



Mansfield Shire

Council Meeting

Tuesday 21 September 2021

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

Commencing at 5pm

Our aspiration for our Shire and its community

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

Councillors

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

Officers

Kaylene Conrick, Chief Executive Officer
Kirsten Alexander, General Manager Infrastructure and Planning
Kurt Heidecker, General Manager Community and Corporate Services

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);

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. Close of meeting

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

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Agenda

1. Opening of the meeting

2. Present

The Chair will call on 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 17 August 2021 be confirmed as an accurate record.

8. Representations

8.1. Deputation from MACE speaking to the Item regarding MACE Lease-Men's Shed inc.

- ▶ Kylie Richards, MACE CEO;
- ▶ Janene Ridley, President MACE; and
- ▶ Murray Chenery, MACE Board Member.

9. Notices of motion

10. Mayor's report

Mayor Mark Holcombe will present the monthly Mayor's report from 17 August 2021 to 13 September 2021 to the Council as follows:

Spring has started spectacularly in our Shire with weather that highlights how lucky we are to be living in such a stunning part of the world.

Unfortunately, the recent State Govt announcement in extending lockdown is highly disappointing and frustrating to many in our community. It has made it very difficult for businesses, families, community groups and the Council to operate effectively. On behalf of the Council, I'd like to thank residents for doing their best to adapt to what has been thrown at us and in particular for looking out for each other.

I'd also like to thank and acknowledge the work of Mansfield District Hospital in ramping up their covid testing operation and in establishing a vaccination clinic. The sooner we get vaccinated the sooner we can get back to some normality in our lives.

During the month Council endorsed the release of the draft Council Plan 2021-25 and the proposed 10 year Financial Plan 2021-31. Both these documents have been released for public exhibition and feedback, the details of which can be found on the Council Engage portal.

The Council Plan details the proposed direction of the current Council over our four year term.

The Local Govt Act 2020 requires Council for the first time to prepare and adopt a 10 year Financial Plan utilizing deliberative engagement practices with our community. This plan forecasts the financial viability of council over the next 10 years.

Councillors were recently the beneficiaries of a Governance briefing and critique from well-respected Local Government governance expert Mr Terry Bramham. It was encouraging to hear from Mr Bamham that Mansfield was an example of one of the better functioning Councils in Victoria. This was particularly encouraging as we are predominantly new Councillors.

One item that we know our community cares about is the state of our footpaths. To address this issue, we are currently reviewing our forward plans for where footpaths are needed. We want to hear as much feedback as possible and this can be done through the Shire websites Engage portal.

Council has also recently been very pleased to support a number of applications from the private sector for EV charging stations. We very much see our role as supporting and advocating for EV charging options as opposed to spending ratepayer money in an area which will continue to attract private sector investment.

Finally, Council was very pleased to announce the allocation of CASI Quick Activation Grants to eleven Community based volunteer organisations from across the Shire. The grants ranged from \$2,300 to \$5, 000, with total grant funding of \$46,884 from the Victorian Governments Covid-19 Community Activation and Social Isolation (CASI) programme.

During the month two interviews were conducted with ABC Shepparton and also with Mansfield Community Radio.

*Cr Mark Holcombe
Mayor*

Recommendation

THAT Council receive the Mayor's report for the period 17 August 2021 to 13 September 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 Holcombe ▶ Cr James Tehan ▶ Cr Steve Rabie
Mansfield Shire CEO Performance and Remuneration Review Reference and Advisory Group	▶ All Councillors
Goulburn Murray Climate Alliance (GMCA)	▶ Cr Rohan Webb
Hume Regional Local Government Network (HRLGN)	▶ Mayor Mark Holcombe
Lake Eildon Land & On-Water Management Plan Implementation Committee	▶ Cr Paul Sladdin
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none"> ▶ Mayor Mark Holcombe ▶ Cr Rohan Webb
Mansfield Shire Business and Community Recovery Advisory Committee	<ul style="list-style-type: none"> ▶ Mayor Mark Holcombe ▶ Cr Paul Sladdin
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none"> ▶ Mayor Mark Holcombe ▶ Substitute - Deputy Mayor James Tehan
North East Local Government Waste Forum (a committee of the North East Regional Waste and Resource Recovery Group)	▶ Cr Steve Rabie
Rural Councils Victoria (RCV)	▶ 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
- ▶ Cemetery Services
- ▶ Field Services
- ▶ Governance
- ▶ Community Health and Wellbeing
- ▶ Organisational Highlights
- ▶ Visitor Services (VIC and Library)

Attachment

1. CEO's report

Recommendation

THAT Council receive and note the Chief Executive Officer's report for the period 17 August 2021 to 8 September 2021.

13.2. Infrastructure and Planning Directorate

13.2.1. Mansfield Planning Scheme Amendment C47 – Planning Policy Framework Translation

File Number	E5668	Responsible Officer	Manager Planning and Environment, Melissa Crane
Purpose			
The purpose of this report is to:			
<ol style="list-style-type: none"> 1. Brief Council on the proposed State Government reformatting of the planning policy frameworks of the Mansfield Planning Scheme. 2. Seek resolutions to endorse the proposed reformatted planning policy framework and consent to the Minister for Planning approving Amendment C47 to the Mansfield Planning Scheme to introduce the revised format. 			
Executive Summary			
<ul style="list-style-type: none"> • The Victorian State Government has formulated a new structure for all Victorian planning schemes, a process that has been slowly implemented over the past two years for most municipalities in Victoria. • This process is mandatory, being designed to create consistency and efficiency in planning format throughout Victoria. • Department of Environment, Land, Water and Planning (DELWP) have worked closely with Council officers over several months to prepare a final draft proposed reformatted planning policy framework for the Mansfield Planning Scheme, which has been prepared by consultants (at DELWP cost) and is attached to this report. 			
Key Issues			
<p>The draft reformatted Planning Policy Framework has integrated existing State and Local Planning Policy Frameworks into a single Planning Policy Framework with state content, followed by local content when necessary, now included under single policy headings. Some dedicated local content and policy is still maintained under proposed new Clause 02, Municipal Planning Strategy.</p> <p>The integration of existing State and local policy content and strategic direction provides greater integration and user ease. Areas of duplication between state and local planning policy content have been removed and the size of the present state and local policy sections of the planning scheme reduced.</p> <p>Existing local planning directions under the Local Planning Policy Framework (LPPF) have been converted in a 'policy neutral' manner into the new planning policy framework, that is no changes or deletions to existing planning direction have been made and no changes have been made to planning controls, e.g. rezoning. Minor changes to several schedules (gaming, reference documents to the planning scheme and identified further strategic work) have been made to reformat these areas, not amended the strategic intent of them.</p>			

13.2.1 Mansfield Planning Scheme Amendment C47 – Planning Policy Framework Translation - Continued

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Endorse the proposed reformatting of the Mansfield Planning Scheme as proposed by the Department of Environment, Land, Water and Planning. 2. Consent under Section 20(5) of the <i>Planning and Environment Act 1987</i> to the Minister for Planning preparing and approving Amendment C47 to the Mansfield Planning Scheme without exhibition under Section 20(4) of the Act to approve the proposed reformatted planning scheme.
Support Attachments
<ol style="list-style-type: none"> 1. Proposed Planning Policy Framework 2. Existing Local Planning Policy Framework, tagged with new locations

Considerations and Implications of Recommendation

Sustainability Implications

The reformatting of the planning policy framework and the proposed amendment will have positive social and community benefits, positive environmental impacts and positive economic and employment benefits through making the planning scheme easier to read for the broader community.

Community Engagement

Given its 'policy neutral' approach, no community consultation is considered to be required for the proposed reformatted planning policy framework. Following Council giving its consent, the Minister for Planning will prepare and approve an amendment to the Mansfield Planning Scheme without exhibition to implement the new scheme format.

Collaboration

The Department of Environment, Land, Water and Planning (DELWP) have worked closely with Council officers over several months to prepare a final draft proposed reformatted planning policy framework for the Mansfield Planning Scheme.

Financial Impact

There has been no Council financial expenditure on this project as DELWP has paid for consultants. Some Council officer time has been allocated for the project. As the Minister for Planning would effectively prepare and approved an amendment to the planning scheme to introduce proposed changes, Council would not incur any planning scheme amendment fees.

13.2.1 Mansfield Planning Scheme Amendment C47 – Planning Policy Framework Translation - Continued

Legal and Risk Implications

A planning scheme amendment is required to implement this proposed reformatting of the Mansfield Planning Scheme. As a 'policy neutral' translation of the current planning policy frameworks, formal public exhibition of the amendment is not required.

In the case of these reformatted planning policy frameworks throughout Victoria, the Minister for Planning prepares and approves an amendment without exhibition under Section 20(4) of the *Planning and Environment Act 1987*. A request and consent from Council for this amendment is required however under Section 20(5) of the Act.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

The proposed amended development plan complies with the *Mansfield Shire Council – Council Plan 2017-2021*, in particular implementing Strategic Direction 4, Enhanced liveability.

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate – Continued

13.2.2. Statutory Planning Services Review Update

File Number	E6358	Responsible Officer	Manager Planning and Environment, Melissa Crane
Purpose			
To provide Council with a progress update on the implementation of Road Map actions associated with the Statutory Planning Services Review over the last 12 months.			
Executive Summary			
<p>This report outlines the actions that have been undertaken in the Statutory Planning Unit (SPU) since the services review, summarised as follows:</p> <ul style="list-style-type: none"> • The team has an agreed Mission and Team Charter. • A strategic planner role has been incorporated into the department to progress planning scheme amendments and other strategic work. • The restructure undertaken last year is working well. • The SPU has improved processes and procedures and there has been an identified improvement in performance. • Timeframes for issuing permits have improved. • Customer service responsiveness has improved with the implementation of a Duty Planner roster. 			

13.2.2 Statutory Planning Services Review Update - Continued

Key Issues

Grosvenor Performance Group were engaged by Council in February 2020 to undertake a review of the processes and procedures of the Statutory Planning Unit (SPU). This review is part of an organisation-wide review that was initiated as the result of decreasing levels of community satisfaction, which were highlighted by the Local Government Community Satisfaction (LGCS) Survey.

The review report found that there were areas of opportunity for efficient and effective delivery of statutory planning services and developed 27 recommendations. To further assist with the implementation of the recommendations a road map was established to provide a timeline for the implementation of suggested recommendations and to support the practical and successful implementation of improvements.

Council received the review and associated road map at the 15 September 2020 Council Meeting. A recommendations action list was also created based on the Road Map, providing timeframes and highlighting the responsible person for ensuring the actions are undertaken. In addition to the action list, an analysis of the key findings has been undertaken and a 12 month progress update provided as follows:

No.	Finding	Response
1	SPU does not have an agreed and shared purpose and is currently lacking a focus on strategic planning.	The SPU developed an agreed Mission and Team Charter. A strategic planner role has been budgeted for, and strategic work is being undertaken, with the following being undertaken so far: <ul style="list-style-type: none"> • Adoption of the <i>Mansfield Commercial and Industrial Land Use Strategy</i> • Preparation of Amendment C51 to implement the <i>Mansfield Commercial and Industrial Land Use Strategy</i>. • Development of the Mansfield Planning Strategy • Development of the Mansfield Open Space Strategy • Working with the Department of Environment, Land, Water and Planning on the translation of the MPS and Local Planning Policies into the preferred format. • Submission of the following Planning Scheme Amendments to the Department of Environment, Land, Water and Planning: <ul style="list-style-type: none"> ○ C44 – Station Precinct Masterplan Implementation ○ C45 – Stockmans Rise rezoning ○ C48 – Township Approaches protection implementation ○ C49 – 2-4 New Street rezoning ○ C50 – Development Plan Overlay Review

13.2.2 Statutory Planning Services Review Update - Continued

2	The previous structure of SPU did not support operational requirements due to the span of control expected of the Development Services Manager and lack of clear accountability within the SPU team	The Department has been restructured, with the role split into two roles, with the following responsibilities: <ul style="list-style-type: none"> • Manager Planning and Environment <ul style="list-style-type: none"> ○ Statutory Planning ○ Strategic Planning ○ Planning Compliance ○ Environment Programs ○ Waste • Senior Coordinator Community Safety <ul style="list-style-type: none"> ○ Environmental Health ○ Building services ○ Emergency Management ○ Local Laws
3	Significant issues with the capacity of the Development Services Manager has consideration downstream impacts on the SPU team including an inability to adequately delegate tasks, develop team, performance manage and perform both statutory and strategic planning responsibilities.	The restructure has adequately addressed this concern, with the current structure allowing for adequate delegation of tasks, team management and improved performance for both statutory and strategic planning.
4	The current team culture within SPU features siloes, poor behaviours, lack of respect and support	The team are working well together, and actively engaged with improving both processes and procedures. These works have delivered improved outcomes for customers in terms of time frames for enquiries and permits.
5	Planning application and communication processes are not clearly defined, nor do they meet operational requirements regarding stakeholder satisfaction, quality and timeliness.	Timeframes for statutory planning applications are discussed separately in this report, however, there has been a significant improvement in these processes.
6	Systems are largely manual, and one person is responsible for managing the database for applications. The VicSmart system enables streamlined applications, particularly for subdivisions within the SPEAR system.	The SPU has moved to paper independent processing of applications, with increased use of existing systems in Synergy and TRIM, and the addition of Trapeze to allow for digital signing and endorsement of plans.
7	Stakeholder engagement is haphazard, communication is infrequent and customer service is inconsistent.	Processes have been updated, and will continue to be developed, to provide more regular updates to permit applicants. The unit now operates a "Duty Planner" system with a planner available for call and counter enquiries every day.

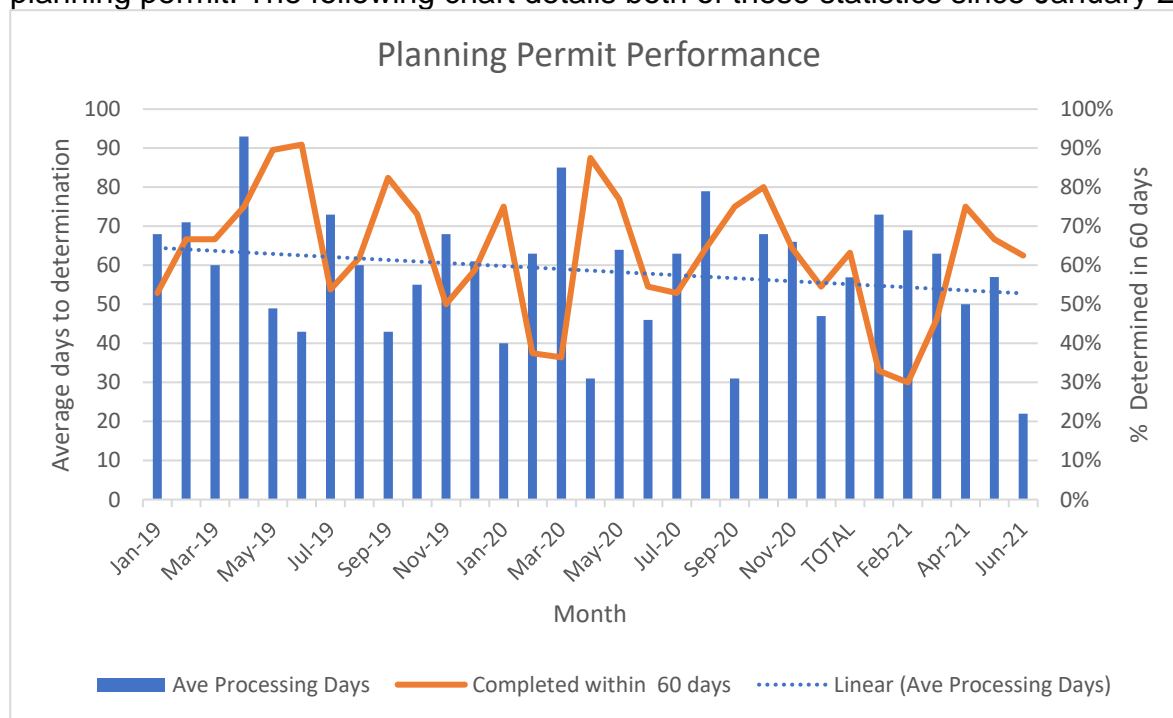
13.2.2 Statutory Planning Services Review Update - Continued

There are a range of parameters that can be used to determine the overall performance for the unit, including performance statistics and the LGCS Survey. In the LGCS survey, Council received a score of 45 for the 2021 result, compared to 40 in 2020 and 36 in 2019. This shows a significant improvement over time.

In terms of the planning permit statistics, the following is noted:

- In 2020, 215 new applications were received. For the 2021 year to date, Council has received 122 applications, which is on track to be a similar amount to last year.
- In 2020, the total value of permits was \$31,842,274. For the 2021 year to date, the value of permits is \$16,711,036.

The two main indicators for performance in Statutory Planning are the amount of permits issued within the statutory time frames of 60 days, and the average number of days to issue a planning permit. The following chart details both of these statistics since January 2019:



As can be seen from this chart, the statistics have not been consistent for a long time, however the average days to determine an application has been slowly improving.

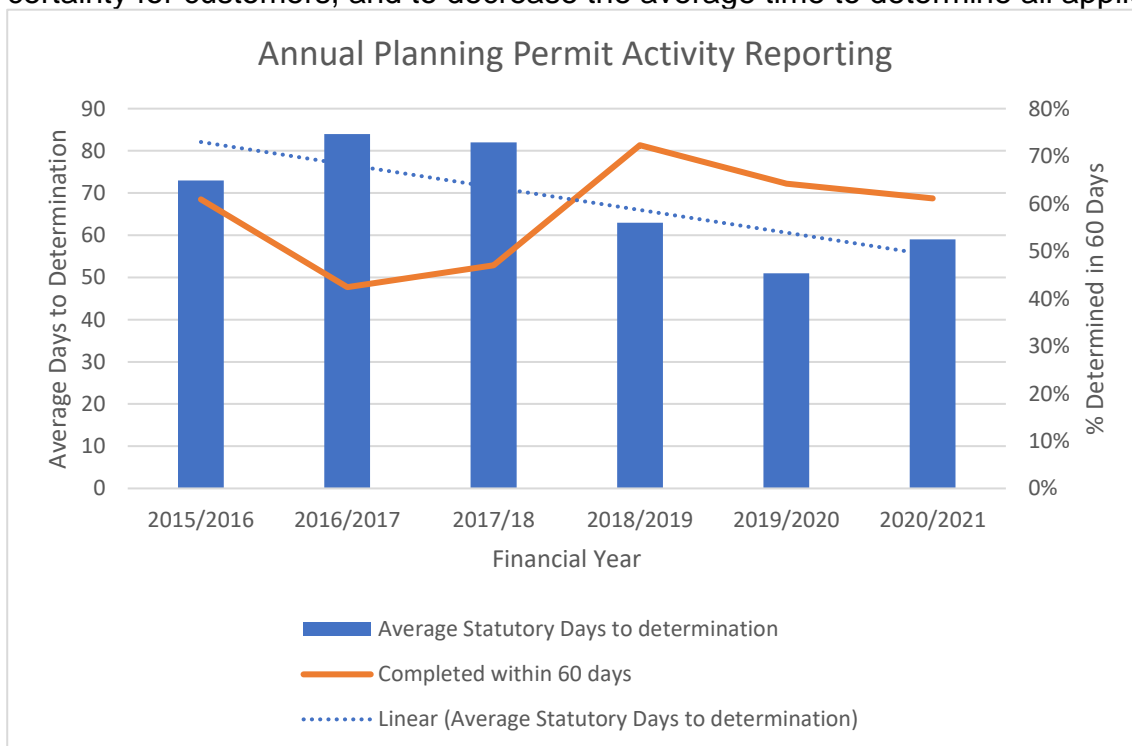
13.2.2 Statutory Planning Services Review Update - Continued

Planning permit activity reporting is available from 2016/2017, and the following is provided for information on how Mansfield Shire Council has performed over time:

	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Applications received (inc. VicSmart)	204	171	184	191	222
Permits issued	181	172	159	145	194
Total est. of costs for issued permits	\$26,896,849	\$27,692,691	\$23,317,357	\$20,336,630	\$33,729,113
Average gross days to determination	117	124	94	71	91
Average Statutory Days to determination	84	82	63	51	59
Completed within 60 days	42%	47%	72%	64.2%	61.1%
VicSmart completed within 10 days	NA	NA	NA	68.4%	82.1%
Statutory Planning FTE	4	3.84	3.84	3.84	4.44
Strategic Planning FTE	1.5	1	0	0	0
Compliance Officer FTE	0	0	1	1	1
Total FTE in Planning Unit	5.5	4.84	4.84	4.84	5.44

The above data shows that the number of permits submitted to Council has been steadily increasing since 2017, with little change to the amount of staffing provided to support the service. For the 2021/2022 Financial Year, the current structure includes 4.04FTE Statutory, 1 FTE Strategic and 1FTE in Compliance.

When considering financial years, the data presents as shown on the following page, with the average statutory days to determination decreasing over time from a peak in 2017. Council officers are working to even out the variance throughout each year to provide greater certainty for customers, and to decrease the average time to determine all applications.



13.2.2 Statutory Planning Services Review Update - Continued

In addition, Council officers have met with planning consultant stakeholders to seek external feedback on how the unit had been performing since the review was undertaken.

This meeting provided positive comments on the changes so far, and the participants were given the opportunity to suggest other improvements for the planning unit. These are provided below, together with a summary of the response from staff on each matter:

1. Online Payments for applications – Council officers have commenced work with Finance on having on line payments in SPEAR activated, which looks to be relatively straightforward and should be implemented relatively quickly. Secondly, the unit is looking to change how invoices are issued to allow for customers to have a BPAY option for payments, to avoid the need to call and pay over the phone. Both actions were supported by the stakeholders.
2. Section 173 Agreements being done by Council’s Solicitors – Council officers will be putting out an EOI for planning lawyers to provide Council’s services on preparation of Section 173 Agreements. This action has come from a review of existing agreements which highlighted some gaps within these documents and possible enforcement challenges. This was supported by stakeholders, with the request that cost to the landowner be given due consideration in the appointing of a panel of suppliers.

Referral response timeframes – Council officers have been talking with the authorities and DELWP about this as a broader resourcing issue, and will look for ways to reduce referrals, particularly to Goulburn Murray Water. It was also discussed that the internal process has recently been changed to allow referrals to be undertaken much sooner, which was supported by the Stakeholders

Recommendation
THAT COUNCIL receive and note the Statutory Planning Services Review Update, and associated updated recommendation actions.
Support Attachments
None

Considerations and Implications of Recommendation

Sustainability Implications

This report demonstrates the improvements undertaken in the Statutory Planning Unit. While none have any specific sustainability implications, the overall improvement in the area will result in an improved outcome for planning permit applicants, which will have ongoing economic and social benefits.

Community Engagement

No direct community engagement has been undertaken in relation to this report, however a meeting with planning consultant stakeholders has been undertaken and a range of actions highlighted for further improvements.

Collaboration

Not applicable.

13.2.2 Statutory Planning Services Review Update - Continued

Financial Impact

Not applicable.

Legal and Risk Implications

Not applicable.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

The review and resultant action plan provide for innovation and continuous improvement in the Statutory Planning Unit, which have been demonstrated through the results detailed in this report.

Alignment to Council Plan

The performance measures identified in the Council Plan 2017-2021 for the SPU are as follows:

1. Time taken to decide planning applications
2. Community satisfaction rating for planning permit performance.

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate - Continued

13.2.3. Lake Eildon GMW Maintenance Licence Agreement

File Number		Responsible Officer	Manager Operations & Capital Works, Kristian Burchat
Purpose			
To present the final draft maintenance licence agreement with Goulburn-Murray Water (GMW) for the land and assets surrounding Lake Eildon for Council approval and authorisation of the CEO to execute the agreement.			
Executive Summary			
The draft maintenance licence agreement provides a framework and clear definition of responsibilities for maintenance of the land and assets surrounding Lake Eildon, between Council and GMW.			
Key Issues			
Council resolved at its December 2019 meeting:			
<p><u>Councillors Sladdin/Volkering:</u></p> <p>THAT Council receive an officer's report detailing the following:</p> <ol style="list-style-type: none"> 1. An audit of existing land and asset management agreements of Goulburn Murray Water controlled land around Lake Eildon in the Mansfield Shire. 2. The current cost to Council for the maintenance of these assets. 3. A rationalisation for identifying two to three key assets for Council support utilising the Lake Eildon Recreational Boating Facilities Improvement Plan as a guide. <p style="text-align: right;"><u>Carried</u></p>			

Resolution parts 1 and 2 have been completed, and form part of the agreement with GMW.

A report was provided to the 19 January 2021 Council meeting: Item 13.2.3 'Lake Eildon Asset Audit', which addressed resolution part 3 above by outlining two projects for Council's support.

Mansfield Shire Council and GMW representatives have worked together to resolve uncertainty over the organisational responsibility for the maintenance of assets associated with the Lake Eildon boat ramps.

This uncertainty has delayed joint Mansfield Shire Council/GMW applications to Better Boating Victoria to fund projects such as the new Howqua boat ramp.

13.2.3 Lake Eildon GMW Maintenance Licence Agreement - Continued

Execution of the maintenance licence agreement with GMW will allow steps to be taken towards improvement of Lake Eildon assets for the enjoyment of Mansfield Shire residents and visitors alike, by providing a collaborative framework and clear allocation of maintenance responsibility.

The principles agreed at a working level between the two organisations, and encapsulated by the draft maintenance licence agreement are that:

1. Goulburn-Murray Water will maintain boat ramps, tracks and carparks below Lake Eildon's high water level, and dedicated boating signage.
2. Mansfield Shire Council will maintain named and unnamed roads and formed car parks above Lake Eildon's high water level, public toilets and community signage.
3. Goulburn-Murray Water and Mansfield Shire Council will share maintenance responsibility for other signage and by-law enforcement (Mansfield Shire Council will only undertake by-law enforcement on an ad hoc basis, based on training provided by GMW to Council's Local Laws officers).

Recommendation

THAT COUNCIL acknowledge the final draft maintenance licence agreement with Goulburn-Murray Water attached, and authorises the CEO to execute the agreement.

Support Attachments

1. Maintenance Licence Agreement GMW-MSC DRAFT R5
2. GMW Legal Advice Regarding Enforcement under the Water Act

Considerations and Implications of Recommendation

Sustainability Implications

Execution of this agreement will not result in any changes to current practices that would have impact on sustainability.

Community Engagement/Collaboration

Not applicable.

Financial Impact

The current cost to Council for maintenance of the existing assets is estimated at \$128,456 per annum. Under the proposed agreement, GMW would assume responsibility for some extra maintenance, bringing the estimated cost to Council down to \$102,556 per annum.

Legal and Risk Implications

A legal review of the draft agreement has been completed by Mal Ryan and Glen Lawyers and Conveyancers, and their advice has been incorporated into the final draft maintenance licence agreement in Attachment 1.

13.2.3 Lake Eildon GMW Maintenance Licence Agreement - Continued

The proposed agreement affords Mansfield Shire Council the ability to address issues if observed by their Local Laws Officers without transferring responsibility for enforcement onto Council.

GMW are required under the agreement to provide training to Council staff for this purpose and have advised that staff from other agencies are able to enforce GMW By-laws as long as they are Authorised Officers under the Water Act. GMW have also recently put in place the same process with DELWP to assist in the management of the Delatite Arm Reserve camping area and the GMW land around it.

Attachment 2 provides information on the enforcement of offences under the Water Act and GMW By-laws.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

The implementation of the proposed agreement will resolve a longstanding area of uncertainty, and facilitate the future improvement of assets around Lake Eildon for the enjoyment of Mansfield Shire residents and visitors.

Alignment to Council Plan

Strategic Objective 1.2 Council is an effective advocate on behalf of its community.

Strategic Objective 1.3 Partnerships are strong between key service providers and authorities across the municipality.

Strategic Objective 2.3 We prudently manage our asset maintenance and capital works programs in line with our long term financial plan.

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

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate - Continued

13.2.4. Bonnie Doon Recreation Reserve

File Number	E7992	Responsible Officer	Melissa Crane, Manager Planning and Environment
Purpose			
The purpose of this report is to provide Council with the information required to make a determination on whether Mansfield Shire Council should take over responsibility for the management of the Bonnie Doon Recreation Reserve.			
Executive Summary			

- The Bonnie Doon Recreation Reserve is Crown Land with the Bonnie Doon Recreation Reserve Committee appointed by Department of Environment, Land, Water and Planning (DELWP) as the Committee of Management (CoM).
- The Bonnie Doon Recreation Reserve CoM has approached Council to take over management of the site.
- Should Council take over management of the site, it would assume the costs and risks for the premises, in a similar way to which they have assumed these costs and risks with the Mansfield Recreation Reserve.
- Council currently spends \$23,150 per annum on maintenance, which is anticipated to increase to be between \$27,150 – \$31,150 should Council take over management.
- Council will need to fund \$31,200 in the next 12 months for capital improvements and \$18,350 for improvements over the next 2-3 years. Long term capital improvements are in the order of \$290,000.
- Mansfield Shire Council has regularly provided funding and support to the management of the Reserve under the current arrangements.
- Council management of the Reserve would allow for increased impact on how this site is managed, which is a designated “Neighbourhood Safer Place”.
- This report recommends that Council formally requests that DELWP appoint Council as the CoM.

13.2.4 Bonnie Doon Recreation Reserve - Continued

Key Issues

Background

The Bonnie Doon Recreation Reserve site occupies 3.8 hectares of Crown land on the north eastern edge of the Bonnie Doon Township. It is bounded by four sealed roads with the main entry off Davon Street. The Reserve is currently managed by a local volunteer Committee of Management (CoM) under agreement from the Department of Environment, Land, Water and Planning (DELWP).

The CoM has previously raised concerns with Council about their ability to continue as the entity responsible for the management of the Reserve. The CoM is currently served by a range of community volunteers, but have advised they are unable to attract the necessary new members to remain functional and meet the operational obligations for the Reserve. As a result, they have formally requested that Council take on the CoM role for the Bonnie Doon Recreation Reserve, and have advised DELWP of this request.

The Reserve is located as shown below:



The site is also used as the designated Neighbourhood Safer Place for the broader Bonnie Doon community

13.2.4 Bonnie Doon Recreation Reserve - Continued

Recreation Reserve Asset Condition Summary

In order to fully understand the implications for Council of taking over the Reserve, an inspection was undertaken by Council's Municipal Building Surveyor and Building Maintenance Officer, in conjunction with the Reserve CoM representatives.

The following improvements exist at the site:

- An Australian Rules football oval
- Scorer's shelters (2)
- Ticket seller booths (2)
- Synthetic surface netball courts (2)
- Bore pump and standpipe (for public use)
- Bore fed dam and pump station to supply playing field irrigation sprinklers
- A free standing public toilet building
- A 2-storey Recreation Hall
- A children's playground
- An unsealed carpark

The condition inspection of the above assets has identified a number of improvements are required, specifically in relation to the Recreation Hall. These include some general maintenance items and other works required for compliance with regulatory requirements. The detailed inspection report is attached for information in Attachment 1.

The Recreation Hall was initially constructed in 1978 and has been extended and further developed in the ensuing years. The Recreation Hall building contains a function room, kitchen, toilets, change rooms and storage areas.

The building is registered as a Neighbourhood Safe Place and on 20 July 2021 Council approved a request for funding to be allocated under the Bushfire Recovery grants scheme for \$40,000 to enable the upgrade of the building access ramp to meet Disability and Discrimination Act (DDA) requirements. The building is included on Council's insurance asset list, and solar panels were recently installed using grant funding obtained by the CoM.

Council's Field Services team already undertake regular grounds maintenance of the football oval and the surrounding Reserve areas, as well as maintenance of the irrigation systems. The Bonnie Doon Football Netball Club (BDFNC) also carry out mowing of the oval surface and other grounds maintenance activities on an ad hoc basis, and have advised that over the years their members have invested a significant amount of volunteer time and money in maintenance and upgrade of the facilities.

The BDFNC are supportive of the CoM request for Council to take over the CoM responsibilities and have indicated their willingness to enter a lease or licence agreement with Council, and to contribute to the maintenance and upkeep of the facilities, in a similar manner to the arrangements in place at the Mansfield Recreation Reserve.

13.2.4 Bonnie Doon Recreation Reserve - Continued

The existing free standing public toilet building is already maintained and cleaned by Council, and a minor refurbishment (including painting of the facility) was undertaken in early 2021.

The surface of the existing netball courts is deteriorating and in need of reconditioning and/or reconstruction works. Future grant funding may be sought to assist with the cost of these works.

Options

Mansfield Shire Council has two options in relation to the request from the CoM in relation to the site, as follows:

- Option 1:** Council becomes the Committee of Management with full responsibility for the Reserve.

If council support this proposal, the identified community need for supporting the community in this area will have been met. The main risks with this option relate to future requirements for capital expenditure (for upgrade works and the like) and for the ongoing management costs such as insurance and maintenance. This would be partly offset with revenue that could be received from the leasing or licensing of the site to different community groups, such as the Bonnie Doon Football Netball Club.

- Option 2:** Council takes no responsibility for the Reserve and it becomes the full responsibility of DELWP.

While this option does negate any direct costs and ongoing risks to Council, it does not address the demonstrated need of the community to have a well-run and maintained recreation facility. Should the CoM fail to be filled by Community members, the responsibility for the site will fall back to DELWP. Should this happen, there is a risk that DELWP may not be funded or prepared to manage the Reserve to an acceptable standard, and this could result in the Reserve not being made available for use by the community. Should this happen, the community would still be looking to Council to provide for a recreation facility in Bonnie Doon.

Recommendation

THAT COUNCIL, formally request from the Department of Environment, Land, Water and Planning that Mansfield Shire Council is appointed as the public land manager pursuant to Section 14 of the *Crown Land (Reserves) Act 1978* over the existing reservation, known as the Bonnie Doon Recreation Reserve.

Support Attachments

- Asset Condition Report

Considerations and Implications of Recommendation

Sustainability Implications

The site has recently had solar panels installed to assist with the environmental sustainability of the building. Management of the building would enable Council to seek further opportunities to increase the sustainability of the site.

13.2.4 Bonnie Doon Recreation Reserve - Continued

Community Engagement

This report is being presented to Council in response to a request from the community of Bonnie Doon to take over management of the site.

Collaboration

Not applicable.

Financial Impact

Some initial cost estimates have been calculated for the items identified in the Asset Condition Report on the Recreation Hall building. Those estimates are listed in Table 1, below. It is estimated that \$31,200 of compliance improvements would be required to the Recreation Hall building in the short term (within the next 12 months), in addition to the DDA access upgrade of \$40,000 already allocated from Bushfire Recovery funding.

An additional \$18,350 of maintenance and renewal costs have been identified that would need to be funded over the short to medium term (say within the next 2-3 years). In the longer term, \$290,000 of building improvements have been identified, which would need to be included in Council's 10 Year Capital Works Plan.

Table 1:

Compliance Improvements (Short Term)	Qty	Rate	Total
DDA Compliant Main Entry	1	40000	40000
Steps up from main carpark	1	10000	10000
Lighting –upgrade to LED	1	5000	5000
Emergency Exit Signs	4	500	2000
Emergency Egress Door Hardware	1	1000	1000
Electrical Switchboards – Upgrade	2	2500	5000
Fire Extinguishers	1	300	300
Door Closer on DDA Toilet	1	300	300
Statutory Signage	1	400	400
Plumbing – Install Waste in Change Rooms	1	450	450
Roof Access	1	6000	6000
Balcony – Additional Support	1	750	750
Subtotal			\$71,200
Other Improvements (Long Term)	Qty	Rate	Total
Additional men's toilets	1	80000	80000
Enclose Soffit 1 st Floor Balcony	1	5000	5000
Store Room	1	5000	5000
Upgrade/replacement of netball courts	2	100000	200,000
Subtotal			\$290,000
Maintenance	Qty	Rate	Total
Painting – Kitchen	1	500	500
Painting – Exterior Fascia	1	1000	1000
Painting – Change Rooms	1	750	750
Floor coverings – Change rooms	1	3000	3000
Floor coverings – carpet at canteen	1	500	500
Floor coverings – carpet in bar	1	1500	1500
Curtains and Blinds	1	6000	6000
Plumbing – Toilet Cisterns	3	500	1500
Extensive cleaning	32	50	1600
Roofing – Roof Sheet fasteners	1	500	500
Subtotal			\$18,350
Total			\$379,500

13.2.4 Bonnie Doon Recreation Reserve - Continued

The Recreation Reserve assets have been valued by Council's asset management partner, Assetic and would need to be added to Council's Asset Register. Depreciation costs would be applied. The Recreation Hall building has an insured value of \$1.59 million. The following valuations have been provided:

Asset	Value	Annual Depreciation
Recreation Hall	\$2,600,000	\$70,000
Netball Change Rooms	\$180,000	\$3,000
Netball Courts	\$200,000	\$5,000
Other items, including:	\$300,000	\$10,000
<ul style="list-style-type: none"> • Light towers • Access Roads • Playground • Fences • Seating • Coaches boxes/Shelters • Scoreboards, etc. 		
Total	\$3,480,000	\$88,000

The ongoing maintenance costs for the Reserve grounds and the free-standing toilet building are already met by Council. Council also currently pays the Bonnie Doon Recreation Reserve CoM \$2,000 annually towards maintenance of the Reserve facilities.

Forecast annual operations and maintenance costs are also a factor to be considered in this decision, and these have been estimated as shown on the following page.

Asset	Current Maintenance Costs	Estimated Future Maintenance Costs
Reserve Grounds, includes the following:	\$13,920	\$13,920
<ul style="list-style-type: none"> • Mowing of oval roughly 30 weeks a year • Brush cutting and mowing around club rooms roughly 30 weeks a year 		
Free standing toilet building	\$4667.10	\$4667.10
Oval over-sowing	\$2,563	\$2,563
Recreation Hall – with identified improvements	\$0	\$4,000
Recreation Hall – without identified improvements	\$0	\$8,000
Other payments (to CoM for maintenance)	\$2,000	\$2,000
Annual costs with identified improvements	\$23,150.10	\$27,150.10
Annual costs without identified improvements	\$23,150.10	\$31,150.10

Legal and Risk Implications

The risks associated with this proposal relate mainly to the future costs to Council for the ongoing maintenance and any upgrade works that may be required.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

13.2.4 Bonnie Doon Recreation Reserve - Continued

Alignment to Council Plan

The proposal is being considered under the following objectives in the Council Plan 2017-2021:

- Strategic Objective 3.2: We support our communities in meeting their own needs.

Consideration of Council's Property Leasing and Licensing Policy 2017 has also been undertaken as part of this report, in that should Council resolve to take over management of the Reserve, it would be managed in accordance with this policy.

The land is currently vested with the Department of Environment, Land, Water and Planning and is managed under the provisions of the *Crown Land (Reserves) Act 1978*.

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate - Continued

13.2.5. P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation

File Number	DA5727 – P170539E/21	Responsible Officer	Tim Berger, Coordinator Statutory Planning
Purpose			
<p>The purpose of this report is to seek Council's determination of an application for Planning Permit P170539E/21, relating to the proposed multi lot subdivision of land (18 lots) and removal of native vegetation at 53 Highton Lane, Mansfield.</p> <p>The application is being referred to Council for determination, as officers believe the concerns raised by objectors are best considered by Council to enhance the transparency of decision making around native vegetation matters.</p>			
Executive Summary			

This application seeks Council approval for the multi lot subdivision of land and removal of native vegetation at 53 Highton Lane, Mansfield.

The subject land comprises a single land parcel of 2.189 hectares in area and is currently developed with a dwelling and outbuilding. The land also contains a number of sizeable stands of native vegetation, with a total area of 1.204 hectares.

The proposal seeks to subdivide the land into 18 lots, accessed via a new internal road connecting to James Street, which in turn connects to Highton Lane. Lots within the subdivision vary in area from 804m² to 1,113m², with the majority of lots being 1,000m² in area. The proposed subdivision would connect with an existing approved subdivision on the lot to the west, creating a 'loop' road through the subdivision onto James Street.

Pursuant to Section 52 of the *Planning and Environment Act 1987* ('the Act'), the proposal was advertised to adjoining and nearby property owners and occupiers. As a result of public notice, three (3) objections to the application have been received.

The key concerns raised in objections include:

- Loss of native vegetation and associated impacts on amenity of nearby land and impacts on fauna;
- That the subject site would be a valued Public Open Space site; and
- Lack of connectivity of subdivision.

These objections are considered and responded to in the attached delegate report, however the objections are primarily related to the loss of native vegetation from the site as a result of the subdivision.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

The subject land is zoned General Residential Zone, with an expectation in the Planning Scheme that such land will be used and developed for residential purposes. This is not to say that blanket support for native vegetation removal should automatically be granted; but rather that the primary purpose of the land is to provide for residential use and development.

The loss of the vegetation on the site will undoubtedly lead to impacts on biodiversity in the immediate area, and a feature which is valued by nearby residents (particularly those properties that have a direct interface to the subject land). However, the Planning Scheme does not provide that vegetation cannot be removed or that any impact is unacceptable – rather, it provides a basis in which vegetation removal can be assessed on its merits having regard to the particular context of the site.

The principles in the Mansfield Planning Scheme for native vegetation removal comprise 3 core aspects as characterised by Clause 52.17 of the Scheme:

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
4. For this proposal, the residential development of the subject land as envisaged by the General Residential Zone cannot avoid vegetation impacts, given the extent of coverage on the site. Further, due to the operations of exemptions in the Planning Scheme for native vegetation removal on lots less than 4,000m², vegetation loss cannot be minimised without undermining the core intent of the proposal, which is to develop the land into conventional residential lots consistent with the surrounding area. The development of the subject land in such a matter is wholly consistent with the purpose and intent of the General Residential Zone applying to the land.
5. As the removal of vegetation cannot be avoided or minimised, the permit applicant will be required to offset the vegetation to ensure there is no net loss to biodiversity. Such an offset can be readily achieved as a third party (offsite) offset. This has been supported by an arborist assessment provided by the applicant and considered by DELWP.
6. No fundamental concerns have been raised in relation to the form of the subdivision, and the assessment of the proposal shows that the proposed lots respond positively to the matters to be considered in relation to residential subdivision, including ResCode.
7. A full assessment of the proposal against the provisions of the Mansfield Planning Scheme is provided at Attachment 1 of this report. Based on this assessment of the application, it is considered that on balance, the proposal is an acceptable outcome for the subject site. As such, the application is presented to Council for decision, with a recommendation to issue a Notice of Decision to Grant a Permit, subject to the conditions listed below.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Key Issues

- Removal of native vegetation
- Density of proposed subdivision

Recommendation

THAT COUNCIL, having caused notice of Planning Application P170539E/21 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all relevant matters under Section 60 of the *Planning and Environment Act 1987*, determines to issue a Notice of Decision to Grant a Permit for Planning Application P170539E/21 for the multi lot subdivision of land and removal of native vegetation on Lot 1 PS835086F, Lot 12 PS201767G and Lot 2 PS835088B, commonly known as 49, 51 and 53 Highton Lane, Mansfield in accordance with the endorsed plans and subject to the following conditions:

Amended Plans Required

1. Prior to the certification of the plan of subdivision, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions.
The plans must be generally in accordance with the plans submitted with the application modified to show:
 - a. Road Reserve, carriageway and verge widths;
 - b. Drainage layout; and
 - c. Other information relevant to the land such as dams, wells, filled land, land subject to inundation, creeks and natural water courses etc.

Endorsed Plans

2. The endorsed plans forming part of this permit must not be altered or modified without the written consent of the Responsible Authority.
3. Prior to the commencement of works or certification of the plan of subdivision (whichever occurs first), the owner or developer must submit to the Responsible Authority a written report and photos of any existing/prior damage to public infrastructure. The report must detail the condition of kerb & channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development.

Unless identified within the written report, any damage to infrastructure will be attributed to the development. The permit holder must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development permitted by this permit, prior to the issue of a Statement of Compliance or at a later time as may be agreed by the Responsible Authority.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation - Continued

Notice of Restriction

4. The plan of subdivision submitted for certification must include a notice of restriction, to the effect that:
 - a. The land must not be further subdivided unless each proposed lot provides a minimum frontage to a street of 15 metres.

Removal of Buildings

5. Prior to the issue of a Statement of Compliance, the following must be done with the existing buildings on site:
 - a. The existing dwelling on the site must be within the boundaries of a single lot or removed to the satisfaction of the Responsible Authority.
 - b. Any outbuildings on a parcel of land without a dwelling must be removed to the satisfaction of the Responsible Authority.

Landscaping

6. Prior to the certification of the plan of subdivision, a landscape masterplan for the entire subdivision must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit.

The landscape masterplan must show:

- a. The landscaping theme and graphical concepts to be developed for the subdivision;
 - b. The type of species to be used for street tree planting in various stages of the subdivision;
 - c. The principles and graphical concepts of the proposed treatment of the open space and drainage reserves; and
 - d. Entrance treatments.
7. Prior to the certification of the plan of subdivision, a detailed landscape plan for that stage must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions must be provided. The landscape plan must be consistent with the construction plans for the development and must show:
 - a. New planting, including their layout to be provided in any road reserves and municipal reserves;
 - b. Detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule should be based on the recommended planting schedule documented in the *Revegetation Guide for the Goulburn Broken Catchment* as published by the Goulburn Broken Catchment Management Authority;
 - c. The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds;

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation – Continued

Recommendation – Continued

- d. All trees planted as part of the landscape works must have a minimum height of 2.0 to 2.5m at the time of planting unless otherwise agreed by the Responsible Authority;
 - e. The supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve/s);
 - f. Soil quality and planting techniques in median or verge tree planting zones along arterial roads (including service road nature strips) that will support full growth of medium to large trees;
 - g. Mechanisms for the exclusion of vehicles;
 - h. All proposed open space, streetscape embellishments such as installation of pathways, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve); and
 - i. Detailed designs for all stormwater treatment features such as bio-retention systems consistent with the submitted Stormwater MUSIC modelling.
8. Prior to the issue of a Statement of Compliance, all nature strips must be seeded and fertilised and grass must be established to the satisfaction of the Responsible Authority.
9. Prior to the issue of a Statement of Compliance, all landscaping works (including street trees) shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority.
10. The landscaping shown on the endorsed plans including street trees must be maintained for a period of twelve months from the date of practical completion of the works to the satisfaction of the Responsible Authority. Formative pruning must be undertaken to the satisfaction of the Responsible Authority prior to the end of the 12 month period. Any dead, diseased or damaged plants are to be replaced within 12 months of the date of practical completion for the works.

Public Open Space

11. Prior to the issue of Statement of Compliance under the *Subdivision Act* 1988 for the subdivision, the permit holder must pay to the Responsible Authority:
- a. A sum equivalent to 5 per cent of the site value of all the land in the subdivision; and
 - b. Any costs associated with valuation of the land including valuers fees.
- The permit holder must make a request to Council to commence the process involved with this condition.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

Telecommunications Conditions

12. The owner of the land must enter into an agreement with:
 - a. A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

13. Before the issue of a statement of compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Engineering Conditions

14. Prior to the issue of a Statement of Compliance, a sealed Basic Right Turn (type BAR) must be provided on Highton Lane at North approach of James St / Highton Lane junction at the cost of the developer to the satisfaction of the Council.

15. All pavement is to be constructed in accordance with the Infrastructure Design Manual (IDM) and a suitably qualified CPEng, National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.

16. All road intersections, shall be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.

17. Prior to the certification of the plan of subdivision, all design drawings must be submitted to Council for approval. All roads, road reserve, court bowls, footpaths, on street parking, kerb and channelling must be designed in accordance with the Infrastructure Design Manual (IDM) and to the satisfaction of Council.

18. Prior to the issue of a Statement of Compliance, concrete footpaths and kerb and channel must be provided on both sides of all roads created as part of the subdivision, and connect to existing infrastructure to the satisfaction of the Responsible Authority.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

19. Traffic calming treatments must be installed in accordance with Austroads and the Traffic Impact Assessment Report requirements to achieve a target speed of 50km/hr.
20. Temporary court bowls or road dead ends shall be fully fenced, appropriately signed, shaped, drained, and be of all-weather construction (minimum pavement thickness 100mm, class 4 FCR), with a minimum turning radius of 10m. Prior to installation of a temporary court bowl, formal agreement with the neighbouring property must be achieved if applicable. Maintenance of the temporary court bowl will remain the responsibility of the developer during the applicable maintenance period.
21. All road, road related areas and public open spaces / reserves within the new subdivision shall be provided with public lighting in accordance with the minimum requirement for Category P lighting guidelines and light technical parameters in AS/NZS 1158.3.1 and as approved by the Responsible Authority. All public lighting must incorporate the use of energy efficient globes (i.e. T5).
22. All road intersections, shall be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.
23. The extent and depth of any proposed lot filling is to be denoted on the design plan. Where depths of fill on allotments exceed 300 mm, those areas are to be clearly differentiated from areas where the depths of fill are less than 300 mm.
24. Where the depth of fill exceeds 300mm, the fill is to be compacted in accordance with the requirements of Table 204.131 Compaction Requirements Scale C of VicRoads Technical Specification 204 and shaped to match existing site levels. Geotechnical test results are to be submitted to Council's Engineering Department for confirmation that the required compaction has been achieved.
25. Where fill is imported onto the site, written records are to be provided to Council's Engineering Department to confirm the source of the fill and to provide evidence that the soil is not contaminated.
26. Prior to the commencement of works or certification of the plan of subdivision (whichever occurs first), an amended Stormwater Management Strategy must be submitted to and approved by the Council. A revised volume report will be required to be submitted with the following inclusions:
 - a. Calculations for Predevelopment Site Discharge (PSD) and confirm the data source of downstream outfall of 1.459m³/s.
 - b. Clearly state that bio-retention system proposed will treat the entire catchment under consideration in section 'Upstream Catchment'.
 - c. Elaborate the report and make it self-explanatory with reference to calculations and assumptions.
 - d. Demonstrate that the downstream network is capable of taking additional water from the development and restrict the flow if required

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

27. Prior to the issue of a Statement of Compliance the developer must upgrade the existing retardation basin at Stewart Street, including the provision of treatment within that system at the cost of the developer to the satisfaction of the Council.
28. The detention basin, bio-retention and litter traps must be designed to allow access for maintenance vehicles. The area must be designed so that it is safe enough to be maintained without fencing, regardless of whether fencing is installed.
29. Prior to the issue of a Statement of Compliance, any fencing around the retardation basin as determined by Council after the update works required by this permit must be provided at the full cost of the developer and to the satisfaction of the Responsible Authority. Any fencing must provide access for maintenance purposes with lockable gates.
30. Altered overland flow paths must pass through the designed routes within reserves for municipal purposes or within easements to the satisfaction of the Responsible Authority.
31. All stormwater infrastructure such as retardation and treatment facilities will remain the responsibility of the developer until Statement of Compliance is issued for the final stage of the subdivision. The stormwater infrastructure must be maintained to a standard acceptable to the Responsible Authority.
32. All street signs and furniture must meet Mansfield Shire Council, VicRoads and Australian Standards.
33. A Site Management Plan (SMP) is to be submitted and approved by Council prior to the commencement of any works or certification of the plan of subdivision (whichever occurs first). The SMP must contain at minimum:
 - a. Protection of significant native vegetation (except vegetation permitted to be removed) during the construction of roads, reticulated services and other infrastructure, including any on the adjoining road reserve.
 - b. Prevention of adverse environmental impacts on existing waterways including through run-off and siltation.
 - c. Procedures to ensure access by construction vehicles during the construction does not impact the amenity of the surrounding neighbourhood.
 - d. Details of how the proposal complies with EPA Victoria Publication 960 *Doing it right on subdivisions: Temporary environmental protection measures for subdivision construction sites*.
34. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

35. All services must avoid root zones of existing trees. Where services cannot be placed to avoid the root zone, boring and/or hand digging must be undertaken to minimise root damage to the satisfaction of the Responsible Authority.
36. Temporary barriers must be erected around the drip line of existing trees and maintained during construction to the satisfaction of the Responsible Authority.
37. Prior to the commencement of works, the permit holder must provide to the Responsible Authority the name of the project coordinator appointed to oversee the works and notification of commencement date of the works
38. Prior to the issue of a Statement of Compliance, the developer is required to pay to The Responsible Authority a cash contribution of:
 - a. 0.75% of the total actual documented cost of the engineering works for the checking of engineering plans associated with the development approved herewith.
 - b. 2.50% of the total actual documented cost of the engineering works for the supervision of works associated with the development approved herewith.
39. Prior to the issue of Certificate of Practical Completion and subsequent Statement of Compliance, the Developer is to lodge a security bond to the Responsible Authority for 5% of the total actual documented cost of the engineering works based on actual tender fees. This bond will be released following a satisfactory inspection, 52 weeks after a Certificate of Practical Completion is issued.
40. Following completion of all works, and prior to issuing of the Statement of Compliance, “as constructed” drawings must be submitted and accepted by the Council. The preferred format of the drawings are AutoCAD *.DWG or *.DXF. Drainage drawings to DSpec requirements must also be provided prior to issuing of the Statement of Compliance.
41. All design plans and specifications must be detailed in accordance with the IDM to the satisfaction of the Responsible Authority and will valid for a period of 12 months only after approval. Following the expiry date design plans must be resubmitted for review and accepted prior to works commencing.

AusNet Electricity Pty Ltd

42. The Plan of Subdivision submitted for certification must be referred to AusNet Electricity Services Pty Ltd in accordance with Section 8 of the *Subdivision Act 1988*.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

43. 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 to AusNet Electricity Services 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.
- 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.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

Country Fire Authority

44. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* 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.
45. 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:
- a. 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 metres. Dups must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
 - b. Curves must have a minimum inner radius of 10 metres
 - c. 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.

Department of Environment, Land, Water and Planning

46. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.
47. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
- a. A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - b. Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

48. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- a. vehicular or pedestrian access;
 - b. trenching or soil excavation;
 - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - d. construction of entry and exit pits for underground services; or
 - e. any other actions or activities that may result in adverse impacts to retained native vegetation.
49. The total area of native vegetation permitted to be removed is 1.204 hectares, comprised of:
- a. 1.095 hectares of patch native vegetation including 2 large trees, with a strategic biodiversity value of 0.465.
 - b. 1 scattered large tree.
 - c. 2 scattered small trees.
50. To offset the removal of 1.204 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a. A general offset of 0.288 general habitat units located within the Goulburn Broken Catchment Management Authority boundary or Mansfield Shire Council municipal district;
 - b. have a Strategic Biodiversity Value score of at least 0.372;
 - c. provide protection for at least 3 large trees;
 - d. must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).
51. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:
- a. a security agreement signed by both parties, and
 - b. a management plan detailing the 10-year management actions and ongoing management of the site to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;
and/or
 - c. credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

52. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au.

Goulburn Murray Water

53. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.

54. Any Plan of Subdivision lodged for certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the *Subdivision Act*.

55. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.

56. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Goulburn Valley Water

57. Prior to the issue of a statement of compliance (unless otherwise specified), the permit holder must arrange:

- 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 reticulated water supply and associated construction works to each allotment within the development, 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. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation;
- d. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
- e. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains);
- f. Disconnection and relocation of any existing house connection drain, and each allotment to be independently and directly connected to a sewer main of the Goulburn Valley Region Water Corporation;

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Recommendation – Continued

- g. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
- h. 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 any sewerage or 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;
- i. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the *Subdivision Act 1988*.

Expiry

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

- a. The plan of subdivision is not certified under the Subdivision Act 1988 within two (2) years of the date of this permit.
- b. The registration of the plan of subdivision is not completed within five (5) years of the date of certification under the Subdivision Act 1988.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

Planning Notes

Department of Environment, Land, Water and Planning

1. The Department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee Act 1988 (FFG). All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office p&a.north@delwp.vic.gov.au.
2. Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

Support Attachments

1. Delegate Report – 53 Highton Lane Mansfield

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Considerations and Implications of Recommendation

Sustainability Implications

The proposed subdivision includes over 1 hectare of native vegetation removal, deemed to be lost due to the physical works to create the subdivided lots, and that once the new lots are created, each lot can remove native vegetation without a Planning Permit under the exemptions provided at Clause 52.17-7 of the Mansfield Planning Scheme.

The permit applicant has demonstrated that the vegetation to be removed can be appropriately offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017), which has been supported by the Department of Environment, Land, Water and Planning. Any offset must be obtained in either the Mansfield Shire Municipal District, or the Goulburn Broken Catchment Management Authority area.

Community Engagement

The application for a planning permit was advertised to adjoining and nearby property owners and occupiers in accordance with Section 52 of the *Planning and Environment Act 1987*. As a result of this advertising, three (3) objections were received to the application. The permit applicant was provided an opportunity to respond to the concerns raised, and this response was provided to the objectors, who have maintained their objections to the proposal. A discussion of these objections is in the Delegate Report at Attachment 1.

Collaboration

Not applicable.

Financial Impact

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

Legal and Risk Implications

The application has been assessed under the provisions of the *Planning and Environment Act 1987* and the Mansfield Planning Scheme.

If Council determines to issue a Notice of Decision to Grant a Permit (as recommended), any objector may seek a review of this decision at the Victorian Civil and Administrative Tribunal (VCAT). The permit applicant may also seek a review at the VCAT of any conditions placed on the permit.

If Council determines to issue a Notice of Decision to Refuse to Grant a Permit (not recommended), the permit applicant may seek a review of this decision at the VCAT.

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

13.2.5 - P170539E/21 – 53 Highton Lane Mansfield – Application for Multi Lot Subdivision and Removal of Native Vegetation - Continued

Alignment to Council Plan

This report is in alignment with the following elements of the Council Plan 2017-2021:

- Strategic Objective 2.6 – Our population continues to steadily grow, supported by the provision of sustainable community infrastructure and services.
- Strategic Objective 5.4 We make transparent decisions facilitated by community participation at Council meetings.

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate - Continued

13.2.6. Purchase of Crown Allotment 2009, Brown Street (Police Paddock) Jamieson

File Number	E8025	Responsible Officer	Property Management Officer Des Dunn
Purpose			
The purpose of this report is to inform and make a recommendation to Council regarding an offer from the Department of Treasury (Vic) for Council to purchase Crown Allotment 2009, Brown Street, Jamieson, known as the Police Paddock, for the price of \$25,000 plus GST.			
Executive Summary			

- Crown Allotment 2009, Brown Street, Jamieson, was offered for sale to Mansfield Shire Council in 2014, but due to Native Title issues (now resolved), and various other issues, the offer had not been taken up.
- The site is still available at the original purchase price.
- The Jamieson Community group (who currently maintain the site) in conjunction with the Jamieson and District Historical Society Inc., would like to develop the “shed” to house historical artefacts. Public Liability Insurance is paid by The Jamieson and District Historical Society Inc.
- Both groups have stated that they are willing to upgrade and maintain the grounds and the building at their cost.
- It is recommended that Council purchase the parcel of land

Key Issues

The subject land in Brown Street, Jamieson, is zoned General Residential 1 (GR1) and covers an area of approximately 1742m², with a frontage of approximately 41.21 metres to the western side of Brown Street.

The land was originally offered to Mansfield Shire Council in 2014 by the Department of Treasury as surplus land. The site was previously used as the Police Stables, which were built in 1862 and currently still stand on the site. The site is no longer required by Victoria Police. This building now is a community storage shed that houses additional fire-fighting equipment, the community maintenance trailer and other equipment

The paddock is used for off road parking for CFA brigade members during the summer period, when fighting fires. The paddock has also been the site of a number of community activities, including the Jamieson Autumn Festival and the Jamieson Hot Rod Muster.

13.2.6 – Purchase of Crown Allotment 2009, Brown Street (Police Paddock) Jamieson-Continued

There is a community groundwater bore located on the site which supplies water to the main public toilet block on the corner of Perkins and Brown Streets, as well as supplying the emergency standpipe on Perkins Street.

Crown Allotment 2009, the subject site, is hatched in green in the figure below:



The site has been offered to the Shire for \$25,000 plus GST, on a cash basis with the provision that it be only used for “enduring restricted community usage”. This restriction confines the use of the subject land solely for community purposes.

The community groups who have shown interest in managing the land are the Jamieson Community Group and Associated Bodies Inc. and the Jamieson and District Historical Society Inc. Should Council resolve to acquire the land, they propose to maintain the land on behalf of Mansfield Shire Council.

13.2.6 – Purchase of Crown Allotment 2009, Brown Street (Police Paddock) Jamieson-Continued

Recommendation
<p>THAT COUNCIL</p> <ol style="list-style-type: none"> 1. Approve the acquisition of the land known as Crown Allotment 2009, Parish of Jamieson, Brown Street, Jamieson, from the Department of Treasury, at the cost in the 2014 Valuer General’s Valuation of \$25,000 +GST. 2. Approve the additional expenditure of \$1066.05 to support the purchase of this land.
Support Attachments
<ol style="list-style-type: none"> 1. Title Searches

Considerations and Implications of Recommendation

Sustainability Implications

Not applicable.

Community Engagement

Over the years, the Mansfield Council has liaised with the Jamieson community (the Jamieson Community Group and the Jamieson and District Historical Society Inc.) regarding the site, its possible development and uses. An example of the community’s collaboration and support for such a proposal, was the redevelopment of the Jamieson Courthouse. The community raised a petition as well as funds, negotiated arrangement with the Council, and restored the building and created the current Jamieson Museum.

The acquisition of Crown Allotment 2009 Brown Street Jamieson will be subject to any requirements under the *Local Government Act 2020* and Council’s Community Engagement Policy.

Collaboration

The matter has been discussed with the Department of Treasury and confirmation received that the offer of the land is still current at the price originally offered.

Financial Impact

The unbudgeted financial implications from this report are as follows:

	<u>Crown Allotment 2009</u>
Purchase price	\$25,000.00
Crown Grant creation fee	\$152.55
Crown Grant lodgement fee	\$98.50
Valuation Fee	\$815.00
	<hr/>
Total	\$26,066.05

13.2.6 – Purchase of Crown Allotment 2009, Brown Street (Police Paddock) Jamieson-Continued

Legal and Risk Implications

The original purchase condition was \$25,000 purchase price with a 10% deposit and balance in two years. Discussions with Department of Treasury indicate that a cash purchase of \$25,000, plus GST would mean the land would transfer immediately and not be subject to any Native Title issues that may arise within the two year period subsequent to a deposit being paid.

If the land is not purchased by the Council, during this current period, the property would be put to public auction by the Department of Treasury and lost to the community as a consequence. Section 112 of the *Local Government Act 2020* applies to the acquisition of land, the purchase or compulsory acquisition of land by a Council under this section must be completed in accordance with the Council's Community Engagement Policy.

Should Council decide not to purchase the land, access to the bore located on the property would need to be negotiated with the new owner, or the installation of a new bore on Council owned or managed land would be required. The cost of installing a new bore and associated infrastructure is likely to be higher than the purchase price for the land.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Once purchased, the Jamieson Community has indicated that they will be responsible for all maintenance and improvement.

Alignment to Council Plan

This proposal is in accordance with the following elements of the Council Plan 2017-2021:

- Strategic Objective 1.1 Our community has a say in matters of interest to them.
- Strategic Objective 1.2 Council is an effective advocate on behalf of its community
- Strategic Objective 3.2: We support our communities in meeting their own needs.
- Strategic Objective 5.4 We make transparent decisions facilitated by community participation at Council meetings.

Governance - Disclosure of Conflicts of Interest

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

13.2 Infrastructure and Planning Directorate - Continued

13.2.7. Mansfield Men's Shed Lease Dispute

File Number		Responsible Officer	Property Management Officer, Des Dunn
Purpose			
This report presents Council with information on the lease and licencing agreements between Council and Mansfield Adult Continuing Education (MACE) for Lot 2 PS 339273, 17 Erril Street, Mansfield and provides options for the way forward to resolve a dispute between MACE and the Mansfield Men's Shed Incorporated regarding this lease.			
Executive Summary			

- The subject land at 17 Erril Street, Mansfield is owned by Council. The land was transferred from the Mansfield Bowls Club Inc. to Mansfield Shire Council on 27 October 1994 and vested to Council on 9 November 1994.
- The site has been leased to MACE since 2003, on a 10 Year lease, with two (2) x 10 year options thereafter.
- Since 2018 a dispute has existed between MACE and the Men's Shed Inc. in relation to the lease of the land and the ownership of the building sited on that land.
- Council has unsuccessfully engaged with both parties to resolve the dispute.
- MACE originally auspiced the grant funding sought for the building on the land for the Men's Shed Committee prior to that organisation being incorporated.
- The building was constructed, and is upgraded and predominantly maintained by Men's Shed Inc; MACE do undertake some maintenance works.
- The Men's Shed Inc. would like to enter into a lease agreement directly with Council.
- MACE objects to the Men's Shed Inc. position and seeks to continue to lease the property from Council.
- The existing lease with MACE is in over-holding, on a month by month basis.
- Council is able to enter into a new lease as it sees fit.

Key Issues

In 2003, the Mansfield Men's Shed Committee wished to establish a Men's Shed and erect a structure upon the land at 17 Erril Street, Mansfield.

The Men's Shed Committee sought to obtain funding for the structure with a grant, but were not eligible as they were not yet an incorporated body. In order to progress the funding application, the Mansfield Men's Shed approached Mansfield Adult Continuing Education (MACE) to auspice the grant.

13.2.7 – Mansfield Men’s Shed Lease Dispute- Continued

To enable this, the “unincorporated body of men” and MACE signed an Auspice Memorandum of Understanding (MOU), in February 2003 for 12 months, or until the Men’s Shed became incorporated, whichever was sooner.

The auspice arrangement and agreement in the MOU were established to allow the Community Shed Program to occur as the Men’s Shed was not an incorporated association at the time. Further to this, Mansfield Shire Council leased the land for 30 years to MACE (in their role as the auspice organisation) for a rent of \$10 per ten year term.

As a result of this, a Government Grant for a community shed was awarded and the building was erected and officially launched on 25 August 2005. The Men’s Shed became “Incorporated” in 2013.

In November of 2018 The Mansfield Men’s Shed gave MACE formal notice terminating the Auspice arrangement between the two organisations.

Overview of the Dispute

MACE do not wish to end their lease agreement over the land and building and have Council form a lease with the Men’s Shed Inc. MACE currently use the building for a quilters program and a welders program, for which they charge a small fee to all participants.

The Men’s Shed Inc. wish to enter into a lease agreement with Council to enable them to have control of building and all works that may be required to be done on it. The Men’s Shed Inc. have advised that they intend to allow the two existing MACE programs to continue within the building.

In summary, MACE want to retain control of the building and the lease of the land, although the building was constructed and is maintained and upgraded by funds obtained by The Men’s Shed. The Men’s Shed Committee, now that they are incorporated, want to take over the control of the building and the land as it has intended to do since 2003.

At the August 2020 Council Meeting a question of Council was asked by the Men’s Shed Committee President as to what the Mansfield Shire Council was doing to ensure the ongoing tenure of the Men’s Shed.

At that time, Council responded that it did not intend to intervene in the matter, but continued to encourage both parties to try to find a resolution. Since that time, no resolution has been made and a new Council has been elected.

Council officers have met with the two parties in an attempt to resolve the matter as both MACE and the Men’s Shed provide important community services. The CEO and Mayor also met with the MACE President and CEO in February 2021 to discuss the matter. In preparation for this meeting Council sought legal advice about the MACE lease status in an attempt to assist in resolving the dispute.

Current Status of the Lease

The lease agreement was entered into on 12 March 2003 for a term lease of 10 years, with a further two x ten year options to extend. According to MACE, they paid 30 years in advance on this agreement and believe that this means that their tenure on the building is valid until 12 March 2033.

13.2.7 – Mansfield Men’s Shed Lease Dispute- Continued

In order to assist in a resolution to this dispute with due consideration of all options available to Council, officers sought legal advice on this matter and advise that although the amount is purported to have been paid in advance, this did not mean legally that the lease had been extended.

The lease agreement states the following:

10.1 The landlord must renew this lease for a further term or terms stated in item 18 if:

10.1.3 The tenant has requested renewal in writing not more than 12 months nor less than 1 month before the end of the term. The latest date for exercising the option is stated in item 19.

A search of Council records has shown that a written request to renew the lease was not made in the above time frames, and as such, the occupation of the land and buildings is in over-holding, on a month to month arrangement. A copy of the lease can be found as Attachment 1.

Options

A decision of Council is required to determine who should have the lease of the site at 17 Erril St, Mansfield and consequently control the improvements thereon.

Council has the following options:

1. Enter into a lease agreement with MACE, and allow for MACE to licence The Men’s Shed Inc. to use the land and buildings.
2. Enter into a lease agreement with the Men’s Shed, and allow The Men’s Shed Inc. to licence MACE to use the land and buildings.

When considering these two options, the purpose and intent of the original Auspice Agreement should be given due consideration.

The Auspice Agreement

The Memorandum of Understanding (MOU) between MACE and the Shed Committee is attached at Attachment 2. A summary of the agreements in this MOU are as follows:

1. MACE will auspice the Community Shed Project until The Shed Committee become an incorporated association.
2. MACE would undertake administration and have a budget line associated with the project.
3. MACE would assist with funding applications.
4. The Shed Committee were responsible for all costs, apart from administration costs, associated with the project.
5. The Shed Committee are responsible for the completion of the project and the ongoing maintenance of the project.

13.2.7 – Mansfield Men’s Shed Lease Dispute- Continued

It is noted that the Shed Committee is now known as Men’s Shed Inc. and has been responsible for most of the costs associated with the building since the original grant funding was obtained, in accordance with the MOU.

It is also noted that although the MOU is silent on the Shed Committee taking over the lease upon incorporation, the MOU was to allow the building to be constructed with government funding as a project managed by the Shed Committee. The intent in this agreement appears to be that the building be constructed and managed in the long term by the Shed Committee, not MACE.

Summary

The Shed Committee, as referred to in the MOU, became an incorporated association in 2013. Based on the intent of the MOU, in that the land and building were to be the responsibility of the Shed Committee (now Men’s Shed Inc.), it is reasonable that Men’s Shed Inc. are now seeking to enter into a lease for the site.

It is also considered that the original lease is now in over-holding and Council’s only obligation to end the existing arrangement is with the provision of one months’ notice to the existing lease holder, MACE.

Recommendation

THAT COUNCIL:

1. Receive and note the status of the lease as legally being in over-holding
2. Agrees with the Men’s Shed Incorporated’s interpretation of the original intent of the auspice agreement between MACE and Men’s Shed Inc. signed in 2003. That being, upon the incorporation of The Men’s Shed (or Community Shed) as an entity, the lease would be handed over to the Men’s Shed Incorporated including the assets and that further lease agreements would be between Council and Men’s Shed Inc.
3. Writes to MACE and Men’s Shed Inc. advising Council’s position on the intent of the original auspice agreement and urges MACE to honour the intent of the agreement which was to support the Men’s Shed Inc. in the construction, upgrades and maintenance of the building and then to hand over the project to the Men’s Shed Inc.
4. Receives a further report on this matter at its October 2021 Council meeting.
5. Takes no further action on the MACE-Council lease until Council receives the further report and leave the existing Lease in an over-holding arrangement until such time.

Support Attachments

1. Lease for 17 Erril Street, Mansfield with MACE.
2. Memorandum of Understanding between MACE and the Shed Committee.

13.2.7 – Mansfield Men’s Shed Lease Dispute- Continued

Considerations and Implications of Recommendation

Sustainability Implications

This report does not propose any changes to the site or building with the exception of the lease arrangements. Therefore, no sustainability implications are identified.

From a social perspective, the consideration of a change in the lease arrangement needs to explore whether the community is disadvantaged as a result. It is considered that either option outlined in this report will have no negative impact from a social perspective.

Community Engagement

Council has unsuccessfully engaged both MACE and Mens Shed since 2019 to try and assist in resolving the dispute between the parties.

Collaboration

The original auspice agreement between the Mens Shed Committee and MACE was a collaborative arrangement to realise a key community project.

Financial Impact

Not applicable.

Legal and Risk Implications

If Council is forced to intervene and make a decision on the lease there is potentially a reputational risk that Council would need to manage as both organisations are important to the Mansfield Shire community.

If Council took up Option 2 without MACE’s cooperation, then this may result in MACE taking action at any perceived cancellation of the existing lease. However, with due consideration for the terms of the lease, and the determination that the lease is in over-holding, this risk is considered limited.

As Council has to give one months’ notice, there are some risks associated with the termination of the lease with MACE. If the current lease is terminated, MACE has indicated that some programs could be at risk of being able to continue, being the welders and quilters programs. However the Men’s Shed have reassured Council that they will allow these courses currently being run in the Men’s Shed to continue, but a negotiated cost recovery would be sought. This negotiation would be between MACE and the Mens Shed.

Further to this, MACE has raised that if the lease was to be terminated they would need to write off the asset immediately, which would threaten their financial position. While this is not a risk to Council, it is a risk in the consideration of this matter.

Finally, it is noted that the lease has a “make good” clause, being that normally the lessee would be required to return the property in the state they found it. Normally in cases like this, the lessee would come to an arrangement with Council to leave the buildings on site, however, technically this clause requires that MACE remove the sheds. Council may be able to reach a settlement between the parties involved if this action were to be pursued to keep the buildings in place.

13.2.7 – Mansfield Men’s Shed Lease Dispute- Continued

Regional, State and National Plans and Policies

Not applicable.

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

This report is in line with the Mansfield Shire Council Plan 2017-2021, Strategic Objective 5.4, in that “We make transparent decisions facilitated by community participation at Council meetings”, in that both parties will be given the opportunity to address council on the matter prior to a decision being made.

The social benefit of the Mansfield Men’s Shed (which offers social support for both men and women with the various activities offered), is in line with Strategic Objective 3.2, in that “We support our communities in meeting their own needs”.

Governance - Disclosure of Conflicts of Interest

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

13.3. Community and Corporate Services Directorate

13.3.1. Mansfield Community Vision 2040

File Number	E8222	Responsible Officer	General Manager Community and Corporate Services – Kurt Heidecker
Purpose			
<p>The purpose of this report is to present Council with the draft Mansfield Community Vision 2040 for endorsement to release to the Community for a final round of consultation.</p> <p>Following the consultation, the final Mansfield Community Vision 2040 will be presented to Council at its October 2021 Meeting for adoption.</p>			
Executive Summary			

- The new Local Government Act required Council to develop and adopt a Community Vision by 31 October 2021.
- Development on the Community Vision 2040 (the “Vision”) commenced in April 2021.
- The development process included community engagement through Council’s online “Engage Mansfield” portal, community workshops, community group representative workshop, bespoke workshops, conversation handbooks, emails to groups and individuals, a workshop with Council’s senior leadership team and the use of a deliberative panel comprising community members.
- The resulting draft Vision has been developed from all comments received through the engagement process with the deliberative panel considering, discussing and agreeing the final content.
- Council is being asked to endorse the release of the draft Mansfield Community Vision 2040 for a final round of consultation prior to its adoption at the October 2021 Council Meeting.

Key Issues

- The draft Vision has been developed in accordance with the provisions of the Local Government Act 2020.
- The vision has been developed by the Community for the Community, and will be used to help guide Council planning and provide shared aspirational goals across the Shire.
- As a community owned document, Council, the community and key partners all have a role in realising the vision.
- The Vision development process reached 3,000 people. 25,000 words provided by community members, 45 community groups invited to participate and 120 community members responded to a written survey.

13.3.1. – Mansfield Community Vision 2040 - Continued

- All of the information and comments received were considered by a deliberative panel.
- The use of a deliberative panel is new for Mansfield Shire, as it is for many local governments across Victoria. Deliberative panels are intended to be as representative of the community as possible ensuring all of the major demographics of a community are included. They are used as a mechanism for community to deeply understand a particular topic or issue, and to reach consensus on the advice it wants to provide to decision makers on that topic.
- Just as deliberative panels are new to local governments, they are also new to many communities. The development of the Vision was a good opportunity for Council to explore how a deliberative panel could work in Mansfield, to learn from the experience and to consider improvements to the process.
- A framework for applying a deliberative panel model of engagement is being developed and will be presented to Council at a future date.
- Mansfield Shire Community Vision 2040 has five domains:
 - **Community and People**
 - **Health and Wellbeing**
 - **Environment and Place**
 - **Infrastructure and Services, and**
 - **Prosperity and Economy**
- The five domains are supported by a description of their desired state in 2040. Each of them are intrinsically linked and do not exist in isolation of each other
- Due to the long timeframe of the Vision and the rich details of the destination elements of the five domains, it is not proposed to develop an overarching vision statement as part of this current process. This is because this vision statement may go out of date during the long timeframe of the Community Vision 2040 and/or would not be able to reflect the fullness of the community's comprehensive vision as described in the five domains.
- Full detail of the process undertaken for the development of the draft Community Vision 2040 is included in Attachment 1 "Mansfield Shire Community Vision 2040 Report". The report includes all of the comments received and a description of the process to form the Community Vision 2040.
- A copy of the Mansfield Shire Community Vision 2040 Statement is at Attachment 2.
- A flowchart of the process used to distil the community's wide array of comments to form the five domains is at Attachment 3

13.3.1. – Mansfield Community Vision 2040 - Continued

Recommendation
THAT COUNCIL endorses the draft Mansfield Shire Community Vision 2040 and releases it for community consultation until 8 October 2021.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield Shire Community Vision 2040 Report 2. Mansfield Shire Community Vision 2040 Statement 3. Process used to develop the Community Vision 2040.

Considerations and Implications of Recommendation**Sustainability Implications**

There are no sustainability implications arising from the recommendation to Council.

Community Engagement

There has been significant community engagement during the development of the Community Vision 2040. All comments provided by community have been documented and included in Attachment 1.

The deliberative engagement process used to form the Community Vision 2040 builds clear linkages between these community comments and its five domains.

Collaboration

Not applicable.

Financial Impact

Not applicable

Legal and Risk Implications

The development of the draft Community Vision 2040 fulfils the requirements of the Local Government Act 2020.

Regional, State and National Plans and Policies

Not applicable

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

The draft 2021-2025 draft Council Plan is a four year strategic document that outlines how Council plans and delivers services to the community. It has been informed by the Community Vision 2040 and was developed concurrently with it.

The Community Vision domains are aligned with those in the draft Council Plan which are:

- ▶ Connected and Healthy Community
- ▶ Vibrant Liveability
- ▶ A Trusted, Effective and efficient Council

13.3.1. – Mansfield Community Vision 2040 - Continued

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.2. Carry Forward Projects

File Number		Responsible Officer	Manager Business & Performance, Mandy Kynnersley
Purpose			
This report seeks a decision of Council in relation to the recommended carry forward projects from 2020-21.			
Executive Summary			

- In accordance with Council’s Carry Forward Projects Policy 2021, Council may choose to carry forward unspent funds from the previous year’s budget, into the current year budget, to enable completion of a committed project. Instances and circumstances that may give rise to a valid carry forward are outlined in the policy as follows:
 - Capital and Operating Projects that have commenced prior to the end of the financial year they were originally budgeted within; and/or
 - Projects for which Council has received funding and is committed (in writing) to completing; and/or
 - Projects where there is a legal or contractual commitment in place which needs managing through to completion.
- Approved carry forward project amounts will be included in the Updated 2021-22 Budget and will be reported against as part of the quarterly finance reports to Council throughout the year.
- It is recommended that Council approve carry forward totalling \$959,360 in operating (net of income) and \$2,670,193 in capital (net of income).

Key Issues *(Discussion on topic)*

The following items have been identified as requiring carry forward to 2021-22 in accordance with Council’s Carry Forward Projects Policy 2021.

CAPITAL

- ▶ Total capital underspend against budget 2020-21 - \$8,099,116
- ▶ Total amount of capital carry forward - \$2,670,193
- ▶ Percentage unspent funds carried forward - 33%

13.3.2. – Carry Forward Projects - Continued

Carry over amount	Project	Rationale
\$21,500	Bonnie Doon Community Centre - restumping	Contract awarded
\$86,500	Kindergarten Refurbishment	Contract awarded
\$393,559 (net of grant income)	Dual Court Indoor Stadium & carpark	Grant funded. Contract awarded
\$302,375	View Street upgrade	Contract awarded
\$163,757	View Street roundabout	Grant funded. Contract awarded
\$257,382	Heavy Vehicle Alternate Route design works	Grant funded. Contract awarded
\$1,208	Kerb and channel renewal	Contract awarded
\$37,140	Footpath renewal	Contract awarded
\$890,818	Road re-sheets	Contract awarded
\$126,820	Barwite Road drainage works	Contract awarded
\$33,000	Building renewal	Contract awarded
\$85,870	Drainage renewal	Contract awarded
\$48,000	Swimming pool renewal	Contract awarded
\$108,071	Bridge renewal	Contract awarded
\$69,539	Pavement patching program	Contract awarded
\$44,654	Indigenous garden	Grant funded. Contract awarded.

OPERATING

- ▶ Total operating underspend against budget 2020-21 - \$2,962,890
- ▶ Total amount of operating carry forward - \$ 959,360
- ▶ Percentage unspent funds carried forward – 32%

13.3.2. – Carry Forward Projects - Continued

Carry over amount	Project	Rationale
\$425,383	Council Assistance Fund - BRV	Grant funded program (bushfire recovery)
\$28,403	Community recovery & resilience - RDV	Grant funded program (COVID support)
\$120,000	Exceptional assistance ad immediate response - BRV	Grant funded program (bushfire recovery)
\$60,000	Business concierge & hospitality	Grant funded program (COVID support)
\$45,562	Maternal & child health	Grant funded program (ordinary operations)
\$70,077	Community activation and Social Isolation initiative	Grant funded (COVID support)
\$15,000	COVID relief	Grant funded (COVID support)
\$65,000	Family violence prevention	Grant funded (bushfire recovery)
\$10,450	Council Plan	Contract awarded
\$26,796	Community Vision	Contract awarded
\$71,763	Planning Strategy	Contract awarded
\$12,500	Climate Action Plan	Grant funded (bushfire recovery). Contract awarded.
\$11,000	Roadside weed spraying	Grant funded (ordinary operations)
\$27,540	Payroll system upgrade	Contract awarded
\$15,153	Engage!	Grant funded (ordinary operations)
\$7,702	FReeZA	Grant funded (ordinary operations)
\$5,401	Municipal Emergency Resourcing Program	Grant funded (COVID support)
\$10,201	COVID vaccination ambassador	Grant funded (COVID support)
\$73,828	Women in building surveying program	Grant funded (ordinary operations)
\$(142,399) net of income	Working for Victoria	Grant funded (COVID support)

Recommendation

That Council approve carry forward funds from the 2020-21 budget to the 2021-22 budget for the completion of the projects listed in this report, totalling \$959,360 in operating (net of income) and \$2,670,193 in capital (net of income).

Support Attachments

1. Mansfield Shire Council Carry Forward Projects Policy 2021

13.3.2. – Carry Forward Projects - Continued

Considerations and Implications of Recommendation

Sustainability Implications

Not applicable

Community Engagement

Not applicable

Collaboration

Not applicable

Financial Impact

Council has sufficient cash reserves to fund the carry forward projects recommended.

Legal and Risk Implications

Not applicable

Regional, State and National Plans and Policies

Not applicable

Innovation and Continuous Improvement

Not applicable

Alignment to Council Plan

Not applicable

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.3. Performance Statements 2020-2021

File Number		Responsible Officer	Manager Business & Performance, Mandy Kynnersley
Purpose			
This report presents the Performance Statements 2020-21 to Council for certification.			
Executive Summary			
<ul style="list-style-type: none"> The Performance Statements 2020-21 have been prepared by management and audited by audit service providers Johnsons MME and the Victorian Auditor General's Office (VAGO). The information within the Statements represents some of the indicators of the Local Government Performance Reporting Framework. The Statements are now required to be certified by Council, prior to VAGO issuing signed audit opinions, and submitted to the Minister for Local Government as part of Council's Annual Report by 30 September 2021. 			
Recommendation			
<p>That Council:</p> <ol style="list-style-type: none"> adopt in principle the Performance Statements of Mansfield Shire Council for the year ended 30 June 2021; and authorise Mayor Mark Holcombe and Deputy Mayor Cr James Tehan to certify the Performance Statements of Mansfield Shire Council for the year ended 30 June 2021 as adopted in principle by Council, subject to any changes required by the Victorian Auditor General's Office. 			
Support Attachments			
1. Mansfield Shire Council Performance Statements 2020-21			

Considerations and Implications of Recommendation

Sustainability Implications

There are no significant sustainability implications in relation to this report.

Community Engagement

Not applicable

13.3.3. – Performance Statements 2020-2021 - Continued

Collaboration

Not applicable

Financial Impact

Not applicable

Legal and Risk Implications

Transitional provisions under section 329(7) of the *Local Government Act 2020* state that the provisions of the *Local Government Act 1989* applicable prior to 24 October 2020 pertaining to the preparation of the Performance Statements continue to apply to reports for the year ended 30 June 2021.

Section 131 of the *Local Government Act 1989* requires Council's to prepare an Annual Report, including audited performance statements prepared in accordance with the regulations.

Section 132 requires Council to certify the performance statements prior to submitting to the auditor for an opinion.

The Performance Statements 2020-21 have been prepared in accordance with the Local Government Performance Reporting Framework, and the Local Government Victoria model (which is compliant with the regulations). The final, signed Performance Statements will become part of the Annual Report which must be submitted to the Minister for Local Government by 30 September 2021.

Regional, State and National Plans and Policies

Not applicable

Innovation and Continuous Improvement

Not applicable

Alignment to Council Plan

Not applicable – the Performance Statements are a statutory requirement.

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.4. Annual Financial Report 2020-21

File Number		Responsible Officer	Manager Business & Performance, Mandy Kynnersley
Purpose			
This report presents the Annual Financial Report 2020-21 to Council for certification.			
Executive Summary			
<p>The Annual Financial Report 2020-21 has been prepared by management and audited by audit service providers Johnsons MME and the Victorian Auditor General's Office (VAGO). The Report is now required to be certified by Council, prior to VAGO issuing signed audit opinions, and submitted to the Minister for Local Government as part of Council's Annual Report by 30 September 2021.</p>			
Key Issues			

- ▶ The Financial Report 2020-21 has been reviewed by the audit team from Johnsons MME and the Victorian Auditor General's Office, and received verbal clearance. The Financial Report was also presented to the Mansfield Shire Council Audit and Risk Committee, at the 23 August 2021 meeting, where the Committee resolved to recommend its adoption to Council.
- ▶ The Financial Report 2020-21 shows the following key statistics:
 - Surplus of \$6.6m for the year (increase from budget of \$6.4m)
 - Net asset revaluation increment of \$12.1m (buildings, land and land improvements)
 - Net assets of \$221m including \$210m in property, infrastructure, plant and equipment
 - Cash of \$16.3m including term deposits
- ▶ A Waste Management Reserve has been recognised in the Financial Report consistent with the prior year. The Reserve, dictated by Council's Financial Strategy 2018, depicts the over or under recovery of waste service costs through the waste service charge levied to ratepayers in accordance with the *Local Government Act 1989*.
- ▶ As in 2019-20, Council has again under recovered waste service costs but to a lesser extent, by \$96k, primarily in relation to the \$91k capital cost of plant and equipment at the Resource Recovery Centre.

13.3.4. – Annual Financial Report 2020-21 - Continued

- ▶ Reserves are not typically carried at a negative value, as they are traditionally utilised to “park” cash for future use. Audit have therefore recommended the reserve be removed. Management have not made this adjustment as it is considered critical to provide public record of the level of cost recovery in waste management to ensure transparency of Council’s compliance with the *Local Government Act 1989*.

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. adopt in principle the Financial Report of Mansfield Shire Council for the year ended 30 June 2021; and 2. authorise Mayor Mark Holcombe and Deputy Mayor Cr James Tehan to certify the Mansfield Shire Council Financial Report for the year ended 30 June 2021 as adopted in principle by Council, subject to any changes required by the Victorian Auditor General’s Office.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield Shire Council Annual Financial Report 2020-21

Considerations and Implications of Recommendation

Sustainability Implications

There are no significant sustainability implications in relation to this report.

Community Engagement

Not applicable

Collaboration

Not applicable

Financial Impact

Not applicable

Legal and Risk Implications

Transitional provisions under section 329(7) of the *Local Government Act 2020* state that the provisions of the *Local Government Act 1989* applicable prior to 24 October 2020 pertaining to the preparation of the Annual Financial Report continue to apply to reports for the year ended 30 June 2021.

Section 131 of the *Local Government Act 1989* requires Council’s to prepare an Annual Report, including audited financial statements prepared in accordance with the regulations.

Section 132 requires Council to certify the financial statements prior to submitting to the auditor for an opinion.

13.3.4. – Annual Financial Report 2020-21 - Continued

The Annual Financial Report 2020-21 has been prepared in accordance with Australian Accounting Standards, and the Local Government Victoria model (which is compliant with the regulations). The final, signed Financial Report will become part of the Annual Report which must be submitted to the Minister for Local Government by 30 September 2021.

Regional, State and National Plans and Policies

Not applicable

Innovation and Continuous Improvement

Not applicable

Alignment to Council Plan

Not applicable – the Annual Financial Report is a statutory requirement.

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.5. Review of Mansfield Shire Council Instrument of Delegation – Schedule 6 – Council to Council Staff

File Number		Responsible Officer	Moira Moss Governance and Risk Coordinator
Purpose			
This report seeks Council approval of updated Instruments of Delegation, which have been amended to reflect legislative changes and updated staff position titles.			
Executive Summary			

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

To enable such effective functioning of local government operations, the Council has delegated various powers to the Chief Executive Officer, together with other members of Council staff.

In accordance with S11(7) of the *Local Government Act 2020*, a Council must review within the period of 12 months after a general election all delegations which are in force and have been made by the Council. In accordance with S11(8) Council must keep a public register of delegations made under the Act.

Due to recent legislative changes that affect our Council's delegations and authorisations this report seeks Council's endorsement of

- **Schedule 6 - Instrument of Delegation from Council to Members of Council staff**

This Instrument is used by Council to delegate to members of staff those powers that are contained in legislation which have their own power of delegation. Legislative updates to this Schedule include updates to the *Food Act 1984*, *Cemeteries and Crematoria Act 2003*, *the Planning and Environment Acts 1987*, *the Planning and Environment Amendment Act 2021*, *the Residential Tenancies Act 1997* and *the Residential Tenancies Regulations*.

In addition to the above, the following Schedules have been reviewed and endorsed since 1 July 2021 by the Chief Executive Officer under delegated authority and are provided for the Council's information:

- Schedule 7 – Instrument of Sub-delegation by Chief Executive Officer to Council Staff
- Schedule 11 – Instrument of Appointment and Authorisation (staff)
- Schedule 11B – Instrument of Appointment and Authorisation (Environment Protection Act only)
- Schedule 12 – Instrument of Appointment and Authorisation (by the Municipal Building Surveyor)
- Schedule 13 – Instrument of Sub-delegation by Chief Executive Officer to Council Staff (CEO Powers)

13.3.5. –Review of Mansfield Shire Council Instrument of Delegation – Schedule 6 – Council to Council Staff - Continued

Key Issues

Council maintains registers of staff who have delegations to purchase goods (in accordance with our Procurement Policy and Guidelines), or who exercise particular authority on behalf of the Council or the CEO under a variety of Acts, including the *Local Government Act 1989* and *2020*.

These Instruments outline the staff who act on behalf of Council or the CEO:

Council has eight individual schedules - Instruments of Delegation:

- S5 - Delegation from Council to the CEO
- S6 - Delegation from Council to members of Council Staff
- S6 - Delegation from Council to the CEO and members of Council Staff - Alpine Resort Areas
- S7 - Sub-Delegation from the CEO to members of Council staff
- S13 - Delegation by the CEO (CEO Powers)
- S14 - Sub Delegation from the CEO to Planning Staff (VicSmart)
- S16 - Delegation by CEO to Planning and Environment Staff (Bushfire Reconstruction Applications)
- S18 - Sub-Delegation to members of Council Staff under the EPA

In addition to the above Delegations, Council also has Instruments of Appointment and Authorisation. These Instruments outline the staff who have been appointed to a position that has powers given to them under specific Acts. In other words, an appointed officer (not position) takes direction directly from the Act.

Council has five individual schedules - Instruments of Appointment and Authorisation:

- S11 - Instrument of Appointment and Authorisation (Staff)
- S11A - Instrument of Appointment and Authorisation (*Planning & Environment Act 1987*)
- S11B - Instrument of Appointment and Authorisation (*Environment Protection Act 2017*)
- S12 - Instrument of Delegation and Authorisation by the Municipal Building Surveyor
- S15 - Instrument of Appointment and Authorisation (Freedom of Information Officer)

Council subscribes to a Delegations and Authorisations Service produced by the legal firm, *Maddocks*. The firm reviews all legislation as it impacts upon local government in Victoria, and approximately every quarter 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.

13.3.5. –Review of Mansfield Shire Council Instrument of Delegation – Schedule 6 – Council to Council Staff - Continued

Drawing on these updates, Instruments are updated periodically as legislation is amended, or new legislation introduced which impacts upon the operations of Council.

All managers have been asked to review the various delegation and authorisation instruments in detail to ensure that powers achieve a balance between the efficient delivery of services and appropriate checks and balances in the decision making system.

This review of Council's delegations not only meets our obligations to undertake a wholesale review within 12 months of an election, also ensures that that:

- the Chief Executive Officer's powers remain current and up to date.
- delegations are made to staff at appropriate levels of the organization.
- delegations are given to an appropriate number of staff to ensure there is continuity in decision making in the case of staff absence to avoid a significant increase in workload for the Chief Executive Officer.
- staff have delegation under all relevant acts and regulations relevant to their position description.
- higher levels of management and/or Council are notified of when specific action has been taken under a delegation, or prior to a delegated power being exercised.
- the most recent advice provided by Maddocks Update Service confirms Council's Instruments of Delegation and Instruments of Appointment and Authorisation are current, up to date and reflect the most recent changes to legislation.

It is therefore recommended that Council approve the instrument as circulated.

As part of transparency and good governance, and in compliance with our obligations under s11(8) of the Act, a public register of delegations is held at Council Offices for review on request by members of the public. In light of the continued lockdowns making inspection at Council Offices difficult, it is proposed that a copy of the current delegations be put on the Mansfield Shire Website in the Council Documents section

13.3.5. –Review of Mansfield Shire Council Instrument of Delegation – Schedule 6 – Council to Council Staff - Continued

Recommendation

THAT COUNCIL

In the exercise of the powers conferred by section 11 of the *Local Government Act 2020* (the Act) and the other legislation referred to in the attached Instrument of Delegation, Mansfield Shire Council (Council) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation by Council to members of Council staff (Schedule 6), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
2. The Mayor sign the S6 Instrument of Delegation – Council to Council staff – on behalf of the Council;
3. The Instruments come into force immediately upon endorsement by the Council;
4. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer), referred to in this report, are revoked; and
5. The duties and functions set out in the Instruments must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
6. A Register of Delegations be placed on the Mansfield Shire Council website to be publicly available.

Support Attachments

1. Schedule 6 - Instrument of Delegation from Council to Members of Council staff

Considerations and Implications of Recommendation

Sustainability Implications

There are negligible sustainability impacts arising from the review of the Instruments of Delegation.

Community Engagement

The exercise of delegations is an operational matter for the organisation and therefore community consultation is not required.

Collaboration

Not applicable.

13.3.5. –Review of Mansfield Shire Council Instrument of Delegation – Schedule 6 – Council to Council Staff - Continued

Financial Impact

Regular reviews of Council's Instruments of Delegation and Instruments of Appointment and Authorisation ensure a number of appropriately qualified staff have delegation for key pieces of legislation to ensure continuity of business during the absence of key staff members.

Legal and Risk Implications

The review and update of Council's Instruments of Delegation and Instruments of Appointment and Authorisation contribute to Council's risk minimisation initiatives with regard to non-compliance with statutory legislation.

All officers with delegated powers will also be asked to familiarise themselves with the new delegations, once approved by Council, as a further means of mitigating risk in relation to delegated powers.

Council have a statutory obligation under s11 of the Local Government Act 2020 to review the delegations it makes to Council staff.

Regional, State and National Plans and Policies

The review and update of Council's Instruments of Delegation and Instruments of Appointment and Authorisation is in line with the State of Victoria's Good Governance Framework.

Innovation and Continuous Improvement

The review and update of Council's Instruments of Delegation and Instruments of Appointment and Authorisation contribute to Council's ability to continuously improve its service.

Alignment to Council Plan

The review and update of Council's Instruments of Delegations fall under the strategic objective 5 "Responsible Leadership" 5.1 "Good Governance" – We achieve the highest standards of good governance.

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

13.3 Community and Corporate Services Directorate - Continued

13.3.6. Governance and Management Checklist 2020-2021

File Number	E7383	Responsible Officer	Moira Moss
Purpose			
Council is required to authorise the Mayor to certify the Governance and Management Checklist.			
Executive Summary			

The Governance and Management Checklist is part of the Local Government Performance Reporting Framework and requires Council to report on compliance with a variety of 24 different governance matters (ie policies, strategies and frameworks that should be in place). The checklist is published in Council's Annual Report and on the *Know Your Council* website managed by Local Government Victoria

Key Issues

Section 98 of the *Local Government Act 2020*, stipulates the contents of a Council's Annual Report including:

- 98 (2)(a) – a report of operations; and
- 98 (3)(d) – the report of operations must include any other information prescribed by the regulations.

Regulation 9 (2)(c) and Schedule 1 of the *Local Government (Planning and Reporting) Regulations 2020* prescribe the format and content of the governance and management checklist. This includes certification by the CEO and the Mayor that the information presents fairly the status of Council's governance and management arrangements.

There are 24 indicators in the checklist, of which three have not been met for this reporting period. The three areas will be met within the statutory timeframe outlined in the new Local Government Act, see attached report for further detail. The three areas are:

1. Community Engagement Policy/Strategy
2. Financial Plan
3. Asset Management Plan

13.3.6. –Governance and Management Checklist 2020-2021 - Continued

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive and note the Governance and management Checklist 2020-21, and 2. authorise the Mayor and CEO to sign the Governance and Management Checklist 2020-21 for the purposes of the 2020-2021 Annual Report.
Support Attachments
<ol style="list-style-type: none"> 1. Governance and Management Checklist 2020-2021

Considerations and Implications of Recommendation

Sustainability Implications

There are no sustainability implications

Community Engagement

The Governance and Management Checklist forms part of Council’s Annual Report which will be available to the Community on Council’s website. Notice of the meeting at which the Annual Report is discussed is also advertised locally.

Collaboration

Not Applicable

Financial Impact

Not Applicable

Legal and Risk Implications

Compliance with the Act and Regulations will have nil risk for Council.

LOCAL GOVERNMENT ACT 2020 - SECT 98

Annual report

- (1) A Council must prepare an annual report in respect of each financial year.
- (2) An annual report must contain the following—
 - (a) a report of operations of the Council;
- (3) The report of operations of the Council must contain the following—
 - (d) any other information prescribed by the regulations.

LOCAL GOVERNMENT (PLANNING AND REPORTING) REGULATIONS 2020 - REG 9

Service performance indicators

- (2) For the purposes of section 98(3)(d) of the Act, the prescribed information is the following—
 - (c) an assessment of Council’s governance and management in the form set out in Schedule 1.

13.3.6. –Governance and Management Checklist 2020-2021 - Continued

Regional, State and National Plans and Policies

The checklist is part of the State of Victoria's Performance Reporting Framework. 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.

Innovation and Continuous Improvement

The Checklist is a tool to be used to measure the continuous improvement of the Organisation in reaching its Governance and Management Goals that is accessible to all as part of the community through its inclusion in the Annual Report.

Alignment to Council Plan

- ▶ Strategic Direction Five - Responsible Leadership.
- ▶ Strategic Objective 5.1: We achieve the highest standards of good governance

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate - Continued

13.3.7. Mansfield Swimming Pool Costs of the 2020-2021 Summer Season

File Number		Responsible Officer	Saskia Van Bever – Senior Co-ordinator Community and Economic Development
Purpose			
This report presents to Council the detailed Mansfield swimming pool maintenance and operating costs of the 2020-2021 summer season. It also outlines Council's intentions for the season 2021/2022. Council is asked to note the report.			
Executive Summary			

- A pool season 2020-21 report was presented at the August 2021 Council Meeting. Upon receiving this report Council requested further information on the pool expenses, the budget, and management. This report presents the additional information.
- 2020-21 Operating costs were **\$160,013** with an additional capital cost of **\$102,288** resulting in a total cost of **\$262,301**. Detailed breakdowns are provided in financial section below.
- The 2020-21 costs do not include any internal management costs either for the Community Development Coordinator who was responsible for the Pool service nor the Asset Maintenance officer, who also spent considerable time on the service throughout the season.
- Council assumed operating and managing the pool internally after unsuccessfully calling for tenders when the previous contract concluded. No tenders were received.
- Since Council has internally managed the pool over the last three seasons it has been under budgeted resulting in variances of between \$50,335 and \$75,740 per annum.
- This under-budgeting appears to have occurred originally due to the lack of financial operating information and thereafter as oversight by the responsible officers at the time and due to a lack of financial monitoring.
- For the last two seasons, the pool has been managed by Council supported by contracted staff via Momentum One Shared Services Pty Ltd. Previously, the pool was managed by YMCA since 2003.
- Internal management of the pool has been predominately the responsibility of the Community Development team, with some shared responsibility with the Asset Maintenance team for maintenance of the facilities.

13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

- Insufficient resourcing and limited experience has resulted in this area being difficult to manage.
- Council has recently sought tender proposals to outsource pool operations for the next three years. The tender was advertised on 5 August and closed on 2 September. A complete report on this tender proposal will be presented in the October 2021 Council Meeting.

Key Issues

- Over the past three Council budgets there has been significant under budgeting of the operating costs for the Mansfield Swimming Pool
- Council has sought proposals to outsource the operation and management of Council's outdoor pool.

Recommendation

THAT COUNCIL note the report.

Support Attachments

No Attachments

Considerations and Implications of Recommendation

Sustainability Implications

Changed pool maintenance procedures during the swimming off-season has resulted in significant water savings, reduced wear and tear on equipment and positive environmental impacts.

Although the Main Pool is heated by two large heat pumps, the learners and toddler pools are heated by pumping water from the pool through to black pipes running along the rooves of the pool buildings. While not solar panels, these pipes absorb heat from the sun and very cost effectively heat pool water.

Community Engagement

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

However, it is noted there is a lot of community interest and community feedback has been received around the opening hours of the pool which will be taken in consideration while confirming the operations of the pool season 2021/2022.

The pool season 2020/2021 opening hours were unchanged from the previous year being:

Monday - Thursday: 7:00am - 6:00pm

Friday - Sunday: 10:00am - 6:00pm

However due to school and swim club usage, limited hours were available to the general public during the week.

13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

Mansfield Swimming Pool Hours of Operation													
	0700 - 0800	0800 - 0900	0900 - 1000	1000 - 1100	1100 - 1200	1200 - 1300	1300 - 1400	1400 - 1500	1500 - 1600	1600 - 1700	1700 - 1800	1800 - 1900	
Monday													
Tuesday				This time available to GP from 1st December									
Wednesday				This time available to GP from 2nd December									
Thursday													
Friday													
Saturday													
Sunday													
Swim Club	Term 4 as above - to be renegotiated over School Holidays for Term 1												
Schools	First 2 weeks St Marys 9am to 3pm, 3rd and 4th Weeks are Monday 9am to 2pm, Thursday 9am to 3pm and Friday 9am to 3pm for Carnivals.												
General Public	I suggest 7am starts for each week day to allow for more General Public use outside of school hours.												
Cleaning required	Cleaning is required prior to and after school groups/swim club bookings												
CLOSED	These are hours that were not usually normal operating hours for the past 2 seasons												

Financial Impact

In the 2020-2021 Council budget, the budgeted net operating cost to Council was \$84,273.00. At the end of the season, the actual net cost to Council \$160,013.00. A variance of \$75,740.00.

A table comparing the 2020-2021 season with the past two seasons is detailed below.

	2020 - 2021	2019-2020	2018-2019
Expenses	254,361	247,115	256,366
Income	(94,348)	(94,522)	(77,179)
Cost to Council (actual)	160,013	152,593	179,187
Budget (cost to Council)	84,273	100,975	128,852
Variance	(75,740)	(51,618)	(50,335)

It should be noted that neither the Community Development Coordinator’s nor the Asset Maintenance Officer’s salary are included in this calculation.

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 \$50,335 and \$75,740 per annum. It is unclear why this under-budgeting occurred and can only be explained by an oversight of previous managers.

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 reflects the actual cost to Council of operating the pool, with the 2020-2021 season being generally in line with the previous year.

The major operating costs for Council’s pool include staffing, which make up approximately half of the total operational costs, repairs and maintenance, and materials.

13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

As the operating costs only include minor repairs and maintenance, Council also has Recreation & Sporting Program capital budget for larger pool refurbishments.

A table comparing the 2020-2021 season capital budget costs with the past two seasons is detailed below.

	2020 - 2021	2019-2020	2018-2019
Cost to Council	102,288	73,969	79,178
Completed refurbishments	<ul style="list-style-type: none"> • Main pool pump replacement • Bottle fill station • Re-surfacing pool concourse & change rooms • Chemical shed • Lifeguard umbrellas 	<ul style="list-style-type: none"> • LED light fitting • New sand filters main pool. • Chemical dosing equipment for the Main & Learner pools • Toddler pool dosing pump 	<ul style="list-style-type: none"> • Replacement of learner pool liner • Renew external façade & enclose eaves • Change rooms line ceilings • Extend concrete concourse main pool. • Change rooms renew wet area wall panels

Council has gone out for tender to outsource pool operations. A complete report will be presented at the October Council meeting.

13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

FEES AND CHARGES (inc of GST)				
	18/19	19/20	20/21	21/22
Swim lessons – 3 rd + child	N/A	\$0.00	\$12.00	\$12.00
Learner pool hire – not for profit (plus entry fee) per hr	N/A	N/A	\$25.00	\$25.00
Swim lessons – 2 nd child	N/A	\$0.00	\$14.00	\$14.00
Adult swim lesson (private) - concession	N/A	\$0.00	\$30.00	\$30.00
Adult swim lesson (private)	N/A	\$0.00	\$35.00	\$35.00
Learner pool hire – commercial (plus entry fee) per hr	N/A	\$0.00	\$50.00	\$50.00
LapRZ program	N/A	\$0.00	\$18.00	\$18.00
Whole pool hire - commercial	N/A	\$0.00	\$150.00	\$150.00
Includes 2 lifeguards (up to 70 people). Additional lifeguard \$50 per hour.				
Swim lessons – 1 st child	N/A	\$0.00	\$16.00	\$16.00
Adult swim	\$5.00	\$5.50	\$5.50	\$5.50
Concession swim	\$4.00	\$4.50	\$4.50	\$4.50
Child swim	\$4.00	\$4.50	\$4.50	\$4.50
Spectators	\$2.50	\$2.50	\$2.50	\$2.50
Adult swim season Pass	\$105.00	\$110.00	\$110.00	\$115.00
Child swim season pass	\$75.00	\$80.00	\$80.00	\$85.00
Family swim season pass	\$180.00	\$200.00	\$200.00	\$220.00
Concession swim season pass	\$85.00	\$85.00	\$85.00	\$90.00
Whole pool hire – not for profit	N/A	\$85.00	\$85.00	\$85.00
Pool lane hire – not for profit (plus entry fee) per hr	N/A	\$25.00	\$25.00	\$25.00
Pool lane hire – commercial (plus entry fee) per hr	\$45.00	\$50.00	\$50.00	\$50.00
Pool lane hire – private (plus entry fee) per hr	\$22.00	\$25.00	\$50.00	\$50.00
Student swim (school group) pp	\$2.80	\$3.00	\$3.00	\$3.00
Adult 10 Multi-pass	N/A	N/A	N/A	\$45.00
Child 5 Multi-pass	N/A	N/A	N/A	\$18.00
Adult 5 Multi-pass	N/A	N/A	N/A	\$22.00
Child 10 Multi-pass	N/A	N/A	N/A	\$36.00
Concession 5 Multi-pass	N/A	N/A	N/A	\$18

13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

Legal and Risk Implications

There are no inherent risks directly related to this report. However, there is always risk related to management and operation 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.

While there is limited available dedicated Council resources to manage the pool, the pool is operated at above minimum safety standards.

Regional, State and National Plans and Policies

Not applicable

Innovation and Continuous Improvement

Council has Recreation & Sporting Program capital budget for larger refurbishments.

In the last three years the following works have been completed:

- Main pool pump replacement
- Bottle fill station
- Re-surfacing pool concourse & Change rooms
- Chemical shed
- Lifeguard umbrellas
- LED light fitting
- New sand filters in the main pool.
- Chemical dosing equip main & learner pools
- Toddler Pool Dosing Pump
- Replacement of Learner Pool Liner
- Renew external façade & enclose eaves
- Change rooms line ceilings
- Extend concrete concourse main pool.
- Change rooms renew wet area wall panels

13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

BEFORE

AFTER



13.3.7. –Mansfield Swimming Pool Costs of the 2020-2021 Summer Season – Continued

Alignment to 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 is 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.

Governance - Disclosure of Conflicts of Interest

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

13.3 Community and Corporate Services Directorate – Continued

13.3.8. Audit and Risk Committee Member Appointment

File Number		Responsible Officer	Mr Kurt Heidecker General Manager Community and Corporate Services
Purpose			
This report provides Council with the outcome of its recent 'call for nominations' process for an independent member for Council's Audit and Risk Committee. A Council decision is required to appoint or decline applications for independent members to the Audit and Risk Committee (ARC).			
Executive Summary			

The Charter of Council's ARC dictates that membership of the Committee should consist of:

- Two Councillors
- Three or four skill based representatives, being external independent persons who collectively have suitable expertise, knowledge and experience in financial management and risk, and experience in public sector management.

The Charter also states that the term of appointment for independent members is three years.

Key Issues

The term of appointment of Mr Peter Johnston, an incumbent independent member of the Committee, expires by November 2021 and so his Committee position will become vacant. There are two other independent members, Mr Bruce Potgieter (Chair) and Ms Moh-Lee Ng, whose terms remain current. Council must choose to appoint a minimum of one or a maximum of two independent members.

Advertised applications for representation on the Audit and Risk Committee closed at 5:00 p.m. 30 August, 2021.

Five applications were received with applications assessed by a panel comprising Committee Chair Mr Bruce Potgieter and General Manager Community and Corporate Services Kurt Heidecker.

All applications have been provided to Council under separate cover.

13.3.9. –Audit and Risk Committee Member Appointment – Continued

Although Council’s Charter does not specifically outline criteria by which applications for independent committee member positions can be assessed, the following type of criteria is often used:

- Level and breadth of senior business, management, finance and accounting and /or audit experience and qualifications;
- Level of familiarity in relation to local government operations, financial reporting and auditing requirements, risk management and corporate governance;
- Previous Audit and Risk Committee experience
- Capacity to undertake the role

Of the five applications received Mr Peter Johnson, outgoing Committee Member has re-nominated for a second term, which is permitted.

Council received applications from three candidates with audit and risk skills, however between Mr Bruce Potgieter and Ms Moh-Lee Ng, these competencies are considered currently covered. A fourth candidate did not have the level of experience required for this vacancy. The Panel has determined to recommend to Council that Mr Peter Johnson be re-appointed. Mr Johnston has been an excellent Committee member with his extensive knowledge of the sector as a former CEO invaluable. Further, having completed a term on the Committee he now has a thorough understanding of Mansfield Shire Council.

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Appoint Mr Peter Johnson as an independent member on the Audit and Risk Committee for a term of three years commencing 13 November 2021; 2. Write to all applicants to inform them of Council’s decision and thank them for their application.
Support Attachments
<p>Nil.</p>

Considerations and Implications of Recommendation

Sustainability Implications

There are no environmental impacts in relation to this matter.

13.3.9. –Audit and Risk Committee Member Appointment – Continued

Community Engagement

The appointment of independent members to the ARC allows for community participation in providing advice to Council on financial and risk matters.

Collaboration

The three independent members of the Audit and Risk Committee also serve on other local government audit and risk committees so are able to contribute knowledge from these organisations to the benefit of Mansfield Shire Council.

Financial Impact

Each independent ARC member receives a stipend of \$1,000 per meeting attended. There are typically four meetings scheduled per year. The 2020-21 budget allows for \$12,000 in stipend costs. There are no additional financial costs related to the recommended appointment.

Legal and Risk Implications

The ARC is established in accordance with the requirements of s53 of the *Local Government Act 2020*.

The Charter of the ARC is endorsed by Council and dictates that:

- Council shall call for nominations for the appointment of skill based representatives to the Committee
- Council shall make the appointment by resolution
- Members of the Committee shall be eligible for re-appointment for a further term or terms of three years each

The ARC is a key control in Council's Risk Management Framework. The appointment of independent members with proven skills in risk management is essential to ensuring successful oversight of Council's operations.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Strategic objective five: Responsible leadership

Governance - Disclosure of Conflicts of Interest

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

13.4. Executive Services Directorate

13.4.1. Indoor Aquatic Facility – YAFM Request

File Number		Responsible Officer	Kaylene Conrick, Chief Executive Officer
Purpose			
<p>This report advises Council of recent correspondence received from Year Round Aquatic Facility for Mansfield Inc. (YAFM) seeking confirmation from Council that the land adjacent to the Mansfield Secondary College and Malcolm Street, Mansfield is designated by Council as the preferred site for an indoor aquatic facility.</p> <p>The report also takes the opportunity to provide Council with the historical context to this long standing matter and makes recommendation on options going forward.</p>			
Executive Summary			

- Community interest in the development of an indoor aquatic facility in Mansfield has been evident for many years and Year Round Aquatic Facility Inc. (YAFM), a local community based organisation, was formed to promote and progress the proposal.
- Many reports and studies regarding the need and feasibility of developing indoor aquatic facilities in Mansfield Shire have been prepared since 2001. The most recent in-depth study was a report titled *Future Improved Aquatic Facility Options Assessment* in 2011 by consultants SGL
- The existing Mansfield outdoor pool continues to operate on a seasonal basis and for the last three summer seasons has been managed internally.
- YAFM has recently written to Council requesting Council confirm the land adjacent to the Mansfield Secondary College at Malcolm Street be designated as the preferred site for an indoor aquatic facility.
- This site is Council owned land purchased by Council in September 2006, a total area of 1.12 hectares. In 2014 due to the carpark development the address was changed from Malcolm Street to 34 Bellview Court, Mansfield.
- Council had originally earmarked the site for a health and wellbeing precinct, including the concept of an indoor aquatic facility in 2006 which did not eventuate.

13.4.1. – Indoor Aquatic Facility – YAFM Request – Continued

- Community interest in the development of an indoor aquatic facility in Mansfield has been evident for many years and Year Round Aquatic Facility Inc. (YAFM), a local community based organisation, was formed to promote and progress the proposal.
- Many reports and studies regarding the need and feasibility of developing indoor aquatic facilities in Mansfield Shire have been prepared since 2001. The most recent in-depth study was a report titled *Future Improved Aquatic Facility Options Assessment* in 2011 by consultants SGL
- The existing Mansfield outdoor pool continues to operate on a seasonal basis and for the last three summer seasons has been managed internally.
- YAFM has recently written to Council requesting Council confirm the land adjacent to the Mansfield Secondary College at Malcolm Street be designated as the preferred site for an indoor aquatic facility.
- This site is Council owned land purchased by Council in September 2006, a total area of 1.12 hectares. In 2014 due to the carpark development the address was changed from Malcolm Street to 34 Bellview Court, Mansfield.
- Council had originally earmarked the site for a health and wellbeing precinct, including the concept of an indoor aquatic facility in 2006 which did not eventuate.
- In 2017/18 Council engaged *Insight Leisure Planning* to develop a Sports Facility Strategy. The Strategy has an accompanying Action Plan that recommends sport facility improvement projects over the next ten years. The Dual Court Stadium and Lords Recreation Reserve Upgrade were considered priorities in the Action Plan. An indoor aquatic facility was once again considered beyond the financial reach of Council based on population and other considerations.
- Since the SGL report in 2011 population growth predictions have changed. As of July 2020, Mansfield had a population of 9,756. Using evidence provided by building data and more current ABS statistics, it is considered that the expected growth for the population in Mansfield over the next 15 years will be between 4,145 and 4,829 new residents.
- Planning for major community infrastructure such as an aquatic facility would usually follow this process:
 - An assessment of community need to determine demand and identify facility components
 - Identifying and assessing possible sites for a community facility
 - Development of concept plans showing how the facility could be accommodated on potential sites, and the capital costs associated with developing the facility
 - Development of a business plan to understand the ongoing costs of operating the facility.
- It is understood that YAFM has the financial capacity to undertake the required studies to determine need, develop concept plans and undertake a feasibility study.

13.4.1. – Indoor Aquatic Facility – YAFM Request – Continued

- Council is currently focussing on a number of other strategic projects and its capacity to be involved in exploring the concept of an indoor pool is limited. There are many examples worldwide where community groups have led the charge to realise goals. Designating the land as the preferred site for a potential future facility would provide YAFM with some certainty to start working on the project in collaboration with Council.
- Local governments have a unique capacity to undertake collaborative work with local communities to realise infrastructure projects. For an indoor aquatic facility to be constructed and maintained sustainably it may require an innovative approach. Collaborating with YAFM is a good way to mobilise community energy and ideas.

Key Issues

Community interest in the development of an indoor aquatic facility in Mansfield has been evident since at least 2001 with YAFM leading promotion and community interest in the proposal. Extensive correspondence and interaction by YAFM with Council is evident since then. Many reports and studies have been prepared since 2001, the most recent being the Future Improved Aquatic Facility Options Assessment Summary report prepared for Council by consultants SGL in 2011.

Council undertook an extensive community consultation and engagement process to support consideration of the Aquatic Facility Options report by SGL. This report was used as the basis for consultation and two options, retention of the existing outdoor pool and construction of an indoor aquatic facility were canvassed.

Attachment 1 to this report traces past reports, studies and Council decisions regarding the proposal, presents an assessment of the currency of past planning and investigative work and outlines a suggested roadmap for Council to progress the YAFM request.

Available information has been reviewed in relation to the condition of the existing outdoor pool and maintenance and improvement works undertaken. A new technical assessment of the existing outdoor pool will assist Council's future decision making.

The development of an aquatic facility or any community infrastructure, requires careful planning and consideration of both current and future community needs.

In considering its response to YAFM it is suggested that Council consider the future direction for the provision of aquatic facilities in the Shire and determine Council's preferred level of involvement in their planning, development and management.

Agreeing to the YAFM request is likely to create an expectation that planning will progress and that Council will be actively involved. It may also stimulate increased community interest and involvement and provide momentum to a long planned initiative.

13.4.1. – Indoor Aquatic Facility – YAFM Request – Continued

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 3. Provide in-principle support for the land A8658 34 Bellview Court to be designated as land for an indoor aquatic facility for a period of up to five years; 4. Collaborates with Year Round Aquatic Facility for Mansfield Inc. (YAFM) to undertake an assessment of community need to determine demand and identify facility components, as the first step in planning for an indoor aquatic facility; 5. Develops a collaboration agreement with YAFM outlining each party’s commitment, roles and responsibilities; 6. Notes that collaboration with YAFM means an in-kind Council contribution only at this stage, understanding that Council has not provided a budget amount for an indoor aquatic facility project; and 7. Receives a report on each stage in the planning process.
Support Attachments
<ol style="list-style-type: none"> 1. <i>Planning for Communities</i> Report on Historical Context for Indoor Aquatic Centre in Mansfield

Considerations and Implications of Recommendation

Sustainability Implications

The existing outdoor pool is ageing and requires ongoing repairs and maintenance. Contemporary aquatic and recreation infrastructure incorporates sustainability features that greatly reduce energy and water use.

Recreation infrastructure is important to the health and wellbeing of the Mansfield Shire community by enabling physical activity and participation in community life. Programs and facilities on offer are able to support and target particular groups in the community such as older adults, children and families and can support people of all abilities.

The provision of contemporary aquatic facilities would meet Mansfield Shire’s needs locally and avoid the need for community members to travel outside the Shire to access such facilities.

Recreation infrastructure supports visitation to the region and tourism activity.

Community Engagement

A feature of any planning and feasibility study for indoor aquatic facilities would be extensive consultation and engagement with community members and stakeholders. This is to clearly identify community needs, level of projected use and community interest and support.

13.4.1. – Indoor Aquatic Facility – YAFM Request – Continued

Collaboration

Considerable research exists on the success of community and private collaboration to realise key community infrastructure. Working with local government early on a projects conception is understood as central.

Financial Impact

Council currently funds the seasonal operation of Mansfield Pool and any necessary maintenance works. Maintenance works are carried out as part of Council's adopted annual operating and capital works program. The facility has been managed for the past three years internally after Council failed to attract a contractor when the previous YMCA contract expired. Council has again advertised for an external provider for the outdoor pool.

The existing pool is ageing and a technical assessment of its condition and projected future operating life was carried out some years ago. Undertaking a new assessment would clarify for Council the current condition of the pool, projected costs for maintenance and/or improvement and of its projected future operating life.

Grant programs offered by other levels of government are potential source of funds for improvements to the existing pool or development of new infrastructure. Indoor aquatic facilities have a significant capital cost and the identification of adequate funding sources is an important part of any planning and feasibility study looking at such facilities.

Legal and Risk Implications

A key risk in designating land for a potential future indoor aquatic facility is raising community expectations and that Council has "stamped" its approval to construct such a facility.

Regional, State and National Plans and Policies

[Active Victoria – A strategic framework for sport and recreation in Victoria 2017-2021](#) is the Victorian State Government blueprint setting out future Victorian priorities and strategies in the sport and recreation sector.

Exploring community need and demand for an indoor aquatic facility using a collaborative approach is consistent with the State Government's policy direction.

Innovation and Continuous Improvement

Community collaboration to realise infrastructure projects will be an important way of making things happen in the future.

13.4.1. – Indoor Aquatic Facility – YAFM Request – Continued

Alignment to Council Plan

The Draft Council Plan 2021-2025 provides the policy framework for provision of recreation infrastructure to meet the current and projected future needs of the community. The Council Plan incorporates the Municipal Public Health and Wellbeing Plan and challenges highlighted in this include:

- Prevention of family violence
- Increase healthy eating and active living
- Improve mental health and wellbeing

Governance - Disclosure of Conflicts of Interest

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

13.4 Executive Services Directorate - Continued

13.4.2. Council Policy – Equal Opportunity and Human Rights

File Number	E513/ E1533	Responsible Officer	Julie Dolling, People and Culture Advisor
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Purpose

This report presents the updated Equal Opportunity and Human Rights Policy for Council endorsement.

Executive Summary

- Council has had an Equal Opportunity and Human Rights Policy in place since October 2002
- The Policy is now due for review
- The Policy confirms Council’s commitment to considering and respecting human rights when making decisions that impact people and the community, while at the same time ensuring compatibility and compliance with the Charter of Human Rights and Responsibilities Act 2006.
- In undertaking the review the only changes to the updated Policy (attached) are only administrative.

Key Issues

No key issues to discuss

Recommendation

THAT COUNCIL:
Endorse the updated Equal Opportunity and Human Rights Policy July 2021 (Version 5).

Support Attachments

1. Updated Equal Opportunity and Human Rights Policy September 2021

13.4.2. – Council Policy – Equal Opportunity and Human Rights – Continued

Considerations and Implications of Recommendation

Sustainability Implications

Not applicable

Community Engagement

To ensure that Council protects its employees (community members) from discrimination – from hire to retire

Collaboration

All staff were consulted on this Policy in July 2021.

Financial Impact

Not applicable – only cost of not complying.

Legal and Risk Implications

To minimise risks of potential legal proceedings and to ensure Council is a workplace which promotes equality before the law for all persons, regardless of race, colour or national or ethnic origin.

Regional, State and National Plans and Policies

We are bound by the provisions of the *Charter of Human Rights and Responsibilities Act 2006, legislated in Victoria* (the Charter).

Innovation and Continuous Improvement

Not applicable.

Alignment to Council Plan

Reference made to paragraph Page 6 of Current Council Plan:

Our commitment to human rights. We are committed to considering and respecting human rights when making decisions that impact on people and our community. We are required to act in a way that is compatible with the Victorian Charter of Human Rights and Responsibilities Act 2006 and to give consideration to the Charter when formulating a local law or policy, or in planning service delivery. Our approach to human rights is to encourage participation, access, development and opportunity not just across our community, across our organisation:

Governance - Disclosure of Conflicts of Interest

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

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
7 September 2021	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> ▶ Cr Mark Holcombe ▶ Cr Steve Rabie ▶ Cr Paul Sladdin ▶ Cr James Tehan ▶ Cr Rohan Webb <p>External Attendees:</p> <ul style="list-style-type: none"> ▶ Amanda Tingay, Strathbogie Shire Council ▶ Mansfield District Hospital representatives, Mel Green and Lucy Marks <p>Officers:</p> <ul style="list-style-type: none"> ▶ CEO, Kaylene Conrick ▶ GM Infrastructure and Planning, Kirsten Alexander ▶ GM Community and Corporate Services, Kurt Heidecker ▶ Senior Coordinator Community and Economic Development, Saskia Van Bever ▶ Economic Development Officer Tourism & Events, Gareth MacDonald ▶ Communications Advisor, Tanya Tabone ▶ Infrastructure and Planning Directorate Support, Brad Bennetts ▶ Planning Administration Assistant, Lynn Plummer ▶ Manager Planning and Environment, Melissa Crane ▶ Manager Operations & Capital Works, Kristian Burchat ▶ Senior Coordinator Community Health and Wellbeing, Jenny Lovick ▶ Community Health and Quality Officer, Angela Cesarec 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> ▶ Indoor Aquatic Facility YAFM Request ▶ Cemetery Trust ▶ Community Vision ▶ Lake Eildon – GMW Land Management Agreement ▶ Statutory Planning Service Review ▶ Draft Open Space Strategy and Development Contribution Plan ▶ Taungurung Land and Water Councils Memorandum of Understanding ▶ Targa Event ▶ Economic Development – Tourism and Events Progress Report ▶ RESPOND Project ▶ Equal Opportunity and Human Rights Policy

Recommendation

THAT Council receive and note the Assembly of Councillors report for the period 11 August 2021 to 15 September 2021.

15. Council Resolutions Register

This report presents to Council a schedule of outstanding actions from Council meetings held from 20 August 2019 to 17 August 2021.

Recommendation

THAT Council receive and note the Council Resolutions Register as at 17 August 2021

Support Attachments

1. Council Resolutions Register

16. Advisory and Special Committee reports

The Minutes of the following Advisory Committee meetings are attached for the Council's information:

- Mansfield Audit and Risk Advisory Committee, held on 23 August 2021

Recommendation

THAT COUNCIL:

Receive the Minutes of the Advisory Committee meeting as follows:

Mansfield Audit and Risk Advisory Committee, held on 23 August 2021

Support Attachments

1. ARAC Minutes 23 August 2021

17. Authorisation of Sealing of Documents

Nil

18. Close of meeting