Project Manager has been included in the costings, to be engaged for the duration of the build. Council's Capital Works team have prepared a project program identifying key project milestones and activities.

Council has well developed project management processes and good relationships with government and other regulatory agencies.

Community Engagement

Council is collaborating on this project with a range of community partners. There has been ongoing consultation with Station Precinct stakeholders, both during and following development of the *Mansfield Station Precinct Master Plan*.

The Project Steering Committee formed for the Master Plan had broad representation including community representatives (including local business operators), a representative of the Taungurung Land and Waters Council, Councillors, Council project staff and representatives from a range of State Government departments and agencies.

The Historical Society is a key stakeholder and have been actively fundraising for the Heritage Visitor Facility project. The Society works closely with the Visitor Information Centre which is also located in the precinct.

13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility – Cont...

Mansfield Cultural Heritage and Arts Centre (MCHAC) has also committed funds to support the facility. MCHAC's Committee has broad representation from:

- Arts Mansfield,
- Rotary Mansfield,
- The Taungurung Land and Waters Council,
- The Mansfield Historical Society
- Yooralla Mansfield
- The Mansfield District community.

Options

The following options are relevant to this report:

1. Council supports the nomination of the Heritage Visitor Facility for the full confirmed \$1,183,186 LRCI Phase 3 funding.
2. Council chooses not to allocate the LRCI Phase 3 funding to the Heritage Visitor Facility, and nominates another eligible project.

Key Issues

There are already a number of local road re-sheeting projects funded under the LRCI Program Phase 1 and Phase 2 rounds. Details of these projects can be found in the attachments to this report.

The Heritage Visitor Facility is an eligible project with strong community backing.

It can be progressed using a combination of the Local Roads and Community Infrastructure Program Extension Phase 3 monies and donations towards the project from the interested stakeholders.

Nomination of the Heritage Visitor Facility, for the Phase 3 confirmed Federal Government funding allocation of \$1,183,186, is therefore recommended.

To proceed, Council officers require a decision as to Councils' support or otherwise.

Attachments

- 1 Local Roads and Community Infrastructure Program Extension Phase 1 Road Sheeting - works completed and in progress.
- 2 Local Roads and Community Infrastructure Program Extension Phase 2 - works submitted to the funding body for approval.
- 3 Heritage Visitor Facility – Proposed Plans



13.2.2 Local Roads and Community Infrastructure Program Phase 3 Project Nomination – Heritage Visitor Facility – Cont...

Recommendation:

THAT COUNCIL:

- 1. Notes the information provided in relation to the works completed and proposed under Phase 1 and Phase 2 of the Local Roads and Community Infrastructure Program.**
- 2. Supports the nomination of the Heritage Visitor Facility project for funding from Phase 3 of the Local Roads and Community Infrastructure Program, with the full funding allocation of \$1,183,186 allocated to the project.**



13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.3 Grant Application for Lords Reserve Community Hub

File Number: E5996

Responsible Officer: Manager Operations & Capital Works, Kristian Burchat

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*.

Introduction

This report requests Council consideration of a financial co-contribution and submission of a grant application to the Victorian State Government's *Regional Infrastructure Fund – Round 2* to Regional Development Victoria (RDV) for the Lords Reserve Community Hub project, prior to the closing date of 10 August 2021.

Background

Council is facing a number of challenges in relation to existing sports facilities and recreation reserves, including ageing infrastructure, changing community needs and expectations, and shifting physical activity participation preferences.

The Lords Reserve Community Hub project was developed to respond to these changing community needs. The project scope includes the upgrade of existing facilities at Lords Reserve and the construction of new building facilities to form a multi-user community hub including change rooms, toilet amenities, kitchen facilities and a well-proportioned meeting space, together with associated landscaping and civil works to formalise car parking and improve pedestrian connectivity. The project is shovel ready, with design works completed in 2019-20.

The project meets the eligibility criteria of the *Regional Infrastructure Fund (RIF) Round 2*:
...to assist the growth of rural Victoria by providing grants for infrastructure projects that have the potential to stimulate economic and community activity, including those that seek to support recovery from COVID-19 and other major economic challenges, in regional Victoria.

The objectives of the RIF Round 2 are:

- To create and retain jobs and support regional economies and communities, including transition, diversification and recovery efforts.
- To increase economic and social benefits through improved community access and usability of precincts, town or region.
- To increase economic and social benefits through investment in strategic and public enabling infrastructure.

As a small rural Council, the funding guidelines require a 4:1 financial co-contribution from Council. Grants are capped at \$3 million per project, and small rural councils are eligible to claim in-kind contributions to the projects.

13.2.3 Grant Application for Lords Reserve Community Hub – Cont...

Policy and Legislative Implications

A condition of RIF funding is that projects with a total project value equal or greater than \$1 million are required to meet the State Government's *Local Jobs First Policy* and *Growing Regional Opportunities for Work* initiative. The Lords Reserve project will meet this requirement.

This regional grant funding considers the *Ovens Murray Regional Partnership* outcomes roadmap. The proposed Community Hub falls within the partnership's Health and Wellbeing intentions to build healthy, vibrant and safe communities, where people have a strong connection to 'place' and work together to achieve wellbeing and resilience across all ages, abilities and circumstances – 'a great place to grow up and grow old'. It also aligns with the Economic Development actions towards a prosperous and innovative economy, growing key and emerging sectors.

Council Plan

A key action under the enhanced liveability theme of the *Mansfield Council Plan 2017-2021* is to implement the *Mansfield Sports Facilities Strategy*.

Improvements to building facilities at the Lords Reserve were identified as one of two top priority actions within the strategy which cites the existing facilities as "grossly inadequate" and "nearing the end of their useful asset life".

Other areas of alignment with the Council Plan include:

Strategic Direction One: Participation and partnerships; encompasses providing opportunities for community members to participate in Council decision making and having a say in matters that affect them. The Mansfield Shire community have been involved in all design and use consultation stages for the Lords Reserve Community Hub.

Strategic Direction Four: Enhanced liveability contains several objectives to drive liveability and respond to changing community needs, including:

- *Strategic Objective 4.1*; we have long term strategies and capital works programs in place to respond to changing community needs.
- *Strategic Objective 4.3*; our community proactively manages its health and wellbeing. Build on the Active Mansfield initiative and campaign to promote healthy, active lifestyles and increasing the use of Council's leisure facilities.

Strategic Objective 3.2: We support our communities in meeting their own needs also emphasises Council's role as an advocate on behalf of the community and in partnering with other organisations to further the community's interests.

Financial

The RDV RIF funding Round 2 requires 4:1 funding for any supported development of a small rural council.

13.2.3 Grant Application for Lords Reserve Community Hub – Cont...

Funding requests will be considered up to \$3 million (excluding GST). The Lords Reserve Community Hub project has a projected costing of \$3.7 million based on the existing design. The Operations and Capital Works team have reviewed the design documents with community stakeholders and identified some scope elements that could be adjusted to provide reasonable cost reductions, without compromising the integrity of the design and function. These include the extent and type of concrete paving and landscaping elements.

It is proposed to submit an application to the RIF for a total project cost of **\$3.4 million**, requiring a grant of \$2.72 million and a matching Council contribution of **\$680,000**. Council's contribution is proposed to include a direct contribution of \$510,000, together with an in-kind contribution of \$170,000.

The RIF application criteria allows Mansfield Shire as a small rural council to claim in-kind contributions of no more than 25% of their co-contribution for the project. It is therefore proposed that Council claim an in-kind contribution for completion of the car park and landscaping works and for contract administration and supervision of the construction works, for a total amount of \$170,000.

Council committed total funds to the Lords Reserve Community Hub of \$490,000 in the 2020/21 Budget, however this amount was not expended due to the inability to attract matching grant funding for construction of the facility, and \$454,978 is remaining after payment of design costs.

Completion of projects funded under the RIF is not required until the end of the 2023/24 financial year, and the Lords Reserve Community Hub project would meet this requirement.

Social

Improved facilities and infrastructure at Lords Reserve would provide for increased enjoyment of the space by a wide range of users and stakeholder groups, as well as the broader Mansfield community.

Potential amenity impacts for local residents have been considered in the design of the facility and will be managed through the planning permit process, particularly in relation to the hours of operation of the facility, noting that it will be located in a residential area.

Environmental

The design and concept of the facility has taken into consideration the need for a preferred character to ensure that the development makes a positive impact to the area, and that it has regard for local context and character in terms of built form and landscape treatments.

Council's preferred design approach supports sustainable and efficient development which meets the needs of the whole community, and considers the whole of life cost for new assets. It is proposed that the facility will have solar power installed.

13.2.3 Grant Application for Lords Reserve Community Hub – Cont...

Economic

Economic benefits of the project include that in the construction phase, resources will be sourced locally and local industries will be supported whenever possible.

The improved facilities will respond to the increasing numbers of new residents attracted to the region through provision of fit-for-purpose community infrastructure. This project will support increased growth in residential construction activity and construction employment.

A key additional benefit is the attraction of regional sports events to the Mansfield Shire and the spectators and support staff and team members who will visit to see or participate in them.

Of immediate impact is that it will allow local sporting groups increased participation in regional competition, which cannot currently be facilitated due to lack of suitable facilities.

Risk Management

This table pinpoints the risk and risk management strategies identified through the consultation and design processes.

Risk	Mitigation Strategy	Likelihood	Consequence
Increased project cost	Council approved project budget includes appropriate construction contingency. Project management and oversight by experienced Infrastructure team.	Possible	Medium
Project is not completed on time	Allowance for delay built into project timeframe, and grant timeframes are generous.	Unlikely	Minor
Project delayed due to unfavourable weather conditions	Activities scheduled during optimal seasonal periods.	Unlikely	Minor
Availability of contractors	Project tenders assessed on their capacity to meet project objectives and timelines.	Possible	Medium
Resourcing pressures	Appointment of dedicated project manager	Possible	Medium
Disruption to user group activities	Current facilities (clubhouse and public toilet facilities) demolished only upon completion of new facility.	Possible	Minor

13.2.3 Grant Application for Lords Reserve Community Hub – Cont...

Community Engagement

Council have been in regular discussions with key users of Lords Reserve regarding the need for a new facility at Lords Reserve since at least 2014.

The planning process for the *Sports Facilities Strategy 2018* involved a range of targeted consultation activities, in particular:

- On-line community survey - 159 completed.
- Sports Club / Group survey - 30 completed.
- Public submissions from 5 individuals/groups.
- School and stakeholder interviews.

Key relevant findings included:

- A lack of facilities was identified as a key reason for non-participation in sport and recreation activities across the Shire (i.e. 39.7% of respondents).
- The poor standard of existing facilities was identified by a further 10.3% of respondents – over 95% identified them as extremely important or important.
- There is very strong support for the provision of quality sport and recreation facilities from the respondents – 50% identified facilities as a major constraint to participation.
- Establishing a pavilion and change room facilities at Lords Oval were identified in the top two priority actions.

Options

The following options are available to Council:

1. Council approves the submission of an application to the current RDV RIF Round 2 for the Lords Reserve Community Hub for a total project cost of \$3.4 million, including Council financial and in-kind co-contributions of \$680,000, as outlined in this report.
2. Council does not approve the submission of an application for the Lords Reserve Community Hub and nominates another project for preparation of a grant submission to the RIF Round 2.

Key Issues

To qualify for funding, projects must be considered by the Department to be sufficiently investment ready, have a well demonstrated need for government assistance and deliver a place-based economic impact. Contact has been made with the local RDV office to discuss the funding opportunity, and the Lords Reserve Community Hub has been identified as a suitable project for submission.

The funding guidelines for the RIF Round 2 advise that funding will be provided for infrastructure projects that achieve one or more of the following outcomes:

- improve the economic performance, potential and outcomes of a precinct, town or region
- improve business, transport, retail, education, social, cultural, industry or community linkages



13.2.3 Grant Application for Lords Reserve Community Hub – Cont...

- provide multi-purpose infrastructure, suitable and accessible for a wide range of business and community groups such as business hubs, co- working spaces, community, and event and visitor facilities
- support cultural initiatives of economic significance to the region such as renewal of buildings and sites, arts and cultural centres or resource facilities.

It is considered that the Lords Reserve Community Hub would contribute to achieving the above outcomes, and therefore it is recommended that Council supports the submission of an application to the RDV RIF Round 2 for this project.

To proceed, Council officers require a decision as to Councils' support or otherwise.

Recommendation:

THAT COUNCIL:

1. **Endorses the submission of a grant application for the Lords Reserve Community Hub to the Victorian Government's *Regional Infrastructure Fund - Round 2*, prior to the application closing date of 10 August 2021.**
2. **Approves the allocation of a financial co-contribution of \$510,000 and an in-kind contribution of \$170,000 to the project.**

13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.4 Amendment C50, Development Plan Overlay Review, Authorisation of Amendment

File Number: E7988

Responsible Officer: Melissa Crane, Manager Planning and Environment

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*.

Introduction

Amendment C50 proposes to implement the *Mansfield Planning Scheme Development Plan Overlay Review*, May 2021.

The purpose of this report is to seek a Council resolution to:

1. request authorisation from the Minister for Planning to prepare Amendment C50 to the Mansfield Planning Scheme; and
2. when authorised by the Minister for Planning, exhibit the amendment.

Background

The Development Plan Overlay is applied when an outline of future use, development, subdivision and servicing is required to guide future individual proposals within that area. When the overlay is applied, Council cannot issue any individual planning permits until a development plan has been prepared and approved.

The *Mansfield Planning Scheme Development Plan Overlay Review*, May 2021 has been prepared to technically and strategically assess the need for existing application of the Development Plan Overlay through the municipality.

Amendment C50 proposes to implement the *Mansfield Planning Scheme Development Plan Overlay Review*, May 2021 by:

- Removing the Development Plan Overlay from various sites in the Barjarg, Bonnie Doon, Goughs Bay, Mansfield, Merrijig, Merton, Sawmill Settlement and Tolmie areas.
- Revising Schedules 1 (*General Residential 1 Zone*), 2 (*Low Density Residential Zone*) and 3 (*Rural Living Zone*) to the Development Plan Overlay.
- Deleting Schedules 4 (*Southern side of High Street, Mansfield*) and 5 (*Mixed Use Zone, Barjarg*) to the Development Plan Overlay.

Specific proposals under the amendment are:

- Development Plan Overlay removal: The Development Plan Overlay is being removed from sites in the Barjarg, Bonnie Doon, Goughs Bay, Mansfield, Merrijig, Merton, Sawmill Settlement and Tolmie areas that are either already developed or no longer required to guide future use, development, subdivision and servicing.

13.2.4 Amendment C50, Development Plan Overlay Review, Authorisation of Amendment – Cont...

- Schedules 1, 2 and 3: The three primary Development Plan Overlay schedules (1, 2 and 3 for residential, low density residential and rural living areas) are being revised to make the schedules more relevant and streamlined, including the provision of updated and simplified development plan requirements and exemptions from the need for a development plan before a permit may be granted.
- Site specific provisions in Schedules 2 and 3: Site specific requirements are being removed from Development Plan Overlay Schedules 2 (Low Density Residential Zone) and 3 (Rural Living Zone) as these provisions have now either been met or are redundant, allowing proposed revised generic schedules to be applied and used.
- Schedules 4 and 5: Development Plan Overlay Schedules 4 and 5 are being deleted as these sites are now developed, making the schedules no longer relevant or required to be included in the planning scheme.

Policy and Legislative Implications

A planning scheme amendment is required to be formally exhibited under Section 19 of the *Planning and Environment Act* 1987, with notification being given to potentially affected agencies, groups and landowners.

A Council resolution is required to seek authorisation from the Minister for Planning for Council to formally prepare the amendment, and when authorised, to exhibit the amendment. Exhibition would take place for a minimum statutory period of one month, with advertising to potentially affected agencies, groups and landowners. Once exhibition has taken place, the proposal will then be reported to Council for:

- Consideration of any submissions;
- Referral of any submissions that cannot be resolved to an independent panel for consideration;
- Council resolution to adopt, with or without changes, or abandon the amendment.

Council Plan

The proposed amendment complies with and implements the *Mansfield Shire Council – Council Plan 2017-2021*, in particular the following strategic directions:

- Strategic Direction 2, Financial sustainability. The amendment directly implements:
 - Strategic Objective 2.6; *Our population continues to steadily grow, supported by the provision of sustainable community infrastructure and services.*
- Strategic Direction 4, Enhanced liveability. The amendment directly implements:
 - Strategic Objective 4.2; *We have strong policy and decision making frameworks in place to protect and enhance the unique character of our Shire for future generations.*

Financial

This review has been undertaken internally using limited officer and contractor time. No additional expenditure for the project is required, other than a minor amendment fee to the Minister for Planning at the final stage of the amendment for any request to approve an adopted amendment. These fees are part of the operational budget for strategic planning.



13.2.4 Amendment C50, Development Plan Overlay Review, Authorisation of Amendment – Cont...

The following fees are payable to the Department of Environment, Land, Water and Planning for amendments:

Action	Fee
Request for authorisation to prepare and exhibit an amendment	\$3,096.20
Adoption of an amendment	\$488.50
Approval of an amendment	\$488.50
TOTAL	\$4,073.20

There is no financial risk associated with this proposed amendment beyond these fees. The amendment will provide economic benefits for the municipality, through reduced Council expenditure, time and resources and streamlined approval processes for landowners and applicants.

Social

The amendment is expected to have positive social benefits for landowners and Mansfield Shire generally. Positive social effects and benefits will accrue from the amendment through the removal of the Development Plan Overlay when it is no longer required, enhanced residential and rural living development options, and provision of greater clarity on assessments and considerations that are to be made in the preparation of development plans.

Environmental

The amendment has fully considered environmental effects. The amendment will have no significant effect on the environment or on the use or development envisaged in the amendment. The amendment proposes revision to Development Plan Overlay schedules to provide enhanced clarity and requirement for a range of environmental issues to be considered and environmentally significant land to be protected in the preparation of development plans.

Economic

The amendment is expected to have positive economic benefits for landowners and Mansfield Shire generally. Positive economic effects and benefits will accrue from the amendment through increased economic activity and residential development within Mansfield and nearby established townships and settlements.

Risk Management

There are no inherent risks to council associated with this report.

Community Engagement

Notification of exhibition of the amendment will be given to potentially affected agencies, groups and landowners under Section 19 of the *Planning and Environment Act 1987*.

Key Issues/Officer Comments

The Development Plan Overlay is very useful to guide future use, development, subdivision and servicing, particularly on larger parcels of land in multiple ownership where a high level of coordination is required and when there may be access and servicing difficulties. Despite these advantages, the Development Plan Overlay was over applied in the previous Delatite Planning Scheme (1999) to smaller sites and excessive areas where a future development plan is not required. This situation has led to an overly complicated

13.2.4 Amendment C50, Development Plan Overlay Review, Authorisation of Amendment – Cont...

approvals process, development delays, onerous requirements for applicants and an inability for Council officers to prepare plans due to lack of resources.

The *Mansfield Planning Scheme Development Plan Overlay Review*, May 2021 was prepared to address and rationalise the use of the Development Plan Overlay to guide future proposals; finding that the overlay is not required on many existing sites and that the overlay schedules should be simplified and in two cases, removed. It is proposed that Council should now adopt the review as its strategic position for the application and use of the Development Plan Overlay in Mansfield Shire and resolve to implement the review through Amendment C50.

It is considered that Amendment C50 will have positive environmental, social and economic effects for landowners, applicants, the general community and Council. Therefore it is recommended for Council to now proceed with the authorisation and exhibition stages of the amendment.

Attachments

Proposed Amendment C50 documents:

1. *Mansfield Planning Scheme Development Plan Overlay Review*, May 2021
2. C50 Explanatory Report
3. C50 instruction sheet
4. Proposed C50 DPO map changes
5. Proposed amended DPO Schedule 1
6. Proposed amended DPO Schedule 2
7. Proposed amended DPO Schedule 3

Recommendation:

THAT COUNCIL:

1. **Adopt the *Mansfield Planning Scheme Development Plan Overlay Review*, May 2021 as its strategic position for the application and use of the Development Plan Overlay in Mansfield Shire, resolving to implement the review through Amendment C50 to the Mansfield Planning Scheme.**
2. **Request under Section 8A (2) and (3) of the *Planning and Environment Act 1987* that the Minister for Planning authorises Mansfield Shire Council to prepare Amendment C50 to the Mansfield Planning Scheme.**
3. **Notify the Minister for Planning that when it exhibits Amendment C50, Mansfield Shire Council intends to give full notification of the amendment under Section 19 of the *Planning and Environment Act 1987* for a minimum statutory exhibition period of one month.**
4. **When authorised by the Minister for Planning, exhibit Amendment C50 to the Mansfield Planning Scheme under Section 19 of the *Planning and Environment Act 1987*.**

**13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.****13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village**

File Number: DA5071/6 – P009/21
Responsible Officer: Melissa Crane, Manager Planning and Environment

Application Details	
Applicant	Lily Kennedy
Proposal	Development of the land for Retirement Village
Application lodged	04 February 2021
Notice and Submissions	Pursuant to Clause 43.04-3, as an approved development plan exists for the subject land, the application is exempt from notice requirements of section 52(1) (a), (b) and (d) of the Planning and Environment Act.
Property Details	
Property Address	13-21 Kidston Parade Mansfield
Legal Description	Lot 1, 2, 3 and 4 on Plan of Subdivision 610748P
Land Area	15.298 ha
Existing Use	Retirement Village
Planning Provisions	
Zone	Clause 32.03 Low Density Residential Zone (LDRZ) Clause 32.08 General Residential Zone – Schedule 1 (GRZ1)
Overlays	Clause 43.04 Development Plan Overlay – Schedule 2 (DPO2)
Planning Policy Framework	Clause 11.01-1S Settlement Clause 11.02-1S Supply of urban land Clause 11.02-2S Structure Planning Clause 13.02-1S Bushfire Planning Clause 15.01-1S Urban design Clause 15.01-4S Healthy neighborhoods Clause 15.03-2S Aboriginal cultural heritage Clause 16.01-1S Housing supply Clause 16.01-2S housing affordability
Local Planning Policy Framework	Clause 21.03-1 Settlement pattern and growth Clause 21.06-3 Bushfire Clause 21.09 Mansfield Township
Particular Provisions	Clause 52.06 Car parking
General Provisions	Clause 65.01 Approval of an application or plan.
Restrictive covenants / s173 Agreements	AGREEMENT Section 173 Planning and Environment Act 1987 AG303166C 20/01/2009
Permit Triggers	Clause 32.03 Building and works associated with section 2 use (retirement village). Clause 32.08 Building and works associated with section 2 use (retirement village).
DWMP Risk Rating (if relevant)	Low
Site Inspection	No. A meeting with the applicant was held in the office of Beolite Village on 26 March 2021, but the site was not inspected.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Disclosure of Conflicts of Interest

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

Introduction

The planning permit application for 13-21 Kidston Parade Mansfield for development of retirement village is being heard by Council as the value of works is over \$1,000,000. The recommendation for this application is to grant a permit, subject to a range of conditions.

Background

The subject land is made up of four parcels of land, known as 13-21 Kidston Parade Mansfield. Figure 1 shows the existing development on the land, which includes 55 units, community centre, car parking, community garden, water supply and detention dam, landscaping and internal roads. The village is accessible via connection of Goulburn Drive with Kidston Parade. Located in the western side of the Mansfield Township, the subject land is covered by two different planning zones, being General Residential and Low Density Residential, as shown in figure 2. The land surrounding the subject land on all sides varies in lot sizes, zoning, overlays, existing development, etc. as shown in Figure 1 and 2.



Figure 1: Subject site consisting of four allotments. Source: Map info Aerial 2019.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

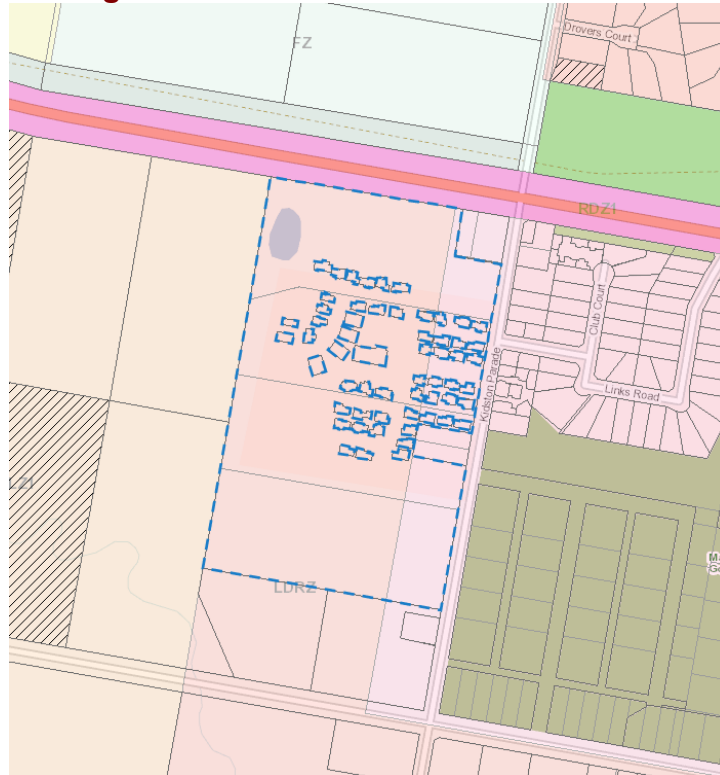


Figure 2: Zoning of subject land surrounding area. Source: Vicplan

Proposal

The original permit P0012/08 allowed for the construction of 117 units, of which 55 were constructed. This application is to complete the development of the remaining 62 units. Each of these units will be one of five different designs. These units will be generally two bedroom dwellings containing open plan kitchen-living-dining, study, double garage, bathrooms, laundry, alfresco, courtyard, etc. These units will be laid out around the internal roads, as shown in the submitted master plan.

A second water supply and detention dam is proposed near the southwest corner of the subject site. The Master Drainage Plan shows the proposed layout of the drainage lines connecting to the detention dam.

The Master Landscape Plan shows the location of proposed screen planting, trees and low landscaping for residential and common areas.

Policy and Legislative Implications

Clause 11.01-1S Settlement

Objective: To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Strategy:

- Deliver networks of high-quality integrated settlements that have a strong identity and sense of place, are prosperous and are sustainable by: Building on strengths and capabilities of each region across Victoria to respond sustainably to population growth and changing environments.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Officer Comment: Beolite Village is a settlement with a strong identity and provides a sense of place to the retired Mansfield resident population residing within. The proposed continuation of the development will further reinforce the existing settlement.

Clause 11.02-1S Supply of urban land

Objective: To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Strategies:

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur.

Officer Comment: Beolite Village is a staged development for which only stage 1 has a development plan. The current proposal is for the completion of the pending stage 1 development. These proposed units will assist in accommodating the projected growth of the retired population.

Clause 11.02-2S Structure Planning

Objective: To facilitate the orderly development of urban areas.

Strategies:

- Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.
- Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.

Officer Comment: The proposal facilitates orderly development by outlining the master plans in terms of dwelling locations, drainage layout and landscaping.

Clause 13.02-1S Bushfire Planning

Objective: To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies:

- Consider the risk of bushfire to people, property and community infrastructure.
- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

Officer Comment: The application was sent to the Country Fire Authority under Section 66.03 of the Planning and Environment Act. The CFA supported the proposal subject to conditions related to hydrants and roads.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Clause 15.01-1S Urban design

Objective: To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategy:

- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure development supports public realm amenity and safe access to walking and cycling environments.
- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use. Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Officer Comment: The proposed completion of Beolite Village will provide quality and inclusive living for retirees. It will complete the internal movement paths (footpaths and roads) providing a walking and cycling network within the village. These paths will connect to the internal open spaces and community centre. The proposed landscaping will provide screening and aesthetic amenity.

Clause 15.01-4S Healthy neighbourhoods

Objective: To achieve neighbourhoods that foster healthy and active living and community wellbeing.

Strategies:

- Design neighbourhoods that foster community interaction and make it easy for people of all ages and abilities to live healthy lifestyles and engage in regular physical activity by providing:
 - Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.
 - Streets with direct, safe and convenient access to destinations.
 - Conveniently located public spaces for active recreation and leisure.

Officer Comment: As addressed in the previous clause, the proposal will complete the walking and cycling networks of stage 1 and will also connect to the existing open spaces and community centre within the village. It will foster community interaction and healthy lifestyles.

Clause 15.03-2S Aboriginal cultural heritage

Objective: To ensure the protection and conservation of places of Aboriginal cultural heritage significance.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Strategy: Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme. Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places. Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006.

Officer Comment: The property is in an area of sensitivity, and the proposal triggers the requirement for a Cultural Heritage Management Plan to be done. A CHMP was completed in 2008 for the development site and addresses this provision.

Clause 16.01-1S Housing supply

Objective: To facilitate well-located, integrated and diverse housing that meets community needs.

Strategy: Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people... Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas. Identify opportunities for increased residential densities to help consolidate urban areas. Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types. Encourage the development of well-designed housing that: Provides a high level of internal and external amenity. Incorporates universal design and adaptable internal dwelling design.

Officer Comment: The proposal provides housing for older people in an established and under-utilised urban area. It facilitates diverse and well-designed housing that provides high level amenity and incorporates universal design.

Clause 16.01-2S Housing affordability

Objective: To deliver more affordable housing closer to jobs, transport and services.

Strategy: Improve housing affordability by: Ensuring land supply continues to be sufficient to meet demand. Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities. Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community. Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.

Officer Comment: The proposal will provide affordable housing for the retired population by providing desirable housing diversity, environmental and urban design outcomes.

Local Planning Policy Framework (LPPF)

Clause 21.03-1 Settlement pattern and growth

Objective: To coordinate and manage the growth of Mansfield Township as focus of the majority of development.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Strategies:

- Ensure there is a sufficient land supply to support residential growth.

Officer comment: The proposal utilizes the available land designated for development of Beolite Village. Beolite Village lies within and adjoins the western boundary of the township and is identified within the Mansfield Framework Plan, Settlement and Housing Plan, and Open Space and Recreation Plan.

Clause 21.06-3 Bushfire

Objective:

- To ensure that strategic and settlement planning decisions prioritise the protection of human life, over other policy considerations.
- To ensure that in areas outside of the Bushfire Management Overlay bushfire protection measures are considered for development which may be occupied by potentially vulnerable people.

Strategy: Potentially vulnerable development outside of the Bushfire Management Overlay must: Consider the bushfire risk at a local level. Incorporate passive risk mitigation measures, including the siting, landscaping and layout of new development to enhance resilience.

Officer comment: The application was sent to the Country Fire Authority under Section 66.03 of the Planning and Environment Act. The CFA supported the proposal subject to conditions related to hydrants and roads.

Clause 21.09 Mansfield Township

Objective: To provide an adequate land supply to meet current and future housing needs. To maintain housing affordability and increase the range of housing choices.

Strategy:

- Contain and intensify residential development within existing residentially zoned land.
- Support smaller housing options and retirement and aged care accommodation within proximity to existing social and physical infrastructure close to the town centre.

Officer comment: The proposal utilizes the designated land supply for Beolite Village to complete its Stage 1 development. It will continue providing smaller housing options for retirement accommodation within Township boundaries.

Zoning

Clause 32.03 Low Density Residential Zone

Purpose:

- To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

The land is already being used for a Retirement Village which is a Section 2, Permit required, use in the zone. Currently, a permit is triggered for building and works associated with a use in Section 2 of Clause 32.03-1.



13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Officer Comment:

The application has been assessed against the relevant decision guidelines of the zone as follows:

Decision Guideline	Officer Response	Complies?
General		
The Municipal Planning Strategy and the Planning Policy Framework	Refer above, discussed in the PPF section	✓ Yes

Clause 32.08 General Residential Zone – Schedule 1

Purpose:

- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

The land is already being used for a Retirement Village which is a Section 2, Permit required, use in the zone. Currently, a permit is triggered for building and works associated with a use in Section 2 of Clause 32.08-2.

Officer Comment:

The application has been assessed against the relevant decision guidelines of the zone as follows:

Decision Guideline	Officer Response	Complies?
The Municipal Planning Strategy and the Planning Policy Framework	Refer above, discussed in the PPF section	✓ Yes
The purpose of this zone.	The proposal provides diverse housing to accommodate retired population growth on a land designated for retirement village within Township boundaries.	✓ Yes
The objectives set out in a schedule to this zone.	The schedule contains no specific objectives	Not applicable
Any other decision guidelines specified in a schedule to this zone.	The schedule contains no other decision guidelines.	Not applicable
The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.	All the proposed units are single story dwelling whose location does not impact any dwellings on the adjoining neighbouring lots.	✓ Yes
Whether the use or development is compatible with residential use.	The proposed development provides residential purpose for the retired population of Municipality.	✓ Yes
Whether the use generally serves local community needs.	The propose development will provide for additional housing options for older residents in and around Mansfield, for which there has been a demonstrated need.	✓ Yes
The scale and intensity of the use and development.	The scale and intensity of the development is appropriate for its purpose.	✓ Yes
The design, height, setback and appearance of the proposed buildings and works.	The design, height setback and appearance of the proposed buildings and works are considered satisfactory for the retirement village.	✓ Yes



Decision Guideline	Officer Response	Complies?
The proposed landscaping.	The proposed landscaping is considered satisfactory for the retirement village.	✓ Yes
The provision of car and bicycle parking and associated accessways.	All the units will be provided with a double garage space.	✓ Yes
Any proposed loading and refuse collection facilities.	Loading and refuse collection facilities were provided in the first stage of the development, and will be able to service the remaining stages of this development.	✓ Yes
The safety, efficiency and amenity effects of traffic to be generated by the proposal.	Most of the development is serviced by internal roads not managed by Council. The intersection of the development with Kidston Parade is sufficient to accommodate any additional traffic.	✓ Yes

Clause 43.04 Development Plan Overlay – Schedule 2

Purpose:

- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Officer response: An approved development plan exists for the subject land and the proposal complies with the objectives and provisions of this plan.

Council Plan

The author of this report considers that the report is consistent with Council policies, key strategic documents and the Council Plan.

Financial

There are no financial implications to Council as a result of this report.

Social

There are no negative social implications from the proposed completion of Stage 1 of the retirement village or as a result of this application.

Environmental

The application has been considered against the relevant provisions of the *Planning and Environment Act 1987* and will have no negative impacts on the environment.

Economic

The proposal put forward by a Not for Profit NGO, is for a retirement village that will provide housing to the retired population of the Municipality.

Risk Management

The author of this report considers that there are no significant Risk Management factors relating to the report or the recommendation.

Community Engagement

Pursuant to Clause 43.04-3, as an approved development plan exists for the subject land, the application is exempt from notice requirements of section 52(1) (a), (b) and (d) of the Planning and Environment Act.



13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Attachments

Nil

Recommendation:

THAT COUNCIL having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, decides to grant a permit under the provisions of the Mansfield Planning Scheme in respect of the land known as Lot 1, 2, 3 and 4 on Plan of Subdivision 610748P, 13-21 Kidston Parade Mansfield for development of the land for Retirement Village, in accordance with the endorsed plans and subject to the following conditions:

1. The layout of the site and the size and type of the proposed buildings and works, including the materials of construction, as shown on the endorsed plan shall not be altered or modified without the consent in writing of the Responsible Authority.
2. The development must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.
3. The external materials of the building(s), including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used. For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

Notification of permit conditions

4. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Site Environmental Management Plan

5. Before the commencement of works for any stage, a Site Environmental Management Plan for that stage must be approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be developed in accordance with EPA Victoria Publication 960 Doing it right on subdivisions: Temporary environmental protection measures for subdivision construction sites.

Native Vegetation

6. No native vegetation is to be removed, lopped or damaged without consent from the responsible authority.

13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Completion of Landscaping

- 7. The landscaping as shown on the endorsed plans must be undertaken on a phase by phase basis. Commencing at phase 1 and ending at phase 11. Landscaping for each phase must be carried out and completed to the satisfaction of the Responsible Authority, 18 months from the commencement of construction of each phase**

Landscaping Maintenance

- 8. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.**

Roads

- 9. The internal roads to be provided with sufficient width to allow parking for individual retirement dwellings to be located on either side of the roads.**
- 10. Line marking, signage, street furniture and services must comply with Australian standards or similar.**

Footpath

- 11. Walking/bicycle paths shall be constructed within the development on a phase by phase basis commencing at phase 1 and ending at phase 11 in accordance with the endorsed plans. All walking/bicycle paths for each phase must be completed prior to occupancy of that particular phase.**
- 12. A concrete footpath must be constructed along Kidston Parade extending from the southern-most extent of Kidston Parade fronted by Beolite Village to the northern most extent of Kidston Parade fronted by Beolite Village, to the satisfaction of the Responsible Authority.**

Drainage

- 13. Interrupted overland flow from this development must not be allowed to impact on the adjacent lots.**
- 14. No effluent or polluted water of any type may be allowed to enter the Council's stormwater drainage system.**
- 15. Before the approval of construction plans for drainage, the applicant must provide a Water Sensitive Urban Design Response (WSUD) to the satisfaction of the Responsible Authority.**
- 16. Before the development hereby permitted starts, engineering plans showing a properly prepared design (with computations) for the internal drainage and method of disposal of stormwater from all roofed and sealed areas, including the use of an on-site detention and treatment system, must be submitted to Council for approval. These internal drainage works must be completed to Council's satisfaction prior to using or occupying any building on the site.**



13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

Sediment Control

17. Before the use and/or development starts, a sediment fence shall be erected to ensure that sediment is contained within the subject site. The sediment fence shall be maintained in good condition until the completion of the construction works on the site.

Goulburn Valley Water

18. Prior to the commencement of use, the permit holder must arrange the following:

- a. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;**
- b. Provision of a second reticulated water supply and associated construction works at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;**
- c. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;**
- d. Connection of all sanitary fixtures within the development to reticulated sewerage, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.**
- e. All works required are to be carried out in accordance with AS 3500.2 - 'Sanitary plumbing and drainage', and to the satisfaction of the Corporation's Property Services Section;**
- f. Payment of any outstanding contributions towards existing sewerage scheme, such amount being determined by the Corporation at the time of payment;**
- g. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of the water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;**

Country Fire Authority

19. Prior to the commencement of use the following requirements must be met to the satisfaction of the CFA:

- a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries**
- b. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.**
- c. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.**



13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

- i. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- ii. Curves must have a minimum inner radius of 10 metres.
- iii. Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- iv. Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Ausnet Electricity Pty Ltd

20. The applicant must –

- a) Enter in an agreement with Ausnet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
- b) Enter into an agreement with Ausnet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
- c) Enter into an agreement with Ausnet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by Ausnet Electricity Services Pty Ltd.
- d) Provide easements satisfactory Ausnet Electricity Service Pty Ltd for the purpose of “Power Line” in the favour of “Ausnet Electricity Services Pty Ltd” pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing Ausnet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- e) Obtain for the use of Ausnet Electricity Services Pty Ltd any other easement required to service the lots.
- f) Adjust the position of any existing Ausnet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.
- g) Set aside on the plan of subdivision Reserves for the use of Ausnet Electricity Services Pty Ltd for electric substations.
- h) Provide survey plans for any electric substations required by Ausnet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. Ausnet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
- i) Provide to Ausnet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.



13.2.5 P009/21 – 13-21 Kidston Parade Mansfield, Development of the land for Retirement Village – Cont...

- j) Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by Ausnet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
- k) Ensure that all necessary auditing is completed to the satisfaction of Ausnet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

Permit Expiry

21. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two years of the date of issue of this permit.
- b) The development is not completed within fifteen years of the date of issue of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with the [Planning and Environment Act 1987](#).

Notes:

- CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.6 Mansfield Resource Recovery Centre Master Plan

File Number: CM2021.036

Responsible Officer: Melissa Crane, Manager Planning and Environment

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*.

Introduction

This report updates Council on initial assessments undertaken as part of developing a Master Plan for Council's Resource Recovery Centre Master Plan.

Further, this report seeks Council endorsement to continue to work on Council's current site at 163 Monkey Gully Road based on this initial assessment and knowledge of the relative benefits and costs.

Background

To achieve one of the key goals in Council's Waste Management Strategy, and assist with reducing residual waste sent from the MRRC to landfill by 95%, the need for a Master Plan for the MRRC was identified. The Master Plan will support the long term planning for increased resource recovery within the municipality, as envisaged by the strategy.

The current structure of the MRRC does not meet the requirements of *Sustainability Victoria's Better Practice Guidelines* for Resource Recovery Centres, including failing to provide options for customers to segregate and sort materials into prospective waste streams. Furthermore, the current site design does not allow for changes required to meet local and state-wide waste strategy objectives and needs to be reconfigured.

In April 2021, Council engaged specialist consultants *Tonkin and Taylor* to develop a comprehensive Master Plan to provide direction for the future site development of the MRRC and ensure Council is better placed to meet local and state-wide policy requirements and legislation.

The project scope includes providing an assessment of future needs, modifications required to the current site, and potential options to manage the future development and expansion of Resource Recovery services to meet Council and State government strategic objectives.

As the future use and development of this site is a key strategic decision for Council, it was determined that a broad assessment of the options for the MRRC was required. As such, the initial stage of the Master Plan development included exploring the following options:

1. The redevelopment of the existing 163 Monkey Gully Road site, including an Operational Assessment Report, conceptual layout and high level cost estimates for use in guiding future development.

13.2.6 Mansfield Resource Recovery Centre Master Plan – Cont...

- An assessment of a potential new Resource Recovery Centre site at 141 Lakins Road co-located with Council’s Field Services Depot, as an alternative to the existing site.

This work included:

- Development of conceptual layouts for both sites
- Assessment of both sites against Sustainability Victoria’s Guide to Better Practice at Resource Recovery Centres and other constraints identified by Council
- Conduct analysis of traffic flow and mitigation controls for both sites
- Prepare high-level cost estimates for development of either site
- Provide summary of findings and recommendations as part of the Operational Assessment Report

This report is attached, and the considerations are summarised as follows:

Criteria	Existing Site Monkey Gully Road	New Site Lakins Road	Comment
Cost	Existing infrastructure would be used, but there are expected costs with road works that will be required to make the site operate safely and more efficiently. Not on reticulated water or sewer.	Greenfield site, which will require full construction of site, but will be able to use existing infrastructure on site, including power and sewer.	Both sites need work on road access, and the existing site has the capacity to be completely off the grid for the ongoing running. Some work will be required to ensure that the off grid option does provide for an uninterrupted power supply. A further assessment of costs is undertaken below in the Financial section of this report.
Community Acceptance	Community already accept the site in its location, with no complaints registered. Closest residential zone is 700m from the site.	May receive objections from the general public, with consideration of nearby residential uses, however it will be closer to residentially zoned areas for accessibility. Closest residential zone is 280m from the site.	While the existing site gains access through residential areas, the new site would have residential development more than 400m closer than the existing site.
Compliance with best practice	Adequate space at the site, and retrofitting of the existing infrastructure could be more difficult.	Adequate space at the site. Smaller separation distances from residential areas. May limit ability to undertake composting on site due to distance to residential properties.	While separation issues can be minimised through micro siting, they will not be able to completely removed from the consideration which could undermine future management of organics. However, greenfield development versus retrofitting often has better outcomes from a compliance perspective.



Synergies/ consolidation	Using the site adjacent to the existing landfill allows for coordinated management, and could look to share materials or equipment with the adjacent quarry	Can improve operational efficiencies with both staff and consolidation of site. Council will still have obligations on remediation of existing site.	The new site will allow for operational efficiencies, particularly from a staffing perspective, but this does not remove council's management requirements of the closed landfill adjacent the existing MRRC.
Development challenges	No additional approvals required. More room for expansion on site. Already a brownfield site, which will need to be managed regardless of whether the MRRC is on it or not.	May have challenging approval pathways.	There is more land available at the existing site, and the existing use minimises any requirements for additional approvals. In addition, relocation will still retain obligations for remediation and management on the existing site.
Council land use and planning objectives	Continuing to use a site that has ongoing obligations for Council is a practical outcome. There is an opportunity to consider divesting excess land surplus to requirements upon completion of the Master Plan.	Provides for consolidation of sites, but may influence future land development options.	Relocating the site will not reduce council's responsibility for the existing site.
Environmental impacts	The proximity to waterways is of concern. Work are required on site to mitigate environmental impacts.	While access and topography lend themselves to a good outcome, the use of this site will create a new site that will have ongoing environmental management obligations for Council.	Measures will need to be implemented to address environmental impacts on the current site regardless of whether the MRRC stays or relocates. Requires ongoing environmental management of an additional site.
Future expansion	The site has enough space to accommodate expansion and little chance of development encroachment	The site has enough space to accommodate expansion, but does have smaller separation distances	Less ongoing risk to buffers around the site in the existing location.

Policy and Legislative Implications

The development of the Master Plan is recognised in Council's Waste Management Strategy during Year 1 (2021) as a High Priority action with funding allocated within the 2020-21 budget to complete the project.

The implementation of the Plan is scheduled for Years 2 - 5 (2022 – 2025). The implementation is also recognised as being a High Priority action in the Strategy.

	ACTIONS	PRIORITY	RESOURCING	TIMEFRAME
3.1	Develop the Master Plan for the Mansfield RRC	High	Funding required	Year 1 – 2
3.2	Implement the Master Plan for the Mansfield RRC	High	Funding required	Year 2-5
3.3	Plan for food services and waste services (FOOS)	High	Funding required	Year 1

13.2.6 Mansfield Resource Recovery Centre Master Plan – Cont...

Council Plan

The development of the Master Plan is in accordance with Strategic Objective 4.4 of the Council Plan which states:

- We have strong policy and decision making frameworks in place to protect and enhance the unique character of our Shire for future generations.
 - Review and progressively implement the Mansfield Shire Waste Management Strategy.

This project implements actions within the Waste Management Strategy.

Financial

Provision for the development of the Master Plan is included within Council's 2020-21 adopted budget with an allocation of \$30,000. Council has engaged Tonkin and Taylor to develop the Master Plan at a cost of \$31,400 excluding GST.

The future implementation of the Plan will be considered as part of Council's annual budgetary process, and opportunities for grant funding will be sought.

High level cost estimates for the implementation of the Plan have been prepared, as per the attached Operational Assessment Report. This estimates the cost of the two options considered as follows:

Proposed works	Monkey Gully Road		Lakins Road	
	Report Recommendation	Est. Costing	Report Recommendation	Est. Costing
Recyclables Drop off	To be constructed	\$300,000	To be constructed	\$300,000
Resale shop	To be constructed	\$136,000	To be constructed	\$136,000
Gatehouse	Relocate existing	\$2,500	To be constructed	\$20,000
Green waste	Utilise existing waste drop pit	\$0	To be constructed	\$180,000
E Waste	Relocate	\$76,000	To be constructed, reuse of existing shed to be considered	\$86,000
Hazardous	To be constructed	\$66,000	To be constructed	\$66,000
Waste Shed	To be constructed	\$300,000	To be constructed	\$300,000
Roadworks	To be upgraded	\$259,600	To be constructed	\$280,000
Site Other		\$424,500		\$402,525
Design and Preliminaries		\$441,150		\$492,631
Contingencies		\$601,725		\$678,947
Total		\$2,610,000		\$2,900,000

Further to this cost comparison for the two sites, Council officers have done an initial assessment of the concept plans used to determine the cost differential, and have identified some areas that may result in potential cost reductions; in particular the use of the existing E-waste Shed on the Monkey Gully Road site for both E-waste and a Resale Shop. If feasible, this would avoid the need to relocate this building.

13.2.6 Mansfield Resource Recovery Centre Master Plan – Cont...

These areas will be explored further as part of the final Master Plan, with further investigation of the potential cost reductions and the implications and/or opportunities they present, once Council has confirmed the preferred site.

In summary, the additional cost to build a new Mansfield Resource Recovery Centre adjacent to the depot at 141 Lakins Road, Mansfield is estimated to be in the order of \$290,000 more than upgrading the existing Monkey Gully Road site, with the potential for larger cost differential if the existing E-waste shed is used for both E-Waste and Resale of re-usable waste items.

Social

The provision of effective and efficient waste services is important for the broader community, and the development of the Master Plan will provide direction on improved outcomes for the Resource Recovery Centre and its ability to service the municipality into the future.

Environmental

The Master Plan will be developed with due consideration of best practice principles, and will recommend works to provide an improved environmental outcome for the site in terms of operational practices, environmental management and diversion of waste from landfill.

Economic

Resource Recovery works on a cost recovery model for service, with fees charged to both residential and commercial users to cover the costs to Council of managing the resources in an appropriate manner.

The completion of the Master Plan will better position Council to attract future grant funding for upgrade of the MRRC as opportunities arise.

Risk Management

There are no inherent risks associated with this report. Risks and opportunities of both sites were given due consideration in the report and the recommended site selection.

Community Engagement

No community engagement has been undertaken in the options analysis for the Master Plan, nor proposed for the development of the Master Plan itself. Extensive community consultation was undertaken as part of the *Mansfield Shire Waste Management Strategy 2020-2025*, adopted by Council in 2020.

Should Council decide to relocate the MRCC site from Monkey Gully Road, community engagement would be required over the alternative site.

Key Issues

It is acknowledged that both sites have advantages and disadvantages. Selecting a site to develop depends on how different aspects of the assessment of each site are weighted.

For the existing RRC, it is considered that it will be easier to manage potential development encroachment and environmental risks in an appropriate way. While a new site will provide an opportunity for operational synergies, it will not reduce Council's ongoing obligations on the existing site in terms of environmental management and



13.2.6 Mansfield Resource Recovery Centre Master Plan – Cont...

rehabilitation. The resultant outcome of a new site will result in Council having ongoing obligations for environmental management and potential rehabilitation of two sites instead of one, and having reviewed the risks and opportunities offered by the two sites, in addition to the cost differential, this is not considered to be a favourable outcome.

It is therefore recommended that development of the Master Plan for the Mansfield Resource Recovery Centre should continue based on the 163 Monkey Gully Road site, based on this initial assessment and knowledge of the relative benefits and costs.

The completion of the Master Plan will allow for the opportunity for divestment of land that is surplus to requirements at the Monkey Gully Road site, and further information will be provided to Council in this regard in a future report.

Attachments

- 1 Mansfield Resource Recovery Centre – Operational Assessment Report

Recommendation:

THAT COUNCIL:

Proceed to complete the preparation of a Master Plan based on the existing Resource Recovery Centre site at 163 Monkey Gully Road, Mansfield.

13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.7 Destination Charging Across Victoria Program (DCAV) Electric Vehicle Fast-Charging Stations

File Number: E6357

Responsible Officer: Melissa Crane - Manager Planning & Environment

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*.

Introduction

This paper is prepared seeking Council's consideration of a financial co-contribution and submission of a joint grant funding application for Electric Vehicle Fast Charger installation from the State Government *Destination Charging Across Victoria Program* (DCAV).

Applications close on 23 July 2021. Funding agreement projects must commence November 2021 and be completed by 2023.

The State Government program is a consequence of the tabled Central Victorian Greenhouse Alliance (CVGA) *Charging the Regions* feasibility report which identified gaps in the charging network.

Mansfield Shire is represented on this alliance by Council's Environment Officer, and the Mansfield township has been identified as a priority under the *Charging the Regions* network study. The Goulburn Murray Climate Alliance (GMCA) joined with the CVGA in this project, and is seeking a commitment from the 10 Councils involved to contribute to the installation of 10 charging stations across the region.

Background

Local governments can play a niche role in supporting public charging for electric vehicles (EV), particularly in regional and rural areas where top up and destination charging is important. A number of councils across the state are pursuing or encouraging the installation of EV charging points in their communities.

Mansfield Shire has an affiliation with the authors of the feasibility study; Central Victorian Greenhouse Alliance, and with the Goulburn Murray Climate Alliance. The GMCA and CVGA initiated the *Charging the Regions* project – to plan a comprehensive charging station network for EVs in regional Victoria.

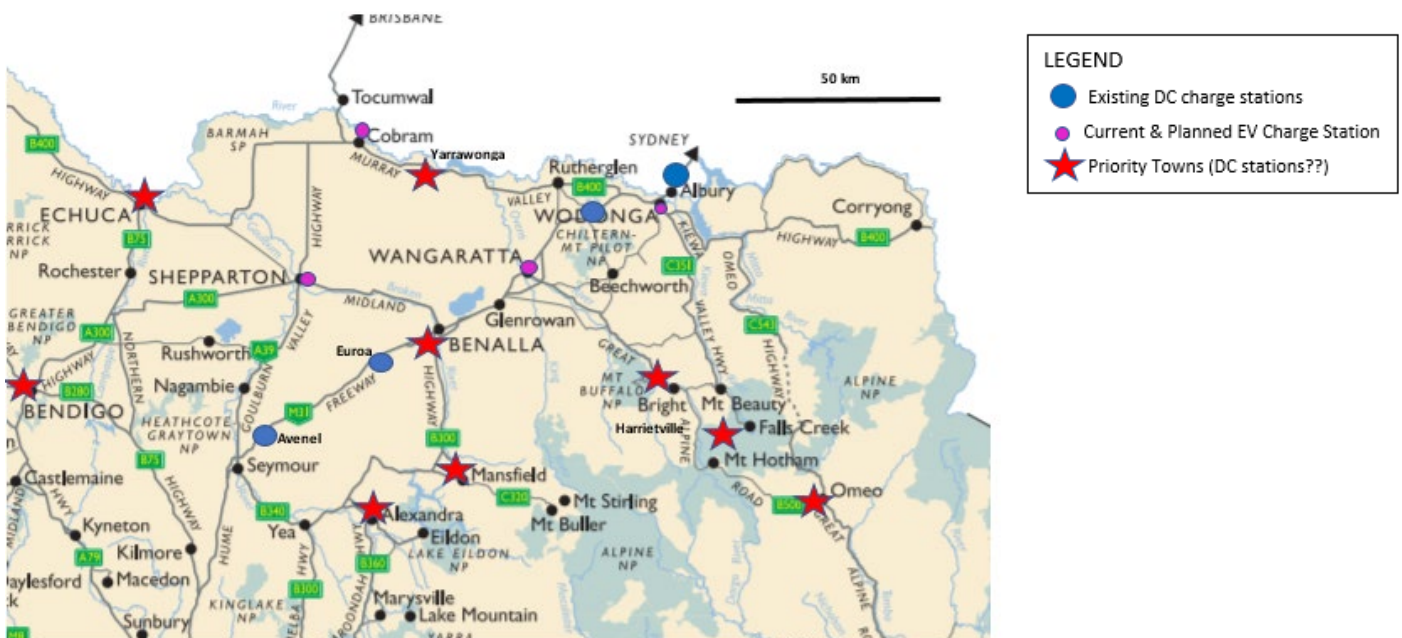
13.2.7 Destination Charging Across Victoria Program (DCAV) Electric Vehicle Fast-Charging Stations – Cont...

The GMCA has identified several key reasons to promote EV charging stations in the region:

Objectives	Considerations
Provide for regional travel as EV users increase (attract from the freeway to regional destinations)	User preference - to attract user to site Key tourist routes Place near business areas
Demonstrate feasibility of EVs locally and make them more visible	Visible site and signed, tourist information on site Associated local community information
Economic development opportunities; future looking and presenting a modern facility, linked with new development	May be attractive to large tourism developments or large public redevelopments Overnight chargers suitable for accommodation sites
Council leadership Town planning opportunity: Large private developments	Large council developments as above Large private developments

As a result of this project the Mansfield Township has been identified as a priority town for an EV fast charger (as shown on the map below).

GMCA's, *Charging the Regions* project has suggested the recommended location within the Hume region for EV stations (to allow 50km spacing) and taking account of main roads and tourist routes.



EV users determine their travel routes based on the match of charging type to their visitor trip. An attractive network uses a mix of DC fast chargers and AC slower chargers in a fit-for purpose network:

- Day visitors will seek out DC fast charging to tour round the area in a day. Users ‘top-up’ charge for the next 100km of travel in about 40-60 minutes while they lunch and shop.

13.2.7 Destination Charging Across Victoria Program (DCAV) Electric Vehicle Fast-Charging Stations – Cont...

- Overnight visitors can use slower AC chargers at their accommodation, taking more than 3 hours for a 100km charge.
- Visitors to key day-visit attractions, for example regional museums and art galleries, may be OK with slower AC chargers at these sites. This can be checked by stay time data.

Regions with a dense network of fast chargers will be more attractive, as people decide how to maximise tourism time and flexibility and not have it used up by hours of charging. Conventional EV (non-Tesla) charging coverage in the regions is poor. Ideally each municipality would have one or more fast chargers in a regional network.

As part of the *Charging the Regions* project and more broadly with respect to EVs, Mansfield Shire Council has committed to:

- Attending GMCA workshops on EV charging;
- Attending meetings with Renewable Energy Mansfield (REM);
- Forwarding funding and grant information to interested parties; and
- Advocate for further State and Federal funding for EV charging stations in regional areas.

Canvassed over a number of years by various community groups, EV installation would contribute towards the reduction of greenhouse gas emissions, and deliver social and economic benefits to communities and businesses.

Policy and Legislative Implications

The *Mansfield Environment Strategy 2019-23* contains the following actions:

- Council will continue to:
 - Participate in regional projects such as those coordinated by Goulburn Broken Greenhouse Alliance.
- Council will:
 - Advocate for investment in public infrastructure that facilitates a future low carbon economy, such as electric vehicle charging stations, bicycle and walking paths and provision for better public transport.
- Council will:
 - Support community led renewable energy and efficiency programs for greater energy independence.

The *Mansfield Economic Development Strategy 2020-25* contains the following actions:

- Mansfield Shire will continue to undertake the following activities:
 - The provision of infrastructure both 'hard' and 'soft' both directly and indirectly through partnerships or by advocating for others to provide this infrastructure;
- An action in the strategy is to:
 - Advocate, support and deliver key infrastructure projects that will facilitate economic growth.

From a State Government perspective, the Victorian Government has committed to legislating a long-term target for Victoria of net zero greenhouse gas emissions by 2050.

13.2.7 Destination Charging Across Victoria Program (DCAV) Electric Vehicle Fast-Charging Stations – Cont...

The Local Government Act 2020 amends the previous 1989 Act in numerous ways including strengthening considerations of climate change risk in Council decision-making processes.

Council Plan

The 2017-2021 Council Plan acknowledges there are impacts and opportunities presented by climate change and that the Shire will work to build capacity to assist the community to respond.

This proposal aligns with Strategic Objective 4.2; Collaboration with our communities, other Councils and agencies to benefit from collaborative actions on Climate Change.

Financial

There are no Council funds currently allocated to EV Charging Stations. In order to apply for a grant to install EV charging stations through the DCAV, a financial co-contribution is required. DCAV applicants must provide details of funding secured, or evidence of a plan to ensure a funding contribution towards the project. No projects will be fully funded under this program.

A financial contribution of \$36,000 and an in-kind contribution of \$12,000 for the civil works will be required for a 50kW unit, based on a 1:1 matching Council contribution for the grant funds. Applicants contributing higher funding contributions (the preferred co-contribution is 50%) or who are ready to implement (e.g. have lease agreements in place/secure land tenure) will be considered more favourably.

The estimated capital and operating costs are included in the tables below:

Capital Costs

COST DETAILS	Purchase & installation	Estimate 50 kW unit	Estimate 25 kW unit	
Purchase	Charge unit	\$40,000	\$20,000	
Installation	Electricity supply upgrade/meter upgrade*	\$28,000	\$18,000	App'n & Works by Powercor or Ausnet Carpark, site works, signs EV station provider
	Civil works** (<i>In kind</i>)	\$12,000	\$12,000	
	Install and commission	\$ 5,000	\$ 5,000	
Management	Technical support/Project management	\$11,000	\$11,000	
TOTAL		\$96,000	\$66,000	

* supply works variable and could be \$10k to \$25k for 50kW charger

** civil works also variable \$8k-\$15k depending on distance to supply and surfaces involved

13.2.7 Destination Charging Across Victoria Program (DCAV) Electric Vehicle Fast-Charging Stations – Cont...

Ongoing/ Operating Costs

ANNUAL	Detail	EXPENDITURE	INCOME
Operational	Scheduled maintenance & software charges paid in advance for 5 years	\$ 4,000	
Electricity	Retail metering & account charges first year **	\$ 3,000	
Electricity	Electricity use ***	Approx. \$2 per visit	
Income	Based on 40 cents per kWh after first year of operation***		Approx. \$8 per visit

** Some sites will be large market sites due to needing 80 amp site, even though power use if small (Powercor area experience). Large market electricity is 11c per kWh, covered by the 40c charge

*** Industry sources suggest a typical charging session will use 20kWh of energy (\$8 income)

The costings have been prepared based on submitting a grant application for a 50kW unit for the Priority Location of Mansfield. Possible locations for the charging station would be either the Visitor Information Centre car park or the Erril St car park, due to their central location and accessibility.

Only capital costs of installation are supported by the program funding. The funding does not include routine or ongoing maintenance works or recurrent operating costs. Annual costs are expected to be recovered through charge rates to users.

Social

It is a condition of funding that multi-user chargers are installed. It is important for community safety that the EV stations are not located on streets, especially with parallel parking. Suggested use is for off street car parks, as these allow both sides of a charger to be used concurrently, and provide plenty of room around the charge point.

It is important that the site has 24-7 lighting and is located within visual and walking distance of shops, playgrounds, local centre, walk and cycle tracks, toilets etc.

This not only enhances a greater sense of social connection and encourages a longer stay, but also delivers an increased safety offering.

Environmental

Establishing an EV network for zero emission vehicles (ZEVs) shows local leadership to the community in the EV transition.

Local governments are in a position to help establish a regional network in their local centres and support local businesses (cafes and shops) while EV owners charge their vehicle.

Public chargers need to be available 24hr, 7 days a week and Mansfield Shire has sites which can deliver the requirements with little environmental impact.

13.2.7 Destination Charging Across Victoria Program (DCAV) Electric Vehicle Fast-Charging Stations – Cont...

Transport is one of the largest contributors to carbon emissions. Making it easier for drivers to consider a ZEV will contribute to a reduction in total carbon emissions and encourage our communities to join this transition.

Economic

Of direct benefit to businesses is that local fast charger installations will not only provide for regional travel as EV users increase, they will support the attraction of visitors from the freeway to our destinations.

Regions with a dense network of fast chargers will be more attractive, as people decide how to maximise tourism time and flexibility and not have it used up by hours of charging.

Risk Management

Construction risk to Council is limited. Access to adequate power and reliable internet connection is accessible in Mansfield. Council will need to arrange an electrical assessment on the selected site(s) and choose charger types and quantity first, then submit an application with AusNet to determine network requirements and costs.

Regular inspection programs can help to identify issues such as malfunction, theft and vandalism, and decrease the chances of injuries, claims and litigation, inspections would need to be incorporated into Council's maintenance schedules for public assets.

Community Engagement

Renewable Energy Mansfield (REM) have presented to Council on the environmental and climate change benefits of implementing EV charging units in the community.

Council has had ongoing consultation with REM, CVGA and GMCA, and Council representatives have actively contributed to workshops and meetings with these parties to advocate for State and Federal Funding for EV charging Stations in regional areas.

Key Issues

It is anticipated that the Goulburn Murray Climate Alliance will help to coordinate the successful regional delivery of EV Stations. GMCA is not an acceptable entity for funding. The regional project roll out will require a lead Council, yet to be selected, to meet funding requirements.

It is recommended that funding be sought for an EV Fast Charging station, in the identified priority town of Mansfield, through the Destination Charging Across Victoria Program, prior to the application closing date of 23 July 2021, and that Council provides a co-contribution of \$36,000 and an in-kind contribution of \$12,000 for civil works as outlined in this report.

Recommendation:

THAT COUNCIL:

- 1. Endorses the submission of a grant application for an Electric Vehicle Charging Station to be installed in Mansfield through the *Destination Charging Across Victoria* Program, prior to the application closing date of 23 July 2021.**
- 2. Approves the allocation of a financial co-contribution of \$36,000 to the project.**

13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.8 Response to Petition: Request for Public Toilets in Merrijig

File Number: E8173
Responsible Officer: General Manager Infrastructure & Planning,
Kirsten Alexander

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*.

Introduction

At the meeting held 20 April 2021, Council received a petition containing 157 signatures seeking the construction of a public toilet facility at Merrijig.

In accordance with Council's Governance Rules, the petition was received and noted by Council and referred to the Chief Executive Officer for a response to be tabled at a future meeting.

Background

Public toilets serve an important role in providing visitor services, promoting acceptable behaviour and protecting the environment. As a guide a public toilet facility should be located in a reasonably high traffic area (not in a quiet isolated area without reasonable surveillance), where the distance to the nearest public toilet is unreasonable and where a lack of public toilets encourages unacceptable behaviour.

When considering the petition, Council needs to be concerned with:

- Justification of need
- Costs, construction and ongoing maintenance
- Maintenance plan
- If justified, an appropriate location and funding strategy

Currently there are no public toilet facilities located along the road between Mansfield Township and Mt Buller/ Mt Stirling Alpine resorts. After leaving Mansfield, the first public toilet facility is located at Mirimbah Park, inside the Resort entry gate.

Visitor traffic is significant on Mt Buller Road especially during the snow season, with thousands of vehicles travelling to and from the alpine resorts each day, particularly on peak weekends in July and August.

There are a couple of businesses located in the Merrijig Township which have facilities available for their customers however, according to residents, the need for a publically available facility is becoming increasingly urgent.

In discussion with residents, frequent incidents of unacceptable behaviour due to the lack of public toilet facilities have been witnessed.

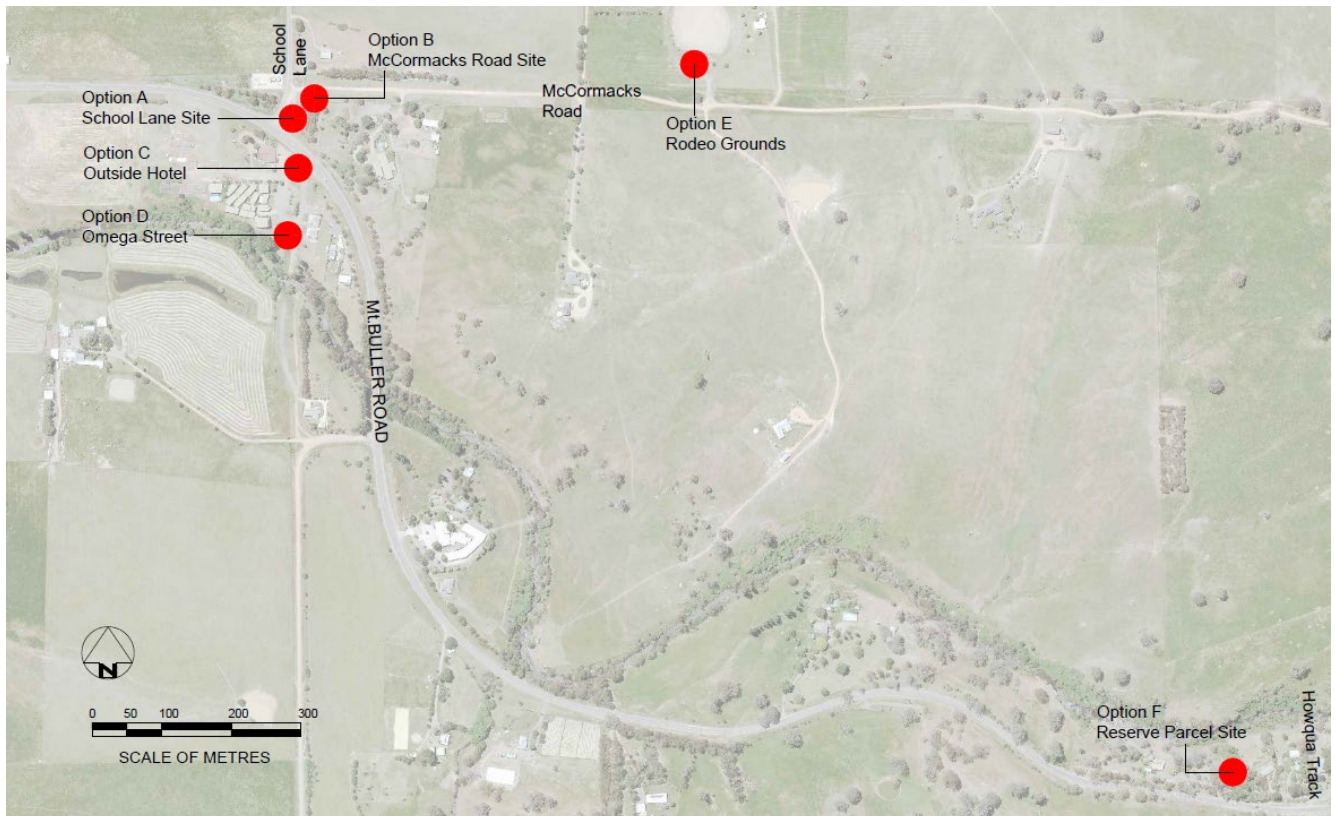
13.2.8 Response to Petition: Request for Public Toilets in Merrijig – Cont...

Council officers have investigated a number of alternative locations for a public toilet facility in consultation with community members. The following potential locations were reviewed and assessed based on their accessibility, visibility, potential for conflict with land owners, availability of services and construction cost:

- A. School Lane Site
- B. McCormacks Rd
- C. Outside Hunt Club Hotel
- D. Omega St
- E. Rodeo Grounds
- F. Reserve adjacent to 2045 Mt Buller Rd

The potential locations are marked below on Figure 1.0.

Figure 1.0: Potential Public Toilet Locations



From the potential locations considered, sites D, E and F were not recommended due to the following concerns:

Site D: Omega St

- Not as accessible or visible to passing visitor traffic as other sites.
- Objections may be received from the apartment complex, or from property owners in Merrijig Place and Omega St.
- Close to Delatite River, which may involve additional cost/environmental restrictions.

13.2.8 Response to Petition: Request for Public Toilets in Merrijig – Cont...

Site E: Rodeo Grounds

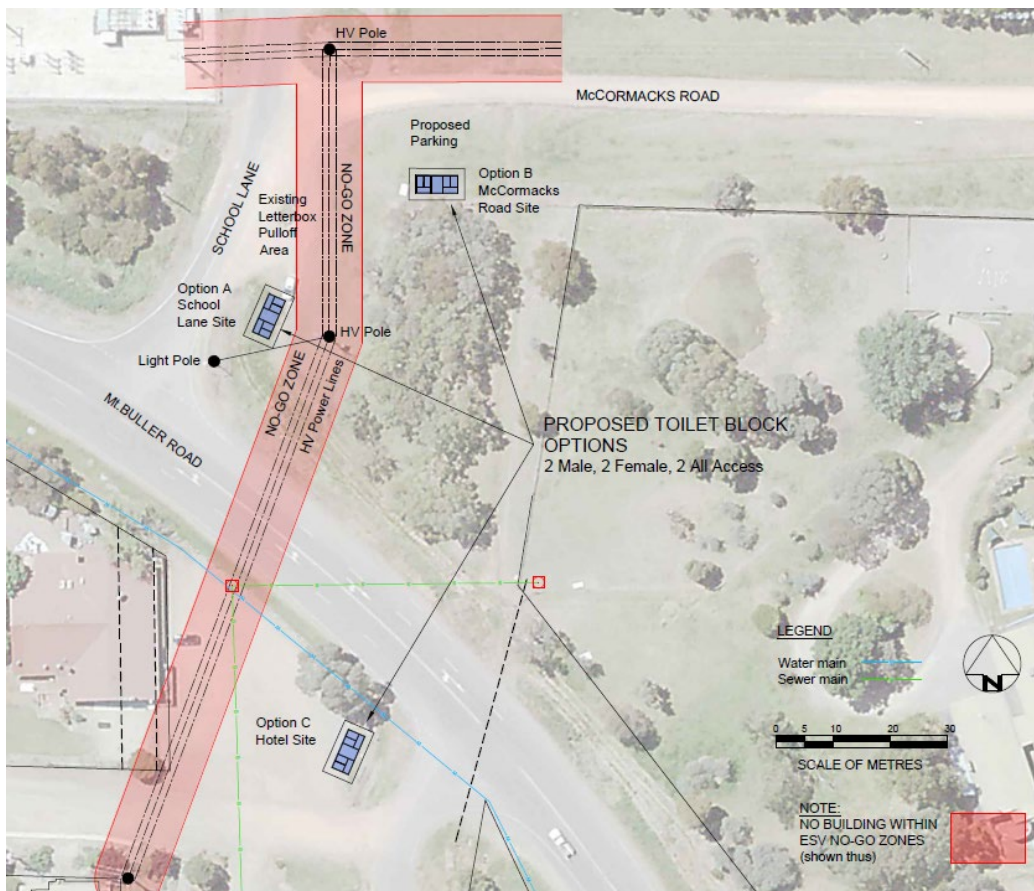
- Not as accessible or visible to passing visitor traffic as other sites.
- McCormacks Rd is currently unsealed; may need to seal this section of road to cope with the additional traffic volumes in winter.
- As facilities would also be used by the Rodeo Ground patrons, the facility size would need to be significantly increased compared to other sites.
- Sewer and water lines are further away than at other sites.

Site F: Reserve adjacent to 2045 Mt Buller Rd

- Westbound traffic turning from Mt Buller Rd is a potential safety concern.
- Not as accessible or visible to passing visitor traffic as other sites.
- Potential objections from neighbours.
- Will require tree removal.
- The gully running through the land limits site options and parking.

Locations A, B and C were considered to be viable options, following the initial review by Council officers. These locations are marked on Figure 2.0 below, together with a “No-Go” Zone showing the route of overhead cables, which is an Ausnet requirement that must be considered when siting any new facility in proximity to the power lines.

Figure 2.0



13.2.8 Response to Petition: Request for Public Toilets in Merrijig – Cont...

Options Assessment

A high level assessment for each of the shortlisted sites was undertaken, with the following sites found to potentially provide a suitable location.

Table 1.0

	Site A: School Lane	Site B: McCormacks Rd	Site C: Near Hunt Club
Owner	Road reserve owned and controlled by Regional Roads Victoria (RRV)	Road reserve owned by RRV, McCormacks Road is a Council road	Road reserve owned by RRV, Omega St is a Council road
Accessibility	Easy	Easy	Easy
Visibility	Good	Good	Good
Services Connections Sewer / Water / Electrical	Possible	Possible	Easiest
Impact on Neighbours/ Land owners	Less Close to residents' letter boxes	Less Close to residents' letter boxes Close to property at 10 McCormacks Lane	Possible Hunt Club owner and leaseholder are opposed to this option.
Impact from neighbourhood	Minor Expected additional usage from Rodeo Ground Patrons	Minor Expected additional usage from Rodeo Ground Patrons	Minor Expected additional usage from hotel patrons
Vicinity of Power Lines	Nearest	Near	No issue
Traffic	Additional traffic to School Lane junction	Additional traffic to School Lane junction	Additional traffic to Omega St. junction

Policy and Legislative Implications

Council officers have had preliminary discussions with Department of Transport (DOT) representatives who do not object to a site located on their road reserve on the basis that the toilets become a Council asset, and DOT is not responsible for their construction or maintenance cost.

Formal approval will need to be sought from DOT if Council decides to proceed with a site located on DOT road reserve land, and it is anticipated that a licence agreement will be required.

13.2.8 Response to Petition: Request for Public Toilets in Merrijig – Cont...

Council Plan

The following Council Plan objectives are relevant to the proposal:

- Strategic Objective 4.1: We have long term strategies and capital works programs in place to respond to changing community needs.

Financial

The estimated construction cost for each site is given below, based on a pre-fabricated solution containing five cubicles. Further investigation will need to be undertaken for the shortlisted sites (A, B and C) to refine the costs and carry out community engagement over the alternative locations, should Council decide to proceed further with the proposal.

Table 2.0

	Site A	Site B	Site C
Estimated Construction Cost	\$181,400.00	\$181,400.00	\$162,500.00

The expected annual maintenance cost for a new public toilet facility in Merrijig is provided below:

Table 3.0

Items	Cost
Hygiene Services	\$7,000.00
Cleaning Services	\$14,000.00
Repairs Maintenance	\$8,000.00
Electricity	\$1,500.00
Water	\$2,000.00
Landscape Maintenance (Low maintenance garden)	\$14,100.00
Total	\$46,600.00

There is currently no provision in the 2021/22 Budget for either construction or maintenance of a new public toilet facility.

Social

The construction of these toilets would provide facilities for use by visitors to the area, and the local Merrijig community.

13.2.8 Response to Petition: Request for Public Toilets in Merrijig – Cont...

Environmental

The establishment of a public toilet facility in Merrijig is considered to potentially improve environmental outcomes. The toilet sites under consideration have been identified to allow connection to a reticulated sewerage system. Environmental issues during construction would be minimised by limiting site works to construction of pads and installing prefabricated toilets.

Landscaping would be required to enhance the aesthetic of the public space and to blend the toilet structure in with the surrounding environment.

Economic

The construction of a new public toilet facility would address concerns raised by local businesses over the impact that the lack of a public toilet facility has on their business costs and amenity.

Risk Management

Not applicable, as this report is provided for information only.

Community Engagement

The petition seeking the construction of a public toilet facility at Merrijig contained 157 signatures.

If Council determine to proceed further community engagement would be required over the location of the facilities.

Key Issues

In considering the petition received Council should have regard to:

- Justification of need
- The identification of suitable locations
- The need for the public toilet facility to be maintained and cleaned at a set standard that will meet Council, community and visitor expectations.
- Once existing, over time a public toilet will require to be progressively updated as part of Council's planned management of assets

The request for a public toilet facility in Merrijig via a petition, seems reasonable given reported incidents of need and indicated frustration experienced by businesses with conveniences for their customers.

Secondly, there appears to be potential sites identified albeit requiring further investigation and consultation.



13.2.8 Response to Petition: Request for Public Toilets in Merrijig – Cont...

The cost of constructing a new public facility is estimated to be between \$162,500 and \$181,400 with ongoing maintenance costs estimated to be \$47,000 per annum.

It is proposed that Council refer the construction of a new public toilet facility in Merrijig to its 2022/23 Budget development process.

Attachments

Nil

Recommendation:

THAT COUNCIL:

- 1. Notes the information provided in relation to the construction of a public toilet facility in Merrijig.**
- 2. Refers the project for consideration in the 2022/23 budget development process.**



13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE CONT.

13.2.9 Street Tree Policy

File Number: E7381

Responsible Officer: Senior Coordinator Field Services, Ari Croxford-Demasi

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*.

Introduction

This report presents the updated Street Tree Policy for Council endorsement.

Background

Street trees are highly valued for the visual amenity, environmental and shade benefits that they provide. However, it is recognised that trees can also present risks to Mansfield Shire Council employees and the broader community if not appropriately managed.

The updated Street Tree Policy document, and the associated Urban Tree Management Plan (replacing the Urban Street Tree Policy endorsed by Council 21 July 2009) contain a policy framework and procedures for proactive urban tree management.

The Street Tree Policy includes a policy statement and principles to provide a strategic approach to street tree management and tree asset renewal for Mansfield Shire Council. The Urban Tree Management Plan will be used as an operational document by Council officers and has therefore not been presented for endorsement.

Policy and Legislative Implications

Policy outcomes will include the implementation of tree management in line with relevant legislative requirements, strategic policies, principles of sustainability and accepted tree care practices.

Operations that are known to be detrimental to long-term tree health will not be supported, and the Urban Tree Management Plan has been developed to help guide and support the activities of Council's Field Services team members and contractors when carrying out tree management activities. Referenced legislation includes AS4970-2009 Australian Standard for protection of trees in development sites.

The Policy will complement the "*Mansfield Environment Strategy*" endorsed by Council, and the "*Mansfield Open Space Strategy*" currently under development.

Council Plan

The review and update of the Street Tree Policy relates to enhancing liveability for Mansfield and the surrounding townships.

This policy aligns with Strategic Objective 4.1, including "streetscape improvements for the Mansfield Township and smaller settlements", and how Council responds to the community's changing needs.

13.2.9 Street Tree Policy – Cont...

The requirement for the complementary “*Mansfield Environment Strategy*” and “*Mansfield Open Space Strategy*” is outlined in Strategic Objective 4.4 of the Council Plan.

Financial

The updated Street Tree Policy and associated Urban Tree Management Plan are intended to guide street tree management works within existing budget allocations.

The allocation included in Council’s 2021/22 Budget for street tree management and renewal is \$35,400.00.

The Policy and procedures outlined in the Management Plan can be accommodated with existing staff resources. Future budget allocations for street tree management and renewal will be reviewed based on community feedback from the Open Space Strategy consultation process and annual consultation over street tree renewal priorities and locations.

Social

A key objective of the Policy is to facilitate communication of Council’s tree management philosophy, and complete relevant community and stakeholder consultation to achieve successful outcomes when considering tree planting and maintenance work.

Environmental

Street trees are very important natural features within our townships, and are highly valued from an environmental and natural shade perspective. It is intended the Street Tree Policy will supplement and complement the “*Mansfield Environment Strategy*” and “*Mansfield Open Space Strategy*”. The policy aims to guide street tree management and tree asset renewal in order to have a positive impact on our streetscapes and environment.

Risk Management

Trees can generate risks for Council employees and the greater community. Through this policy, public safety in respect to the planning, provision and maintenance of trees located on Council land has been identified as a priority.

Furthermore, the development of a documented tree management system, guidelines and approach for street and open space trees is an important element of Council’s asset and risk management systems.

Community Engagement

Initial community engagement over locations and priorities for street tree renewal and planting will be undertaken in conjunction with engagement over Council’s draft *Open Space Strategy*. It is also proposed to undertake annual consultation via newspaper and Engage Mansfield Portal updates in order to inform and update street tree planting locations and priorities each year in preparation for the annual budget process.

Key Issues

Initial community engagement will be important to identify community request trends which will guide tree maintenance, replacement and any new plantings in the urban setting.



13.2.9 Street Tree Policy – Cont...

Based on feedback received from the engagement processes, council will develop a longer term five year plan to plan how tree concerns are addressed and prioritised; this will assist with prioritisation of customer requests and also with the annual budget review process.

Collaboration will be undertaken across Council teams to ensure new capital works projects are considering street tree requirements. The operational Urban Tree Management Plan will support both the Field Services and Operations & Capital Works teams in street tree maintenance, decision making and management, in alignment with the Street Tree Policy.

Attachments

- 1 Street Tree Policy

Recommendation:

THAT COUNCIL endorse the updated Street Tree Policy.

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE

13.3.1 2021 Local Government Community Satisfaction Survey

File Number: E7381

Responsible Officer: Coordinator Governance & Risk, Michelle Kain

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*.

Introduction

This report presents the Community Satisfaction Survey 2021 results to Council.

Background

Each year Local Government Victoria (LGV) commissions a Community Satisfaction Survey (CSS) across the local government sector. All Victorian councils are encouraged to participate and in 2021, 66 of the 79 councils participated in the survey, including Mansfield Shire Council.

LGV contracted JWS Research to conduct the survey on behalf of councils. The format of the survey is consistent with the previous nine years, which provides a solid base for comparison and benchmarking. The Community Satisfaction Survey 2021 asks a range of core questions (used for all councils), optional questions (selected by councils on an “opt in” basis) and includes the ability to add tailored, local issues of individual council’s choice. For this year’s survey, Mansfield Shire Council decided to keep the questions consistent with the prior years and add two open questions.

400 Mansfield residents were surveyed during the period 4 February to 21 March 2021.

The report compares the performance of Mansfield Shire Council against:

- Previous years
- State-wide average
- Small rural council’s average

The report also provides a split of age and gender demographics compared against the whole Mansfield Shire Council result.

All scores in the survey are out of 100.

Policy and Legislative Implications

Participation in the Community Satisfaction Survey program is not mandatory, however Council is required to prepare an Annual Report at the end of each financial year which includes a Report on Operations that provides service performance indicators.

13.3.1 2021 Local Government Community Satisfaction Survey – Cont...

Further, the Local Government Performance Reporting Framework requires councils to report the Community Satisfaction Rating for three specific indicators, being:

- community consultation and engagement
- making decisions in the interest of the community; and
- the condition of sealed local roads

The annual Community Satisfaction Survey is the way in which the majority of councils collate this performance data.

Council Plan

The Community Satisfaction Survey is referenced in the Mansfield Shire Council Plan as one of the key performance measures to help us assess whether Council is on track in terms of achieving our Strategic Directions.

Financial

The 2021 Survey was undertaken at a cost to Council of \$19,985 (incl GST).

Social

The Survey addresses social areas such as:

- family support services
- elderly support services
- recreational facilities
- decisions made in the interest of the community
- informing the community
- lobbying on behalf of the community
- appearance of public areas

Environmental

The Survey does not specifically cover environmental issues.

Economic

The Survey addresses economic areas such as:

- business and community development
- tourism development planning for population growth
- town planning

Risk Management

There are no inherent risks associated with this report.

13.3.1 2021 Local Government Community Satisfaction Survey – Cont...

Community Engagement

The LGV consultants JWS Research surveyed 400 residents within Mansfield Shire aged over 18 years as follows:

Demographic	Actual survey sample size	Weighted base
Mansfield Shire Council	400	400
Men	182	201
Women	218	199
Mansfield	246	260
Other	154	140
18-34 years	23	75
35-49 years	53	85
50-64 years	113	85
65+ years	211	155

The survey will be published on Council's website following Council's receipt of the results. LGV will also make the survey results publicly available via the Know Your Council website.

Key Issues

Overall performance

Perceptions of Council's overall performance has improved significantly this year with the score of 59, seven points up from the prior year. This improvement score rates Council's performance level with both the state-wide (61) and small rural averages (60).

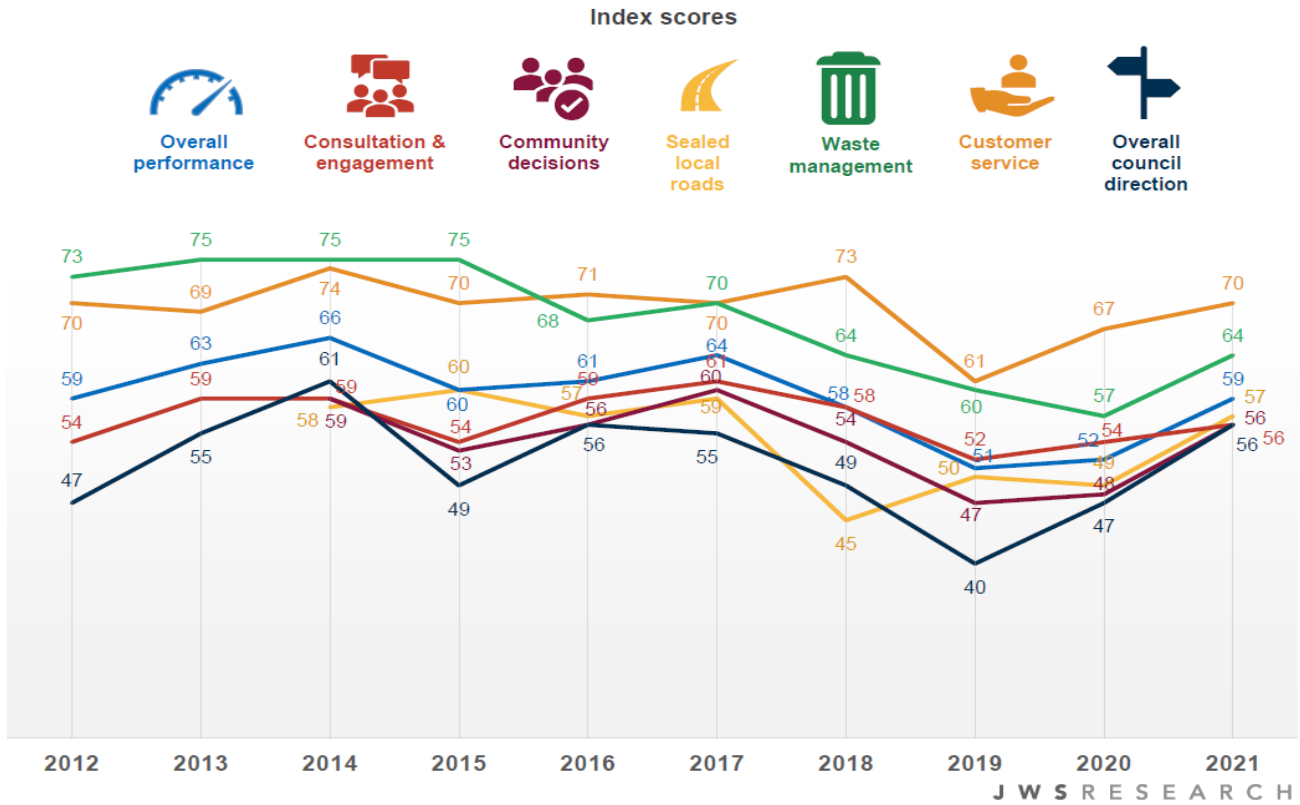
JWS Research reported that there had generally been an increase in performance sector-wide and it was felt that this was attributed to work councils undertook during the covid-19 pandemic. However, Mansfield Shire's results show a significant improvement which according to JWS is above and beyond the impact of covid-19 support.

Significant increased ratings can be seen across more than half of all Mansfield Shire Council evaluated service areas indicating that Council has made considerable inroads towards rebuilding community sentiment back to previous levels.

13.3.1 2021 Local Government Community Satisfaction Survey – Cont...

The table below shows an increase across all core measures from the previous year:

Summary of core measures



Below is a summary of each performance area and shows the improvements from the previous year, as well as how well Council performed in relation to the statewide and small rural averages.

Only one area; Art Centres and Libraries saw a decline from the previous year (down from a score of 73 in 2020). JWS Research advised Council that this was consistent across the sector, and it is understood that this is most likely as a result of the closure of these services due to the covid-19 pandemic.

13.3.1 2021 Local Government Community Satisfaction Survey – Cont...

Area	Score	Improved	Declined	Compared to state	Compared to small rural
Overall performance	59	✓		▼	▼
Appearance of public areas	82	✓		▲	▲
Emergency & disaster management	74	✓		▲	▲
Elderly support services	72	✓		▲	-
Recreational facilities	72	✓		▲	▲
Art centres & libraries	70		✓	▼	▼
Family support services	67	-	-	▲	▲
Tourism development	67	✓		▲	▲
Enforcement of local laws	65	✓		▲	▲
Waste management	64	✓		▼	▼
Business & community development	61	✓		▲	▲
Informing the community	58	✓		▼	▼
Local streets & footpaths	58	✓		▼	▲
Lobbying	58	✓		▲	▲
Sealed local roads	57	✓		-	▲
Consultation & engagement	56	✓		-	-
Community decisions	56	✓		-	-
Parking facilities	53	✓		▼	▼
Town planning policy	53	✓		▼	▼
Population growth	49	✓		▼	▼
Unsealed roads	45	✓		▼	-
Planning & building permits	45	✓		▼	▼

Appearance of public areas (index score of 82) is the area where Council performed best in 2021, improving by a significant seven index points from 2020.

Council rates lowest in the areas of unsealed roads and planning and building permits (each with an index score of 45). However, it is worth noting that these scores are still an improvement on the previous year.

Recommended areas of focus

The Community Satisfaction Survey recommends Council should focus on maintaining and improving performance in the individual service areas that most influence the

13.3.1 2021 Local Government Community Satisfaction Survey – Cont...

perception of overall performance. That is to say, the areas that residents considered most important and which have a performance gap in expectation.

The individual service area that has the strongest influence on the overall performance rating for Mansfield Shire is 'community consultation and engagement'. A focus on good communication and consultation with residents on key local issues provides the greatest opportunity to drive up the overall opinion of Council's performance.

Further, one of the open questions Council asked its residents was how Mansfield Shire could most improve its performance. The highest response related to improving was community consultation.

Following on from that, other individual service areas with a moderate to strong influence on the overall performance rating are:

- Maintenance of unsealed roads
- Decisions made in the interest of the community
- Waste Management
- Town planning
- Appearance of public areas
- Elderly support services.

Whilst our results are very pleasing this year, improving our performance in the most influential areas will continue to be a focus, as set out in the Action Plan below:

Performance Area	Score	Action Plan
Community consultation and engagement	56	<p>Council has already recognised the importance of community engagement and undertook a thorough engagement process over the 2021-22 budget that involved meetings in all outlying communities and with non-resident ratepayers in Melbourne. A new Community Engagement Policy has been developed and adopted by Council based on the IAP2 framework.</p> <p>Council will continue this approach, particularly in relation to a number of key engagement projects including the Community Vision, Council Plan, Health & Wellbeing Plan, Climate Action Plan and Asset Management Plan.</p> <p>Our community engagement framework will include a deliberative process, as required by the new Local Government Act and Council will be forming a representative panel to assist with achieving community feedback.</p>



Performance Area	Score	Action Plan
Maintenance of unsealed roads	45	<p>Council has increased its investment in unsealed roads in the 2021-22 Budget, with a significant increase in the re-sheeting program over the next 4 years to address the identified maintenance backlog. Adjustments have also been made to the maintenance grading program to increase the number of kms graded each year, with an increase of 19km already achieved over the last 12 months.</p> <p>The re-sheeting program for 2021-22 is currently under development, with works focused on roads most in need of re-formation and material to maintain road safety, amenity and performance.</p> <p>Council's Engineering and Field Services teams are also investigating use of an additive on unsealed roads to reduce maintenance grading frequency. This product will be included in the 2021-22 re-sheeting program at high traffic priority locations.</p>
Decisions made in the interest of the Community	56	<p>Council is focused on taking a "no surprises" approach to decisions, and ensuring that the community is kept informed and has the opportunity to input into decisions over key issues and projects through thorough community engagement. The formation of the deliberative panel is a key strategy, however engagement will be tailored to suit the project or initiative.</p>
Waste Management	64	<p>Council's Waste Team has commenced delivery of the year 1 actions as outlined in Council's Waste Management Strategy. This will see service improvements and upgrades to Waste Services across the Shire.</p> <p>A number of key strategic actions highlighted in the Strategy include;</p> <ul style="list-style-type: none">• The development of a waste and recycling education program detailing actions to improve waste sorting practices and discourage illegal littering accompanied by resources available to the community to providing information on accepted materials and correct waste sorting practices• Master Planning for the Mansfield Resource Recovery Centre• Planning for the introduction of Food and Organics services across the Municipality• Auditing Councils current kerbside collection services, frequency and carbon footprint, service area and cost of services to ensure best value for ratepayers <p>Following community feedback, Council is actively working towards reviewing current services provided commencing with a full review of the operating hours of the Mansfield RRC in an effort to improve access to the site. This will be accompanied by upgrades to directional signage onsite that will assist with community education, increasing resource recovery rates.</p>



Performance Area	Score	Action Plan
Town Planning	53	<p>The recommendations from the Statutory Planning Service Review have been implemented. Council is focused on achieving improved performance on the processing of applications within statutory timeframes and over the last 6 months this performance has improved from 54% of permits issued within timeframes at the end of December 2020, up to 65% issued within timeframes at the end of May.</p> <p>Council will also be progressing a number of Strategic Planning projects including the implementation of the Commercial and Industrial Land Use Strategy, the development of the Mansfield Planning Strategy, a review of the Development Plan Overlays, and has approved the engagement of a Strategic Planner to assist with the ongoing delivery of improvements to the Mansfield Planning Scheme.</p>
Appearance of Public Areas	82	<p>The 2021-22 budget approved additional resources in the Parks and Gardens team to maintain the high standard of appearance of public areas. The Parks and Gardens team takes pride in their work and this has been recognised and supported by Council.</p>
Elderly Support Services	72	<p>Council recognises the importance of delivering support services to elderly residents. Council is currently undertaking an Aged Care Service Review and will carefully consider the recommendations of this review and work closely with the community on the outcomes.</p>

Attachments

1 2021 Local Government Community Satisfaction Survey

Recommendation:

THAT COUNCIL receive the 2021 Local Government Community Satisfaction Survey report for Mansfield Shire Council, and make it publically available via Council's website.

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.2 Council Plan Performance Reporting Q4 20-21

File Number: E4397

Responsible Officer: Governance and Risk Coordinator, Michelle Kain

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* (the Act).

Introduction

This report presents to Council the final quarterly update on performance against the Mansfield Shire Council Plan 2017-21.

Background

The Council Plan 2017-21 was the key strategic document that guided the allocation of resources and work undertaken by the Council over the past four year term.

Item 5.3.2 of the Council Plan 2017-2021 requires management to provide quarterly updates on the delivery of the Council Plan and its performance measures.

Policy and Legislative Implications

The Local Government Performance Reporting Framework is a mandatory system of performance reporting for all Victorian councils. It ensures that councils are measuring and reporting on their performance in a consistent way to promote transparency and accountability in the local government sector.

The *Local Government (Planning and Reporting) Regulations 2020*, which came into effect on 24 October 2020, require Council to indicate publically (in the annual report) whether they have received:

- Council Plan reporting - A report reviewing the performance of Council against the Council Plan, including the results in relation to the strategic indicators, for the first six months of the financial year; and
- Performance reporting - six-monthly reports of indicators measuring the results against financial and non-financial performance, including performance indicators referred to in section 98 of the *Local Government Act 2020*.

Council Plan

Strategic Direction Five: Responsible Leadership

Strategic Objective 5.3: Our organisation transparently reports on its performance through a comprehensive reporting and audit framework.



13.3.2 Council Plan Performance Reporting Q4 20-21 – Cont...

Financial

There are no financial implications in relation to this matter

Social

There are no social implications in relation to this matter

Environmental

There are no environmental implications in relation to this matter

Economic

There are no economic implications in relation to this matter

Risk Management

N/A

Community Engagement

N/A

Key Issues

The attached report contains the details of performance against the Mansfield Shire Council Plan 2017-21 as at 30 June 2021 (quarter four of the 2020-21 financial year).

Since the Q3 report in April, a further seven deliverables were completed, and two were deferred. The two deferred deliverables are:

1. Develop and implement a local policy on housing provision covering issues such as type, mix, subdivision design and best practice environmental outcomes. As noted in the attached report, this will be completed in the 2021-22 financial year as part of the Mansfield Planning Strategy; and
2. Prepare and implement an Integrated Water Management Plan for the Mansfield township in partnership with DELWP and Goulburn Valley Water. Whilst this project has commenced, as noted in the attached report, this will be completed in the 2021-22 financial year.

In respect of the key performance indicators that are shown as red in the report, these two items relate to:

1. not being able to meet the target of four Council meetings held in outlying communities. Failure to meet this target in 2020-21 has been wholly influenced by the covid-19 pandemic. Despite not meeting this target, Council has broadcast all Council meetings on our youtube channel which has resulted in a wider audience reach; and
2. falling short of the target for recurrent grants, however it is noted that a significant number of non-recurrent grants were received during the past year.



13.3.2 Council Plan Performance Reporting Q4 20-21 – Cont...

Attachments

1. Council Plan Performance Report Q4 20-21

Recommendation:

THAT COUNCIL receive and note the Council Plan Performance Report as at 30 June 2021.



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.3 Update of Mansfield Shire Council Instruments of Delegation and Appointment and Authorisation

File Number: E7381

Responsible Officer: Governance and Risk Coordinator, Michelle Kain

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*.

Introduction

This report seeks Council endorsement in respect of the following:

- Schedule 5 – Instrument of Delegation – Council to Chief Executive Officer (CEO). This Instrument is used by Council to delegate powers to its CEO.
- Schedule 18 – Instrument of Sub-Delegation to Members of Council Staff
- Schedule 6 – Instrument of Delegation – Council to Chief Executive Officer and Members of Council Staff with regard to Alpine Resort Areas
- Instrument of Appointment and Authorisation – Alpine Resorts

Background

Council is involved in a broad range of activities, with many of its powers conferred by statutory instruments. The effective functioning of the Council requires a formal and detailed system of delegations to enable Council officers to perform their functions in a timely and efficient manner.

The Instruments attached to this report for endorsement have been prepared:

1. in light of changes to the *Environmental Protection Act 2017* (the new EP Act) and *Environment Protection Regulations 2021* (the Regulations) which came into effect on 1 July 2021, to provide a modern framework to protect people and the environment from pollution and waste; and
2. to reintroduce Authorisations and Delegations that relate specifically to Council's role in administering the *Food Act* and *Public Health and Wellbeing Act* within the Mt Buller/Mt Stirling Alpine Resort areas. These are in line with the specific instruments delegating the functions or powers vested in the Secretary under the respective Acts to Council and their authorised officers.

13.3.3 Update of Mansfield Shire Council Instruments of Delegation and Appointment and Authorisation – Cont...

Under the new EP Act and Regulations the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local governments, including a new delegation of powers from Environment Protection Authority (EPA) to councils.

With regard to the alpine resorts, Council has always undertaken the role of 'Registration Authority' for the Mt Buller/Mt Stirling alpine resort areas initially as part of the Municipality, and following the creation of the Alpine Resorts as separate entities, pursuant to the Alpine Resorts Act 1983 and the Alpine Resorts (Management) Act 1997 where Council accepted the delegations from the Secretary Department of Health and Human Service. To support these delegated powers, Mansfield Shire enters into an agreement between Council and the Mt Buller and Mt Stirling Alpine Resort Management Board relating to Municipal Functions to be undertaken within the Resort areas. This Agreement is currently being reviewed for a further three year period.

Policy and Legislative Implications

Section 11 of the *Local Government Act 2020* states that a Council may by instrument of delegation delegate to the Chief Executive Officer (CEO) any power, duty or function of a Council under this Act or any other Act.

Section 47 of the *Local Government Act 2020* states that the CEO may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the CEO by the Council to a member of Council staff.

Pursuant to section 437(1) of the *Environmental Protection Act 2017*, the Environment Protection Authority (EPA) has issued an Instrument of Delegation under s437(1) of the Act to councils (EPA Delegation).

Council subscribes to a Delegations and Authorisations Service produced by the legal firm, Maddocks Lawyers. The firm reviews all legislation as it impacts upon local government in Victoria, and distributes an updated schedule of delegations, reflecting recent legislative changes. This template is used by many Victorian councils and reflects common practice within the industry.

On 25 June 2021 all Councils were provided with the Maddocks update reflecting the new powers and functions conferred on councils under the new EP Act and Regulations, as well as new delegation of powers from the EPA to councils relating to onsite wastewater management systems and noise from construction, demolition and removal of residential premises.

In March 2021, Maddocks performed a review of our Instruments in respect of the Alpine Resort Areas, to ensure they were in line with current legislation.

13.3.3 Update of Mansfield Shire Council Instruments of Delegation and Appointment and Authorisation – Cont...

Council Plan

Strategic Direction 5: Responsible Leadership

Financial

There are no financial implications arising from this report.

As registration Authority for the Alpine Resort areas of Mt Buller and Mt Stirling under the Food Act and Public Health and Wellbeing Act, Council will continue to receive those business registration fees

Social

There are no significant social implications arising from this report.

Economic

There are no economic implications arising from this report.

Environmental

There are no environmental implications arising from this report.

Risk Management

The review and update of Council's Instruments ensures continuing transparency and accountability. It is also a key risk management initiative in that it clearly identifies which officer can act on a particular authorisation.

Community Engagement

There is no requirement for community engagement in the endorsement of Instruments of Delegation.

Key Issues

As stated above, the Schedule 5 and 18 Instruments of Delegation respond to changes to the *Environmental Protection Act 2017* (the new Act) and Environment Protection Regulations 2021 (the Regulations) which came into effect on 1 July 2021.

The Schedule 18 – Instrument of Sub-Delegation to Members of Council Staff is a new instrument which delegates EPA powers to authorised officers, and requires Council endorsement.

Whilst there are no changes to the Schedule 5 – Instrument of Delegation – Council to Chief Executive Officer, this instrument needs to be remade and endorsed by Council on a date after the changes came into effect, in order for the CEO to sub-delegate powers to members of Council staff.

The instruments relating specifically to Council's delegated powers from the State in respect of the Alpine Resort Areas have been overdue for review and now reflect current legislation.



13.3.3 Update of Mansfield Shire Council Instruments of Delegation and Appointment and Authorisation – Cont...

Attachments

1. The Schedule 18 – Instrument of Sub-Delegation to Members of Council Staff
2. The Schedule 5 – Instrument of Delegation – Council to Chief Executive Officer
3. Schedule 6 – Instrument of Delegation – Council to Chief Executive Officer and Members of Council Staff with regard to Alpine Resort Areas
4. Instrument of Appointment and Authorisation – Alpine Resorts
5. Copy of Draft Agreement between Council and the Mt Buller and Mt Stirling Alpine Resort Management Board relating to Municipal Functions to be undertaken within the Resort areas

Recommendation:

THAT COUNCIL:

1. **endorse the S18 Instrument of Sub-Delegation to Members of Council Staff dated 20 July 2021;**
2. **endorse the S5 Instrument of Delegation from Council to Chief Executive Officer dated 20 July 2021;**
3. **revoke the previous S5 Instrument of Delegation from Council to Chief Executive Officer dated 22 June 2021;**
4. **endorse the Schedule 6 – Instrument of Delegation – Council to Chief Executive Officer and Members of Council Staff with regard to Alpine Resort Areas;**
6. **endorse the Instrument of Appointment and Authorisation – Alpine Resorts**
7. **note that the Instruments come into force immediately upon endorsement by the Council.**
8. **authorise the Chief Executive Officer to enter into an agreement on behalf of Council with the Mt Buller and Mt Stirling Alpine Resort Management Board**



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.4 Exceptional Assistance and Immediate Support Funding – options

File Number: E7278
Responsible Officer: Senior Coordinator Community & Economic Development, Saskia Van Bever

Disclosure of Conflicts of Interest

A conflict of interest is declared by member of Business and Community Recovery Advisory Committee (BCRAC), David Ritchie for the funding of Harvest Moon due to his involvement in the application. Mr Ritchie removed himself from the meeting with BCRAC considered this application.

Introduction

This report presents Council with the outcome of the Business and Community Recovery Advisory Committee (BCRAC) consideration of the Exceptional Assistance and Immediate Support Funding (EASIF) 2021 bushfire recovery funds.

Council is requested to approve the BCRAC's recommendation to spend \$100,000 on funding three projects, subject to the approval of the funding body.

Background

The original project plan submitted to the funding body for delivery of this \$200,000 bushfire recovery fund included an allocation of \$100,000 toward a new start up event and \$100,000 toward a fixed term position for a Recovery Coordinator. However, the Victorian Government *Working for Victoria* fund has enabled Council to employ additional resources, and therefore it is considered that this funding allocation could be spent elsewhere, subject to the approval of the funding body.

After due consideration and assessment by BCRAC, the three projects (below) are proposed for funding:

Project 1:

Description	Harvest Moon event by Delatite Winery.
Outline	<p>The event will be managed by the applicant with support from Council in their normal capacity. Funding will be used for:</p> <ul style="list-style-type: none"> Marketing boost in first year to establish event brand and resources Purchase of infrastructure to ensure sustainability Quality key note speakers to attract more people
Rationale	<ul style="list-style-type: none"> The event was the second highest scoring application (runner up) for the previous funding round of \$100,000 Event organiser has a commitment to create yield dispersal through working with local providers Run by an external party meaning no additional work by Council apart from standard event management support.

	<ul style="list-style-type: none"> • Event is in line with the Tourism North East and the Mansfield Tourism Strategy of promoting Food tourism (2013 – 2017). • Event is run in May, a quiet time for Mansfield and is expected to bring increased visitors. • Event is located outside of the centre of Mansfield bringing people to an area which has been identified in the Economic Development Strategy as a priority. • The event organisers have committed to running the event for at least three years which was an application directive, with the vision to become an annual event.
Recommendation	Fund \$50,000 toward the event.

Project 2:

Description	Upgrades to Jamieson Memorial Hall (evacuation centre)
Outline	Identified needed upgrades by the community group: <ol style="list-style-type: none"> 1. Installation of solar panels (\$7,480) 2. Need for battery for storage of power (\$16,690) 3. Extra generator to power fire pump and water (\$5,800) 4. A Bushmans Water Tank -TXD330- 15,000litre (\$2,200) 5. CFA couplings and street access to water pipe -from new water tank + new outside water tap attachment. (\$2,000)
Rationale	<ul style="list-style-type: none"> • Benefits of the upgrades are seen by the community using the hall outside of emergencies • Project managed by the community group meaning no additional work by Council apart from standard support role. • Jamieson is a high fire risk location.
Recommendation	Fund \$10,000 toward the estimated cost of an extra generator, new water tank and CFA couplings.

Project 3:

Description	Upgrades to Bonnie Doon Recreation Reserve (evacuation centre)
Outline	The current committee of management has limited capacity to perform identified upgrades by Council: <ol style="list-style-type: none"> 1. Upgrade non-compliant steps 2. Upgrade non-compliant entry ramp 3. add accessible toilet
Rationale	<ul style="list-style-type: none"> • Benefits of the upgrades are seen by the community using the hall outside of emergencies • Peppin point is high fire risk and uses Bonnie Doon evacuation centre
Recommendation	Fund \$40,000 toward the estimated (by Council Building Management team) refurbishment costs of the non-compliant entry ramp.

13.3.4 Exceptional Assistance and Immediate Support Funding – options – Cont...

Policy and Legislative Implications

NA

Council Plan

Strategic Direction Three: Community resilience and connectivity

- Strategic Objective 3.2: We support our communities in meeting their own needs.
 - Provide advice to support local community events, including assistance with sourcing funding opportunities
- Strategic Objective 3.5 Council supports the community in its efforts to lobby for the infrastructure it needs to be connected and progressive.

Strategic Objective Four: Enhance livability

- Strategic Objective 4.2 We are a community that is passionate about arts, culture, heritage and the environment.
 - Provide advice and expertise to community groups around event organisation and management.

Financial

The Exceptional Assistance and Immediate Support (Bushfire Recovery) Funding has been made available through Bushfire Recovery Victoria.

The project plan submitted to the funding body for delivery of this \$200,000 fund included an allocation of \$100,000 to support one start-up/new event. This funding has been provided to Xventure Pty Ltd for the Highline mountain bike festival.

The original plan for the remaining \$100,000 was to go towards a human resource (Recovery Coordinator), this plan was reviewed by the Business and Community Recovery Committee. The *Working for Victoria* fund has enabled Council to employ additional resources, and therefore it is considered that this remaining funding allocation could be diverted elsewhere as per the recommendation, subject to the approval of the funding body.

Social

After multiple lockdowns and COVID restrictions people have been left feeling isolated. Holding large scale events brings communities together and builds connections and community resilience.

Community halls or centres remain the key location for communities to connect and gather during emergencies or other incidents.

13.3.4 Exceptional Assistance and Immediate Support Funding – options – Cont...

Environmental

Prior to the event or project being implemented, the successful applicant will be required to enter into a funding agreement stating that all legal requirements, permits and permissions necessary to undertake the event or project are the responsibility of the community organisation (where applicable).

Economic

Event organisers and project owners have been asked to utilise local suppliers and providers for their event services and assets where possible.

The proposed event will promote visitation from both intra and interstate and increase economic impact for the Shire.

Upgrades to community facilities will attract bookings from additional community groups and increase revenue.

Risk Management

The matters that are the subject of this report are considered within normal operational risk parameters. The successful projects are required to enter into a funding agreement stating that:

- Council shall not be responsible at any time for any liabilities incurred or entered into by the event organiser as a result of, or in connection with, any activities undertaken as a result of the funding being received.
- The event/project organiser agrees to indemnify Mansfield Shire Council and its staff, from and against any claim, demand, liability, suit, cost, expense or action arising out of or in any way connected with the project or the activities of the event organiser.
- The event/project organiser has a current certificate of public liability.

Community Engagement

The initial event grant was promoted to the Mansfield Shire Community with a single round online application process including specific guidelines. Applications were open early December 2020 through to 1 March 2021 and available to Mansfield based organisations.

The recommendation of funding for the remaining \$100,000 was discussed with:

- Business and community recovery committee at three different meetings with the request to provide information from their community connections.
- Council's Emergency Management Officer
- Council's Asset Maintenance Officer

Key Issues

NA



13.3.4 Exceptional Assistance and Immediate Support Funding – options – Cont...

Attachments

Nil

Recommendation

THAT COUNCIL

1. Endorse the Business and Community Recovery and Resilience Advisory Committee's (BCRAC) recommendation to fund the three proposed projects (subject to funding body approval)
 - Harvest Moon event by Delatite Winery - \$50,000
 - Upgrades to Jamieson Memorial Hall (evacuation centre) - \$10,000
 - Upgrades to Bonnie Doon Recreation Reserve (evacuation centre) - \$40,000
2. Write to the funding body seeking approval for the reallocation of funding as outlined in this report

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.5 Mansfield Swimming Pool – End of Season Report

File Number: E7381
Responsible Officer: Saskia Van Bever – Senior Co-ordinator Community and Economic Development

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*.

Introduction

This report presents to Council the outcomes of the 2020-2021 summer season at the Mansfield Swimming Pool. Council is asked to note the report only.

Background

Mansfield Swimming Pool's 2020-2021 season operated from Saturday 21 November 2020 to Sunday 21 March 2021. This is consistent with previous years in which the season generally operates from the 3rd weekend in November until the 3rd weekend in March.

Due to patron caps associated with COVID-19, at the time, and in particular the requirement that only one school group could use the facility at any one time, Council had intended to open the facility one week earlier than normal. However, delays in pre-season works prevented this from happening.

These delays were caused by the requirement to plan around operating the swimming pool in a COVID-19 environment, and changes made to the maintenance of the pool during the off-season.

In previous years, the pool was emptied of water, cleaned and then refilled at the start of the season. This season, the water was retained in the pool and was returned to standard using macro-dosing, vacuuming, scrubbing and filtering. While this approach was labour intensive, it resulted in hundreds of thousands of litres of water being saved which more than halved the cost of water consumption in comparison to the previous year.

In preparation for the 2021-2022 season, a local business has been contracted to maintain water quality during the off-season. This will result in less labour hours required to bring the pool up to standard ahead of next season, additional water savings, and reduced wear and tear on equipment such as pool filters, vacuums etc.

Policy and Legislative Implications

There are no policy or legislative implications emanating from this report.

13.3.5 Mansfield Swimming Pool – End of Season Report – Cont...

Council Plan

Public swimming pools are important venues for learning, practicing and competing in aquatic sports. Swimming is one of Australia's most popular physical activities that can be enjoyed by people of all ages and abilities.

The current Mansfield Council Plan 2017-2021 (as updated 4 August 2020), has as one of its objectives:-

“Strategic Objective 4.3 – Our community proactively manages its health and wellbeing.”

The action to support this objective is:-

“Build on the Active Mansfield initiative and campaign to promote healthy, active lifestyles and increasing the use of Council's leisure facilities.”

This report supports the objective and action of the Council Plan.

Financial

The actual net cost to Council of operating the pool for the 2020-2021 season was \$149,271 against a budget of \$84,273. A table comparing the 2020-2021 season with the past two seasons is detailed below.

	2020-2021	2019-2020	2018-2019
Expenses	243,619	247,115	255,939
Income	(94,348)	(94,522)	(77,179)
Cost to Council (actual)	149,271	152,593	178,760
Budget (cost to Council)	84,273	100,975	128,852
Variance	(69,346)	(51,618)	(49,908)

In the 2020-2021 Council budget, the expected net cost to Council was \$84,273.00. At the end of the season, the actual net cost to Council \$149,271.00. A variance of \$69,346.00.

The table above shows that for the past three seasons, the budget for the pool operations has been set well below its demonstrated cost to Council, resulting in variances of between \$49,900 and \$69,300 per annum. It is unclear why this under-budgeting has occurred.

Swimming pools are a valued asset for local communities. However, outdoor pools in particular, require significant investment by Council to ensure they remain accessible and affordable to everyone in the community. This investment is reflecting in the actual cost to Council of operating the pool, with the 2020-2021 season being generally in line with the previous year, although at a slightly reduced net cost.

13.3.5 Mansfield Swimming Pool – End of Season Report – Cont...

The major costs associated with operating a pool include staffing, which make up approximately half of the total operational costs, repairs and maintenance, and materials.

Pool Usage Figures

Attendance figures including pool entry and season passes have remained relatively stable over the 2018/ 2019 (17,189) and 2019/2020 (16,724) seasons. However, there was a drop in pool entry numbers by approximately 4,800 (11,883) or 28% in the 2020/2021 season. The final budget figures, as detailed above, do not show a commensurate decrease in income, which could be attributed to the increase in individual swim fees, season passes and group hire fees. Without fully analyzing each of the 20+ categories of fees it is unclear which group of pool users contributed to the income remaining stable.

While the expected impacts from COVID 19 did not, from a financial perspective have a significant impact, it would appear that it has impacted upon actual usage of the pool.

Social

Swimming pools provide a great opportunity for residents and visitors to recreate, connect, stay healthy and learn new skills. Council's ability to continue a service within a COVID 19 environment has been managed successfully with little impact on the overall service to the community

Environmental

The decision taken to change the maintenance of the pool during the off-season has resulted in significant water savings and reduced wear and tear on equipment. This has had a positive impact from an environmental perspective.

Economic

This information contained in this report has no impact on economic policy, industrial development or employment outcomes.

Risk Management

There are no inherent risks directly related to this report. However, there is always risk related to management and operations of a pool. There are stringent regulations and standards that must be met and these are managed through appropriate risk management plan and risk mitigation activities.

Community Engagement

There has been no community engagement directly related to this report.



13.3.5 Mansfield Swimming Pool – End of Season Report – Cont...

Key Issues

COVID 19 Impacts - Operating a COVID-19 safe pool was a top priority for Council this season. This involved developing and amending a site specific COVID safe plan and implementing a range of additional procedures, for example sign in procedures and additional sanitization stations, to ensure that any transmission risk was minimized.

Fortunately, the impacts from COVID-19 were less severe on the season than anticipated and with some restrictions eased early in the season, the impact on the pool was minimized.

Future Pool Management - For the past three seasons, Mansfield Shire Council has directly managed the Mansfield Swimming Pool utilizing the services of MomentumOne to undertake the recruitment of lifeguards, HR and payroll as well as technology to support rostering, communication, timesheets and point of sales.

The move from outsourcing the pool management back to Council resulted after the previous contract with YMCA expired in 2018 and no tenders were received in response to the advertised contract for management.

MomentumOne has advised Council that it will cease providing labour hire services in September 2021, due to emerging challenges in the industry.

Since receiving this advice from MomentumOne, Council Officers have been exploring options available to Council for the future management of the pool. Council will be advised of the outcome of these deliberations in due course.

Recommendation:

THAT COUNCIL notes the 2020-2021 season end report for the Mansfield Swimming Pool.

14. ASSEMBLIES OF COUNCILLORS

An assembly of Councillors is referred to in Council’s Governance Rules as a “meeting conducted under the auspices of Council”, meaning a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name);

A written record of each assembly is held by Council and is available for public inspection.

The following is a list for the past month of assemblies held, the issues discussed and any conflicts of interest declared.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
29 June 2021	<p>Councillors’ Briefing Session via MS Teams</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • Interim GM Community and Corporate Services, Mandy Kynnersley • GM Infrastructure and Planning, Kirsten Alexander • Senior Coordinator Community and Economic Development Saskia Van Bever <p>External:</p> <ul style="list-style-type: none"> • Consultant, Mike Ruzzene, Urban Enterprises 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Economic Development Strategy
1 July, 2021	<p>Visit by the Victorian Governor, the Hon. Linda Dessau AU</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander <p>External attendees:</p> <ul style="list-style-type: none"> • Victorian Governor, the Hon. Linda Dessau AU • Aide to the Governor, Jack Fowles • Business representative, Dean Belle 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • 2019-20 Bushfire Emergency and the Covid-19 Pandemic and effect on the Mansfield economy and community.
6 July, 2021	<p>NAIDOC Week Celebrations - Flag Raising Ceremony</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Rohan Webb <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • Snr Corodinator Community & Economic Development, Saskia van Bever • Economic Development Officer, Derek Beautyman • Economic Development Assistant, Danielle Roberts 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Official Flag Raising Ceremony to acknowledge NAIDOC week.</i></p>



DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
	<p>External attendees:</p> <ul style="list-style-type: none"> • Aunty Ann-Marie Fletcher, Chair Gadhaba LAN • Aunty Bernadette Franklin, Gadhaba • Angela ten Buuren, Gadhaba • Miranda Connaughton, Gadhaba • Whitney Connaughton, Gadhaba 	
6 July 2021	<p>NAIDOC Week Celebrations – Gadhaba Edible Garden Opening</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie • Cr Rohan Webb <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure & Planning, Kirsten Alexander • Snr Coordinator Community Health & Wellbeing, Jenny Lovick • Coordinator Governance & Risk, Michelle Kain • Snr Coordinator Field Services, Ari Croxford-Demasi • Economic Development Officer, Derek Beautyman • Economic Development Assistant, Danielle Roberts • Project Officer, Donald Kwan • Community & Corporate Services Directorate Support, Mandy Snell • Customer Service & Admin Support, Shannon Carpenter <p>External attendees:</p> <ul style="list-style-type: none"> • Rosemary Brennan, • Aunty Ann-Marie Fletcher, Chair Gadhaba LAN • Richard Slade, Area Director Ovens Murray, DFFH • Mathew Burns, CEO Taungurung Land & Water Council • Cindy McLeish MP, Member for Eildon 	<p>Conflicts of Interest: NIL</p> <p><i>Official opening of Gadhaba Edible Garden Joint Project</i></p>
6 July 2021	<p>Councillors’ Briefing Session in Council Chambers</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr James Tehan • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb <p>Officers:</p> <ul style="list-style-type: none"> • CEO, Kaylene Conrick • GM Infrastructure and Planning, Kirsten Alexander • Coordinator Governance & Risk, Michelle Kain • Manager Planning and Environment, Melissa Crane <p>External:</p> <ul style="list-style-type: none"> • John Scales, JWS Research John Scales 	<p>Conflicts of Interest: NIL</p> <p>Issues Discussed:</p> <ul style="list-style-type: none"> • Community Satisfaction Survey • Planning Scheme Amendment Development Plan Overlay • Closed Landfills Risk Assessment

Recommendation:

THAT COUNCIL receive and note the Assembly of Councillors report for the period 24 June to 6 July 2021.

15. COUNCIL RESOLUTIONS REGISTER

This report presents to Council a schedule of outstanding actions from Council meetings held from 26 June 2018 to 22 June 2021.

Attachment

- 1 Council Resolutions Register

Recommendation:

THAT Council receive and note the Council Resolutions Register as at 13 July 2021

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

Nil

17. AUTHORISATION OF SEALING OF DOCUMENTS

Nil

18. 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 information, as defined by section 3(1) of the *Local Government Act 2020* as follows:

1. to consider the Aged Care Services Review Update, which is considered *Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (section 3(1)(a))*; and
2. to consider the CEO Remuneration Review, which is considered *personal information, being information that if released would result in the unreasonable disclosure of information about any person or their personal affairs (section 3(1)(f))*



19. PRESENTATION OF CONFIDENTIAL REPORTS

19.1.1 Confidential: Aged Care Services Review Update

19.1.2 Strictly Confidential: CEO Remuneration Review

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

Recommendation:

THAT Council reopen the meeting to members of the public.

21. CLOSE OF MEETING