



Mansfield Shire

# Council Meeting

Tuesday 27 June 2023 5:00 pm  
ZOOM

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

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Our aspiration for our Shire and its community

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

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## **Councillors**

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

## **Officers**

Kirsten Alexander, Chief Executive Officer  
Melissa Crane, General Manager Infrastructure and Planning  
Julie Williams, General Manager Business and Economic Development

## 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.**

**13.2-13.3 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. Council resolutions report**

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

## **15. Advisory and Special Committee reports**

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

## **16. Authorisation of sealing of documents**

Any documents that are required to be endorsed by the Chief Executive Officer under delegated authority and sealed by the Council are presented to the Council.

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

Whilst all Council meetings are open to members of the public, Council has the power under the Local Government Act 2020 to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public are excluded from the meeting while the matter is being discussed.

## **18. Presentation of confidential reports**

## **19. Reopen meeting to members of the public**

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

## **20. Close of meeting**

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

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# Agenda

## 1. Opening of the meeting

## 2. Present

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

- Councillor Holcombe
- Councillor Rabie
- Councillor Sladdin
- 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 Steve Rabie 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 Holcombe
- Councillor Rabie
- Councillor Sladdin
- Councillor Webb

## 7. Confirmation of minutes

### Recommendation

THAT the Minutes of the Mansfield Shire Council meeting held on 16 May 2023 & 6 June 2023 be confirmed as an accurate record.

## 8. Representations

## 9. Notices of motion

## 10. Mayor's report

Mayor James Tehan will present the monthly Mayor's report to the Council as follows:

*Firstly, I would like to congratulate CEO Kirsten Alexander and her team who contributed to the recent budget process. In a challenging operating and economic environment they worked incredibly hard to put forward what I believe is a very sound and economically responsible budget that responds to community input.*

*With inflation running at 7%, a State Government rate cap of 3.5%, and increased waste charges due to EPA and State Government taxes, the only way to balance this budget was through significant cost savings and/or increased revenue.*

*I'm proud to say that this has been achieved. Cost savings of approximately \$500,000 and increased investment revenue of \$250,000 have made balancing this budget possible. It's also worth noting the proposed changes to the rating differentials, which Council has adjusted each year to ensure each rating category increase is broadly in line with the proposed rate increase overall.*

*Extensive community consultation resulted in over 100 budget submissions. The majority have been included in this budget alongside a record capital works program. The result is a budget which will enable Council to not only fund its services but also provide for the future prosperity and wellbeing of our Shire.*

*The resealing and asphaltting program for 2022-23 was completed this month with a total expenditure of \$2,144,696 and 29.3 kms of roads resealed. The works undertaken by contractors, CountryWide Asphalt & Civil Pty Ltd and Boral Asphalt Pty Ltd, have resulted in significantly improved road surfaces for residents, farmers, local businesses and other road users across the Shire. Council looks after 280km of sealed roads across the Shire, however do not maintain arterial roads that are the responsibility of the State Government, such as the Jamieson-Woods Point Road, Midland Highway, Maroondah Highway and the Mansfield-Whitfield Road.*

*Also launched by Council this past month was a new community pet support program for vulnerable residents with free microchipping and desexing for their pets. The aim of the program is to support our vulnerable or disadvantaged residents and to reduce the number of unwanted/stray animals in the Shire. Ongoing registration fees will also be lower for all desexed dogs and cats. Residents who wish to access the relief package, available until 31 December 2023, can obtain vouchers from Council's municipal office at 33 Highett Street, Mansfield, on presentation of their concession card or referral.*

*The Art on the Great Victorian Rail Trail Project was officially opened in May at an event at Trawool Estate. It was wonderful to see the completed installation of these creative artworks*

*along the trail and I would like to thank both Mitchell Shire and Murrindindi Shire for their partnership and to the State Government for funding this project.*

*Rounding out the month was the announcement of Jamieson being nominated as one of five finalists for the 2023 TAC Victorian Top Tourism Town Awards in the Tiny Tourism Town category. The whole shire is known for its beautiful landscapes and friendly charm and it's fantastic to see Jamieson getting recognised for what they offer.*

*Cr James Tehan  
Mayor*

### **Recommendation**

THAT COUNCIL receive the Mayor's report for the period 17 May 2023 to 21 June 2023.



## 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"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Steve Rabie</li> <li>▶ Cr Mark Holcombe</li> </ul>
Mansfield Shire CEO Employment Matters Committee	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Steve Rabie</li> <li>▶ Cr Mark Holcombe</li> </ul>
Goulburn Murray Climate Alliance (GMCA)	<ul style="list-style-type: none"> <li>▶ Cr Rohan Webb</li> </ul>
Hume Regional Local Government Network (HRLGN)	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> </ul>
Mansfield Shire Council Audit and Risk Committee	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Mark Holcombe</li> </ul>
Municipal Association of Victoria (MAV)	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Substitute - Deputy Mayor</li> <li>▶ Cr Steve Rabie</li> </ul>
Rural Councils Victoria (RCV)	<ul style="list-style-type: none"> <li>▶ Mayor Cr James Tehan</li> <li>▶ Cr Paul Sladdin</li> </ul>

### 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, Kirsten Alexander

#### Introduction

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

The Chief Executive Officer report will provide information relation to:

- ▶ Customer Service
- ▶ Governance
- ▶ Capital Works
- ▶ New Initiatives
- ▶ Building Services
- ▶ Regulatory Services
- ▶ Revenue Services
- ▶ Community Health and Wellbeing
- ▶ Visitor Services (VIC and Library)
- ▶ Communications
- ▶ Procurement

#### Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 17 May 2023 to 14 June 2023.

#### Support Attachments

1. CEO Monthly Report May 2023 [13.1.1.1 - 34 pages]

## 13.2. Infrastructure and Planning Directorate

### 13.2.1. Amendment C57mans Mansfield Planning Scheme Review

<b>File Number</b>	E10629	<b>Responsible Officer</b>	Strategic Planning Officer, Oscar Yencken
<b>Purpose</b>			

To request a motion of Council to seek Authorisation from the Minister for Planning to exhibit Amendment C57mans, the Mansfield Planning Scheme Review.

#### Executive Summary

The proposed planning scheme amendment is a result of the recommendations from the Planning Scheme Review undertaken in September 2022, part of a regular review process required every four years under the *Planning and Environment Act 1987*.

The Regional Planning Hub at the Department of Transport and Planning (DTP), in collaboration with Council officers undertook the review. The recommendations include aligning the existing Mansfield Planning Scheme ordinance with the Ministerial Direction, incorporating missing elements from the Council Plan, updating factual data, adding references to Traditional Owners and Country, implementing new policies, and prioritizing strategic work based on the review findings.

#### Key Issues

The proposed planning scheme amendment was recommended from the Planning Scheme Review, required to be undertaken by Council every four years under Section 12(B) of the *Planning and Environment Act 1987* (the Act).

This planning scheme review was undertaken by the Regional Planning Hub at DTP, which has been funded to assist rural and regional councils with surplus planning work such as this. Many rural and regional councils have requested assistance from the Hub to prepare their planning scheme reviews.

To support this, the Regional Planning Partnerships Team partnered with Redink Planning to develop a methodology, procedure, and templates to enable planning scheme reviews to be undertaken more easily. This included developing a methodology that enabled a thorough and quick understanding on how the scheme is performing against various indicators and identifying 'big rocks' to focus on to improve the scheme. It also included marking up the planning scheme ordinance with the recommended changes to enable the review to be progressed as a planning scheme amendment without further work being required apart from the preparation of the Explanatory Report and List of Changes.

The planning scheme review made the following recommendations:

1. *Prepare a planning scheme amendment or amendments to:*
  - a. *Incorporate the policy neutral changes to align the ordinance with the Ministerial Direction on the Form and Content of Planning Schemes.*
  - b. *Incorporate elements from the Council Plan that were missed during the PPF Translation and make other updates to factual data.*

- c. Amend the MPS at 02.01 Context to include appropriate reference to Traditional Owners and Country.
  - d. Include new policy to implement the:
    - i. Mansfield Shire Council Plan 2021 – 2025
    - ii. Mansfield Open Space Strategy 2021
    - iii. Mansfield Planning Strategy 2022
    - iv. Mansfield Commercial and Industrial Use Strategy 2021
    - v. Activating Lake Eildon: Lake Eildon Masterplan 2020
  - e. Include an updated Clause 74.02 Further strategic work that prioritises the strategic work program based on the findings of this review and prioritisation of the strategic planning work
2. Prepare a planning scheme amendment to Implement the findings of the Mansfield Planning Strategy.

This amendment implements all parts of the first recommendation. Work has also commenced on a planning scheme amendment to implement the findings of the Mansfield Planning Strategy as a separate amendment. The only part of the recommended changes not to be implemented as part of this amendment are changes proposed to the Special Use Zone for Mountain Bay. Council officers determined not to implement that element as the wording changes looked to change the operation and nature of the zone.

A copy of the proposed amendment is attached to this report, but a summary of the changes is as follows:

Clause	Change	Comment
02.01, Context	Inclusion of recognition of traditional owners in describing the context of the municipality	This is a recognition of country with no policy implications.
02.03-7, Economic Development	Inclusion of a strategy to support increased activation of Lake Eildon.	Will support the implementation of the Lake Eildon Masterplan
11.01-1L-01, Mansfield Township	Small wording changes	Provides clarity about what the policy can do, makes some more directive.
11.01-1L-02, Other Local Areas	Reworded some sections to align with State Government requirements.	Makes the policy comply with the Planning Practice note only.
12.01-1L	Small wording changes	Makes the policy comply with the Planning Practice note only.
12.05-2L, Significant Landscapes, ridgelines and alpine approaches	Reworded some sections to align with State Government requirements.	Makes the policy comply with the Planning Practice note but does provide for a clearer direction on protection of existing mature trees, including exotics.
13.02-1L, Bushfire Management	Small wording changes	Makes the policy comply with the Planning Practice note only.
13.03-1L, Floodplain management	Reworded some sections to align with State Government requirements.	Makes the policy comply with the Planning Practice note only.
14.01-1L, Dwellings and Subdivisions in Rural Areas	Small wording changes	Makes the policy comply with the Planning Practice note only.

<b>Clause</b>	<b>Change</b>	<b>Comment</b>
14.02-1L, Catchment Planning and Management	Small wording changes	Makes the policy comply with the Planning Practice note only.
15.01-1L, Urban Design in Mansfield Township CBD	Reworded some sections to align with State Government requirements. Included stronger protection of amenity considerations.	Makes the policy comply with the Planning Practice note but does provide clarity around pedestrian amenity.
16.01-1L, Housing Supply in Mansfield Township	Small wording changes	Makes the policy comply with the Planning Practice note only.
16.01-3L, Rural Residential Development	Reworded some sections to align with State Government requirements.	Makes the policy comply with the Planning Practice note only.
17.01-1L, Diversified Economy	Include new strategies to support local businesses from the Commercial and Industrial Land Use Strategy	Supports the development of the new industrial precinct. When C51 Part 2 was abandoned, these strategies were not added, so will be now.
17.04-1L, Facilitating Tourism in Mansfield	Small wording changes	Makes the policy comply with the Planning Practice note only.
18.01-3L, Sustainable personal transport	Changing policy to be for Path Networks, reflecting the priorities of Council's path network from the Open Space Strategy.	Part implementation of the Open Space Strategy.
19.02-1L, Health Facilities	Small wording changes	Makes the policy comply with the Planning Practice note only.
19.02-4L, Social and Cultural Infrastructure	Small wording changes	Makes the policy comply with the Planning Practice note only.
19.02-6L, Open Space	Small wording changes. Part implementation of the Open Space Strategy	Makes the policy comply with the Planning Practice note and includes high level open space policy.
19.03 Development infrastructure	Small wording changes. Part implementation of Open Space Strategy	Clarifies that contributions are required for both new and upgrades to infrastructure.
Schedules to Rural Living Zone, Rural Conservation Zone and Farming Zone.	Changed format to align with State Government requirements	Makes the schedule comply with the Planning Practice note only.
Schedule to the Urban Floodway Zone	Correct typographical error	No change to policy
Schedule to Environmental Significant Overlay	Correct typographical error	No change to policy
Schedule to the Design and Development Overlay	Reworded some sections to align with State Government requirements.	Makes the schedule comply with the Planning Practice note and will provide clarity for statutory planners when applying the clause.

Clause	Change	Comment
Schedules to Development Plan Overlay	Reworded some sections to align with State Government requirements.	Makes the schedule comply with the Planning Practice note and will provide clarity for statutory planners when applying the clause.
Schedules to the Bushfire Management Overlay	Changes to how Clause 44.06 is referred to.	This clause was changed by the State Government and is an administrative requirement.
Particular provisions	Increasing the open space development contribution percentages	Allows Council to gain adequate contributions for building infrastructure and open spaces
Schedule to 74.02, Further Strategic Work	Removing items now complete or not for strategic work, changed wording to align with State Government requirements, including future strategic work identified to be undertaken.	Makes the schedule comply with the Planning Practice note and includes identified future strategic work.

### Recommendation

#### THAT COUNCIL:

1. Request under Section 8A (2) and (3) of the *Planning and Environment Act 1987* ('the Act') that the Minister for Planning authorise Mansfield Shire Council to prepare Amendment C57mans to the Mansfield Planning Scheme.
2. Notify the Minister for Planning that when it exhibits Amendment C57mans Mansfield Shire Council intends to give full notification of the amendment under Section 19 of the Act for a minimum statutory exhibition period of one month.
3. When authorised by the Minister for Planning, exhibit Amendment C57mans to the Mansfield Planning Scheme under Section 19 of the Act.

### Support Attachments

1. Mansfield Planning Scheme Review Final Report [13.2.1.1 - 22 pages]
2. mans A 1 MPS analysis [13.2.1.2 - 8 pages]
3. APPENDIX 1 Analysis documents [13.2.1.3 - 132 pages]
4. Planning Scheme Review Submissions Redacted [13.2.1.4 - 7 pages]
5. Mansfield C57 mans Explanatory Report Background [13.2.1.5 - 3 pages]
6. Mansfield C57 mans Instruction Sheet Background [13.2.1.6 - 2 pages]
7. Mansfield C 57 mans All Ordinance Tracked Changes Background [13.2.1.7 - 110 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community engagement will be undertaken in accordance with Section 19 of the *Planning and Environment Act 1987* when the amendment is exhibited.

### Collaboration

Not Applicable

## Financial Impact

The Planning Scheme Review was prepared by the Regional Planning Hub at no cost to Council. The work to prepare and submit the amendment is accounted for in the existing budget for strategic planning.

## Legal and Risk Implications

Strategic Risk: This amendment is necessary to address strategic risk where gaps and inconsistencies in the Mansfield Planning Scheme have been identified through the course of the Planning Scheme Review.

## Regional, State and National Plans and Policies

Is in accordance with the State Policy, ministerial directions set under the *Planning and Environment Act 1987*.

## Innovation and Continuous Improvement

This amendment forms part of Council's continuing need to improve the policies and regulations used to govern development in Mansfield Shire through its planning scheme. The amendment will clarify grey areas within the scheme, allowing for all of its users to make informed decisions.

## Alignment to Council Plan

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

Strategy 3.2 Enhance township character

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

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

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

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

## Governance - Disclosure of Conflicts of Interest

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

## 13.2.2. Goughs Bay Boat Sport Recreation Club Refurbishment - Project Update

<b>File Number</b>	AG1397	<b>Responsible Officer</b>	Project Officer, David Hume
<b>Purpose</b>			

To provide Council with an update on the delivery of the Goughs Bay Boat Sport and Recreation Club Refurbishment project, including details of the project governance and progress made against funding milestones.

### Executive Summary

This report serves to inform Council of progress of the project as it enters the construction phase, including the status of grant milestone funding and the project governance structure.

The project aligns with the Lake Eildon Masterplan, with the objective to grow jobs and increase both visitation numbers and yield per person. Funding was awarded through the Regional Tourism Investment Fund from the Department of Jobs, Precincts and Regions to the Goughs Bay Boat Sport and Recreation Club (GBSRC) in the amount of \$1,515,750 (ex GST). The rest of the project is funded by the GBSRC, the Goughs Bay Progress Association and the Community Bank Mansfield and District (Bendigo Bank), with a total project value of \$2,021,000 (ex GST).

### Key Issues

The project is worth more than \$2 million and will redevelop the Goughs Bay Boat Club in line with the Lake Eildon Master Plan to improve product on the lake, grow jobs and increase visitation and yield. The redevelopment will transform the lakeside bistro, dining and function areas of the existing club house to provide a high-quality visitor experience and a meeting place for the local community.

Mansfield Shire Council is working with project partners that include the Goughs Bay Boat Sport and Recreation Club, the Goughs Bay Progress Association, Goulburn-Murray Water, the Community Bank Mansfield and District (Bendigo Bank) and Regional Development Victoria. These organisations are working together to create a venue to deliver local economic and community benefits, meet visitor expectations and improve environmental outcomes for Lake Eildon.

The project is being managed through a project control group, made up of all project partners, including representatives from Mansfield Shire Council (as chair) and Regional Development Victoria. A Memorandum of Understanding has been signed by Council and the Goughs Bay Boat Sport and Recreational Club, and details how the project will be managed, including procurement of any goods and services and payment of invoices. A copy of the MOU, and supporting procurement plan, is attached to this report.



The project procurement policy has the following fundamental principles:

- Value of money
- Sustainability
- Open and fair competition
- Accountability
- Risk Management
- Probity and transparency

All procurement decisions are discussed and approved by the PCG, with resolutions recorded in the minutes. The methodology has been set to ensure that multiple quotes are obtained, and that local contractors are given preference for the works. Any procurement over \$100,000 must also have a separate procurement evaluation panel assessment prior to being awarded.

The redevelopment project is being managed by an experienced Project Manager (Colin Belmore) appointed by the Boat Club and reporting to the Project Control Group (PCG). The PCG members include representatives from the following organisations:

- Mansfield Shire Council
- Goughs Bay Boat Sport and Recreation Club
- Goughs Bay Progress Association
- Regional Development Victoria

The project has commenced and is progressing well, with design completed and upgrades to power, earthworks and internal demolition underway. Attached to this report is a series of site photos for the works undertaken on the project to date.

An update on the project major milestones, is as follows:

<b>Milestone</b>	<b>Instalment Amount</b>	<b>Status</b>
1 – Execution of funding agreement and project planning	\$303,150 Due 15 June 2022	Complete
2 – Project Initiation Phase	Non-financial Due 1 October 2022	Complete
3 – Progression of Works	Non-financial Due 1 January 2023	Complete
4 – Construction Commencement	\$454,725 Due 1 April 2023	Submitted to RDV and under review
5 – Progression of Works	Non-financial Due 1 July 2023	To be done by end of financial year
6 – Progression of Works	\$606,300 Due 1 October 2023	Not due
7 – Progression of Works	Non-financial Due 1 January 2024	Not due
8 – Progression of Works	Non-financial Due 1 April 2024	Not due
9 – Project Completion	\$151,575 Due 30 June 2024	Not due

One of the environmental improvements included in the project is in relation to the management of wastewater from the Boat Club. The current wastewater treatment system is not sufficient for

the redeveloped facility, and a larger wastewater treatment plant is required to accommodate the anticipated increased patronage of the club. Design and approval for a new larger capacity wastewater treatment plant will be undertaken by the Boat Club’s project team in consultation with the Environment Protection Authority.

To assist with appropriate disposal of effluent from the upgraded wastewater system, Council officers have been speaking with the Department of Energy Environment and Climate Action (DEECA) to facilitate the lease of a nearby parcel of land currently used as a fire break to install the effluent waste lines.

The project is expected to be completed by 30 June 2024, the PCG has been tracking progress against this timeline and the project is still on track to be completed within this timeframe.

<b>Recommendation</b>
THAT COUNCIL notes the project update and governance structure for the Goughs Bay Boat Sport and Recreation Club Redevelopment project.
<b>Support Attachments</b>
<ol style="list-style-type: none"> <li>1. GBBSRC Construction Pictures [13.2.2.1 - 5 pages]</li> <li>2. Attachment C - Project Procurement Policy [13.2.2.2 - 3 pages]</li> <li>3. GBBSRC Redevelopment Project - Memorandum of Understanding [13.2.2.3 - 4 pages]</li> </ol>

## Considerations and Implications of Recommendation

### Sustainability Implications

#### Economic Benefits

This project will provide beneficial economic outcomes during all stages of planning and delivery through local direct employment opportunities and contractor engagement. The redevelopment project will inject \$2,021,000 into the local, regional, and national economy from the construction works alone.

Upon completion of the project further economic benefits will be realised by an increase in employment at the Club through both additional hours worked, and number of staff engaged. The extension of trading hours will result in increased patronage, and will in turn improve the club’s cash flow, profitability, and turnover with suppliers and service providers.

#### Social Implications

The extension, upgrade, and renewal of the building with longer operating hours will provide enhanced opportunities for social engagement. It is also anticipated that this will serve to attract greater patronage from residents and visitors in surrounding towns. It will provide a community meeting place suitable for use in emergencies and for ongoing community use by local playgroups or other community organisations.

#### Environmental Benefits

The renewal of existing appliances, equipment, and improved wastewater treatment will all provide environmental benefits through improved energy efficiency and water quality.

Further efficiencies and environmental benefits will be gained from improved thermal properties within the building structure and insulation. This will be achieved through renewal of wall, floor, and ceiling elements.

## **Climate Change**

The improvements in thermal efficiency of the structure, and reduced power consumption of the modern appliances will serve to reduce related emissions and be beneficial in aiding greenhouse reduction.

## **Community Engagement**

Community Engagement has been undertaken in accordance with the Community Engagement Policy. The Gough's Bay Progress Association are represented in the Project Control Group Meetings with voting rights providing a voice for the local community, and project updates are provided to the broader community through social and print media.

## **Collaboration**

Collaboration has been undertaken with project partners as described earlier in this report.

## **Financial Impact**

Although Council is not providing funding for the construction project, Council is providing in kind support for the project through governance and management of the grant funding and reporting, with Council officers participating in the PCG meetings.

To date Council has received funding payments of \$303,150, with a second invoice of \$454,725 with RDV to be paid for Grant Milestone 4. Invoices for a total amount of \$124,763 have been approved by the PCG for progress payments to date.

## **Legal and Risk Implications**

### **Environmental Risk**

Asbestos Removal - Reduction in environmental risk has been achieved through the removal of asbestos from the building.

Wastewater Treatment - The expanded capacity and anticipated future patronage of the Boat Club necessitates a much larger treatment plant than is currently installed. The Land Capability Assessment and infrastructure design will ensure the system is appropriately sized to meet both current and future demands for waste-water treatment.

### **Reputational Risk**

While the Gough's Bay Boat Sport and Recreation Club are managing the project Council is exposed to some reputational risk through providing governance and management of grant funds provided by Department of Jobs Skills Industries and Regions. This risk has been mitigated through the formation of a Project Control Group to monitor and approve project expenditure against the grant, and through the use of an experienced Quantity Surveyor to review the construction cost estimates for the project.

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

All works are being undertaken in accordance with the relevant planning and building regulations.

## **Innovation and Continuous Improvement**

This project is one of the first Council initiatives to empower local community organisations to take ownership and delivery of a major project. It is envisaged that other projects of a similar

nature could be managed on this basis in the future and a post completion review will be undertaken to identify strategies for continuous improvement and application to future projects.

### **Alignment to Council Plan**

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

This project supports both outdoor recreation and social interaction which have benefits to both physical and mental wellbeing.

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

The expansion of the Boat Club facility will better accommodate and service the needs of the growing local population, both now and into the foreseeable future.

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

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

### 13.2.3. Disposal or Sale of Council Assets Policy

<b>File Number</b>	E15	<b>Responsible Officer</b>	General Manager Infrastructure & Planning, Melissa Crane
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#### Purpose

To seek Council endorsement of the updated Disposal or Sale of Council Assets Policy 2023.

#### Executive Summary

This policy sets out the roles and responsibilities for the fiscally responsible and transparent sale or disposal of assets, including plant and equipment, that are surplus to the needs of Council.

#### Key Issues

A policy in relation to the sale of Council's Assets was first approved in 2017, being the Sale of Council Land and Buildings Policy, and established a framework for Council decisions when considering the disposal of Council owned land or buildings. A copy of the existing policy is attached to this report.

Upon review of this policy, it was noted that the did not cover the sale or disposal of any other surplus assets. To address this, the policy has been expanded and renamed in recognition that assets are not limited to land and buildings and that all assets should be covered in one policy.

The current policy has the following overarching principles:

- Council will review, identify and evaluate on an as needs basis, all Council land holdings.
- Properties designated as surplus to Council needs may be made sold.
- All property being marked as surplus will be subject to a Council report outlining why it is being sold, how much it is valued at and the method of sale.
- The general principle is to maximise the price of asset sales.
- Income from the sale will be treated as revenue in the year in which it is received and considered as part of any budget considerations.

A proposed new policy includes these broad changes:

- Covers all Council assets, not just land and buildings.
- Changes ownership of the policy from the Corporate and Community Services directorate to the Infrastructure and Planning directorate as this area manages most of Council's assets.
- Outlines the relevant factors to be considered when disposing of assets.
- Provides a range of options for disposing of assets, including a rationale for when to apply the different methods, such as open tenders or donations to community organisations.
- Details how assets must be prepared prior to sale, to ensure that there is no misuse of information upon sale of that asset.
- Directs that any sale of assets to Councillors, Council staff or contractors must be done through the public process. The only exception to this will be for Councillors at the end of their terms to have the opportunity to purchase the IT equipment they have been using through their term.

- Provides for exemptions to the policy when there is an exceptional circumstance that needs due consideration, but only with a resolution of Council. Should agenda timeframes impact on this for emergent issues, this exemption can be applied by the CEO but must be reported to Council at the next available meeting.
- Provides for auditing of the sale of assets and reporting to the Audit and Risk Committee.

Feedback to the draft policy included a recommendation that for low value office equipment, a sale process that could be employed was sale through Council’s Resource Recovery Centre Reuse Shop. The reasoning provided was that low value items may end up in landfill if they were not able to be disposed of simply. As such, the following provision was added to the “No Direct Sale to Councillors, Council Officers or Contractors” section:

*For low value office equipment, furniture and miscellaneous surplus building materials (with a value of under \$500), the sale process to dispose of these assets will be by Council through the Resource Recovery Centre’s Reuse Shop. These items will be available for purchase by the general public, Councillors, Council Officers, volunteers and contractors.*

This will ensure that any funds raised through items that may have otherwise gone to waste will be able to be used to reduce the cost of the community waste charges for the service at the Resource Recovery Centre.

<b>Recommendation</b>
THAT COUNCIL endorses the Mansfield Shire Council ‘Disposal or Sale of Council Assets Policy 2023’ to replace the Mansfield Shire Council ‘Sale of Council Land and Buildings Policy 2017’, and for Mayor Cr James Tehan to sign.
<b>Support Attachments</b>
1. Sale of Council Land and Buildings Policy 2017 [13.2.3.1 - 5 pages]
2. Proposed Disposal or Sale of Council Assets Policy 2023 [13.2.3.2 - 7 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Community engagement was undertaken in accordance with Council’s Community Engagement policy, with the creation of an Engage page, an advertisement in Mansfield Matters and Facebook posts seeking feedback. Feedback was received in relation to the disposal of low value equipment and has been incorporated into the policy proposed for adoption.

### Collaboration

Not Applicable

### Financial Impact

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

The adoption of the policy will allow the disposal of assets to be undertaken in a simple, consistent and transparent manner, and will enable Council to realise income from surplus assets.

### **Legal and Risk Implications**

Reputation Risk: This policy addresses the potential for a perception that the sale or disposal of Council assets may have not generated full fiscal value for the Mansfield Shire community.

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

Not Applicable

### **Innovation and Continuous Improvement**

Not Applicable

### **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 7 Financial sustainability and value for money

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

### **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. Revised Revenue & Rating Plan 2021-25

<b>File Number</b>	E10415	<b>Responsible Officer</b>	Manager Business & Performance, Tony Cooper
<b>Purpose</b>			

The Revised Revenue and Rating Plan 2021-25 is presented for Council adoption.

#### Executive Summary

The *Local Government Act 2020* requires each Council to prepare a Revenue and Rating Plan for a period of at least 4 years by 30 June after a general election.

The Revenue and Rating Plan establishes the revenue raising framework within which the Council proposes to operate.

The purpose of the Revenue and Rating Plan is to determine the most appropriate and affordable revenue and rating approach for Council to generate income to deliver on the Council Plan, services, and the capital works program.

#### Key Issues

The Revenue and Rating Plan 2021-25 was adopted by Council at the Ordinary Council Meeting held Tuesday, 22 June 2021.

The differential rates in the Revenue and Rating Plan were altered for 2022-23 to allow for significant changes in property valuations between rating categories and the updated plan was endorsed at the Council meeting on 28 June 2022.

The Revenue and Rating Plan contains the necessary statutory information in accordance with the *Local Government Act 2020*.

The Revenue and Rating Plan outlines the Council's primary components of the revenue raising framework including:

- ▶ Rates and charges
- ▶ General rates
- ▶ Rating differentials
- ▶ Valuation basis
- ▶ Municipal charge
- ▶ Service charges
- ▶ Special charge schemes
- ▶ Financial hardship
- ▶ Other Revenue
- ▶ User fees and charges
- ▶ Statutory fees
- ▶ Grants



- ▶ Contributions
- ▶ Investment income.

The Valuer General Victoria is responsible for valuing all properties as of 1 January each year and the resulting Capital Improved Values are used to allocate Council rates.

The final certified valuations (Stage 4) were returned to Council in May 2023 and there were no changes to the capital improved values. This resulted in no change to the differentials as detailed in the Proposed Budget. The valuations for 2023 have returned valuation increases that are more consistent and lower than the previous year.

Council has reviewed the impact of these increases on general rates in relation to each type or class of land and is proposing to modify the differentials applied to each property category to ensure a more equitable distribution of the general rates revenue. If unaddressed this would have the effect of shifting the rate burden toward those property categories with higher valuation increases. The profile of the change in general rates revenue by type or class of land is presented in the table below:

<i>Type or class of land</i>	<i>Property Revaluation Increase Capital Improved Value (as of 1 July 2022)</i>	<i>General Rate Revenue</i>		
		<i>2022/23 \$'000</i>	<i>Proposed 2023/24 \$'000</i>	<i>Percentage Change</i>
Residential	17.20%	3,898	4,091	5.0%
Commercial	23.20%	887	934	5.3%
Vacant land	11.30%	529	565	6.8%
Rural residential	19.30%	3,470	3,586	3.3%
Farmland	22.10%	1,662	1,737	4.5%
<b>Total amount to be raised by rates</b>		<b>10,446</b>	<b>10,913</b>	<b>4.5%</b>

The Revised Revenue and Rating Plan 2021-25 proposes changed differentials for 2023-24:

<i>Differential Category</i>	<i>Differential as a percentage (%) of the Residential Rate</i>		
	<i>2022/23</i>	<i>Proposed 2023/24</i>	<i>Percentage Change</i>
Residential	100.00%	100.00%	0.00%
Commercial	175.00%	167.00%	-4.57%
Vacant land	170.00%	182.00%	7.06%
Rural residential	92.00%	89.00%	-3.26%
Farmland	67.00%	64.00%	-4.48%

**Recommendation**

THAT COUNCIL adopts the *Revised Revenue and Rating Plan 2021-25*.

**Support Attachments**

1. Revised Revenue and Rating Plan 2021-25 [13.3.1.1 - 28 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Economic: The disparate impact of the annual property valuations on each differential rating category has been mitigated through the revision of the differential percentages. This has the effect of ensuring the revaluation cycle does not unfairly redistribute the rate burden between ratepayers categorised as Commercial, Farmland, Residential, Rural Residential and Vacant.

### Community Engagement

The changed differentials were provided for public review within the proposed 2023-24 Budget. The budget has been available for public comment via the Council's Engage website from 11 May 2023 to 7 June 2023.

The Deputy Mayor spoke to the change in differentials at the Public Consultation sessions held on 31 May 2023. No public submissions regarding the differentials were received by the close of business 7 June 2023.

### Collaboration

Not Applicable

### Financial Impact

The Revenue and Rating Plan does not set revenue targets for Council. The Plan outlines the strategic framework and decisions that inform how Council will determine and collect its revenue.

### Legal and Risk Implications

Not Applicable

### Regional, State and National Plans and Policies

Not Applicable

### Innovation and Continuous Improvement

Not Applicable

### Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council

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

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

### Governance - Disclosure of Conflicts of Interest

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

### 13.3.2. Proposed Budget 2023/24

<b>File Number</b>	E10415	<b>Responsible Officer</b>	Manager Business & Performance, Tony Cooper
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#### Purpose

For Council to consider adopting the Budget 2023-24 including the schedule of fees and charges.

#### Executive Summary

Development of the annual budget is an essential planning process to provide for the operational and financial sustainability of Mansfield Shire Council and the services it provides to the community. Sound financial management and well-planned infrastructure investment is necessary to support the long-term growth of the Shire, deliver on Council Plan initiatives, and respond to emerging challenges and opportunities.

The budget document covers the financial year commencing 1 July 2023 to 30 June 2024 and includes financial projections for the following three years. It is prepared in accordance with the *Local Government Act 2020* (the Act), *Local Government (Planning and Reporting) Regulations 2020* (the Regulations), Better Practice Guides and the Australian Accounting Standards.

#### Key Issues

Council gave public notice and invited submissions for consideration in development of the 2023-24 Budget between Friday 20 January 2023 and Friday 17 February 2023.

A total of 102 written submissions were received by Council, with more than half related to increased operating hours and services for the library (46%) and infrastructure upgrades for Lord’s Oval (14.7%). A summary of the submissions has previously been provided to Council and was also included in the Proposed Budget 2023-24 document released for further community consultation.

The Proposed Budget 2023-24 was released for further community consideration from Thursday 11 May 2023 to 5pm Wednesday 7 June 2023, with two Community Information Sessions held on 31 May 2023. Fourteen (14) submissions were received from the community. These submissions are summarised along with responses to each submission in this report.

The budget includes a rate increase of 3.5 per cent, in line with the rate cap set by the Minister for Local Government under the Fair Go Rates System.

#### Budget Summary

The Proposed Budget provides for a total operating expenditure of \$25.0 million and a capital works program of \$15.58 million. This includes:

- \$13 million on the road network including renewal and upgrade works to sealed and unsealed roads, kerb and channel, bridges, culverts, footpaths, and car parks.
- \$1.66 million on community buildings and recreational facilities.
- \$916,000 on plant and equipment.

Proposed carried forward works of \$6.03 million from 2022-23 include the completion of priority projects such as the Mansfield Heritage Museum, Heavy Vehicle Alternate Route - Stage 2, Apollo St drainage and High St car park construction.

Key indicators within the 2023-24 Budget include:

- Operating Surplus \$9.12 million
- Underlying operating surplus \$1.57 million
- Cash inflow from operations \$13.39 million
- Asset renewal \$5.06 million compared to depreciation of \$4.43 million, new assets \$7.58 million and asset upgrades \$2.94 million

In addition to the planned delivery of services, the Proposed Budget incorporates funding of several new initiatives. The new initiatives are as follows:

- Continuing and increasing the Outlying Communities Infrastructure Fund Grant program \$75k (increased from \$50k).
- Increasing Library opening hours and programs in the newly refurbished Library \$89k.
- Providing increased Field Services resources to improve fire access tracks, expand street sweeping services and enable completion of in-house road renewal works \$142k.
- Extension of the Community Connections role until June 2024 to provide support following the relinquishment of Home and Community Care Services to Mansfield District Hospital \$36k.
- Additional permanent full-time Statutory Planning Officer to improve service provision and timelines for planning permits \$79k.
- Events program to support new events to the Shire including the Mansfield Holden Nationals and increased support for community events \$25k.
- Implementation of new software to improve carbon emissions tracking and reporting \$7k.
- Expanded tree inspection resources and management program with an in-house arborist \$40k.
- Digitisation program for building and septic files to eliminate risk of loss of manual records \$65k.

### **Capital Projects**

Council's Capital Works program provides for maintaining (renewal) existing infrastructure and for the upgrade or provision of new assets to meet community expectations.

The total Capital Improvement Program proposed for delivery in 2023-24 includes \$15.58 million of capital works included in the Proposed Budget 2023-24 and \$6.03 million in estimated carryover expenditure from 2022-23 for priority projects currently in progress, making a total capital program expenditure of \$21.61 million.

Some of the key infrastructure projects included in the 2023-24 Capital Works Program are:

- Upgrades to Highton Lane and sealing of Rifle Butts Road – IMPACT Route Year 1 works \$6,806k.
- Mansfield Station Precinct – new Heritage Museum Building Stage 1 construction and Pump Track design \$1,670k.
- Mt Buller Service Road upgrade and improved car parking \$500k.
- Heavy Vehicle Alternate Route (HVAR) Stage 2 completion (completion of upgrades to Greenvale Lane, Mt Battery Road and Dead Horse Lane) \$956k.

- Lords Reserve Pavilion (over two financial years) and Lords Oval drainage \$1,510k (subject to grant funding applications).
- Lords Reserve Public Toilet upgrade \$200k.
- Mansfield Emergency Services Precinct – allocation for Resilience Centre design and construction (subject to external grant funding) \$300k.
- Bonnie Doon Recreation Reserve and Community Hall 65k.
- Merton Recreational Reserve - Public Toilet facilities renewal \$63k.
- Pedestrian safety improvements - Monkey Gully Road, Malcolm Street, and Goughs Bay township \$409k.

### **Waste Service Charges**

The cost to Council of waste disposal is significantly increasing year on year, particularly the EPA levies associated with that waste. Since 2019-20 the Environment Protection Agency (EPA) landfill levy has increased from \$33.03 per tonne to \$62.95 per tonne in 2022-23.

Council's Waste Management Reserve was created during the 2019-20 budget process to report the net surplus/deficit between waste charges collected from ratepayers and actual waste costs incurred by Council during the financial year. Council's Waste Management Reserve has a forecast deficit of \$0.40 million as at 30 June 2023. To recover this reserve deficit the budget includes an increase in the fees and charges associated with waste. The majority of ratepayers have a 120L kerbside rubbish bin and currently pay \$495; this cost will increase by approximately 9% in 2023-24 to \$541.47. The proposed cost is comparable to waste service charges at neighbouring councils and remains below the 2018-19 charge for this service despite inflationary and cost pressures.

### **Loan Funding**

The Proposed Budget does not include any new borrowings. Council debt at 30 June 2023 will be \$4.5 million and is expected to reduce to \$2.4 million across the next four years.

### **Cash Management**

Overall, total cash and investments of \$14.1 million are forecast as at 30 June 2023.

### **Submissions**

No amendments were required to the 2023-24 Budget as a result of the community submissions received (summarised below). However, some amendments have been made to the Fees and Charges Schedule as a result of the submissions, as detailed further below.

The submissions are summarised below:

<b>Submitter</b>	<b>Focus of Communication</b>	<b>Council Response</b>
Barbara Setchell	Will rate concessions be offered to rate-payers suffering from the current cost-of-living pressures – similar to Council's drought relief concession offer.	Council's current Hardship Policy provides support for rate-payers that may be experiencing cost-of-living pressures.
Deb Westphalen	Endorsement of the budget funding to support additional Library staff and increased opening hours.	The budget allows for returning the Library opening hours to pre-Covid levels.

Submitter	Focus of Communication	Council Response
Nola Evans - Bonnie Doon Recreation Reserve Reference Group	Seeking budget funding for new window coverings at the Bonnie Doon Community Hall.	New window coverings are included in the Bonnie Doon Recreation Reserve and Community Hall capital works budget.
Ross Vaughan – Chair, Friends of the Great Victorian Rail Trail	Seeking funding of \$9,530 to manufacture and install replica station nameboards along the rail trail.	Council is funding the nameboards from this year’s Economic Development budget.
Individual submissions from: Kate Davies Jacqueline McIntosh Shelly Joyce Jessica Cios Ange Hayley Tudor-Harrop Leonie Berry Nick Berry Ray Robinson	Cost increases to use public facilities, in particular recreation reserves, as per the Fees and Charges Document	The proposed new 2023-24 Fees and Charges for recreation reserves apply to the ad hoc community use of the facilities listed and are not additional charges for user groups with existing agreements with Council. These new ad hoc fees aim to ensure fair and equitable access to these facilities.
Margaret Fitzgerald - Chair, Committee of Management, Merton Recreation & Memorial Hall reserves Inc	Positive feedback on the proposed Merton Public Toilet Upgrade	Acknowledged.
	Please refer to facility consistently as Merton Recreation Reserve	Updated in Proposed Budget Document.
	Installation of additional picnic seating around the reserve for free campers	Council is supportive of the request. A meeting has been arranged to discuss picnic seating options, including a possible cascading/re-use of other picnic seating.

**Fees and Charges**

The Fees and Charges schedule has been changed in response to community feedback. There is no budget financial implication from these changes.

The Fees and Charges schedule changes are detailed below (note these do not appear as mark-ups in the revised schedule, hence the page reference is to the published version):

Title	Reference – to published version	Discussion
Local Laws - Infringements	Page 5	Failure to comply with “Notice to Comply (as detailed in the Local Law) for 2023-24 was reduced from \$1,000.00 to \$100.00. The change was made to correct a typographic error and ensure alignment with current legislation pending a review of Local Laws in 2023/24.
Building & Sporting Facilities	Page 11	The following clarification has been included under the heading that relates to all building and sporting facility charges:

Title	Reference – to published version	Discussion
		<i>“The following charges are for casual adhoc bookings for facilities not covered by existing agreements with Council for community groups/organisations.”</i>
Youth Centre	Top of Page 12	The Cleaning Fee is changed to include the following additional fee: <i>“Additional charges on a cost recovery basis”</i> . The change ensures consistency across all Cleaning Fees.
Dual Court Stadium	Top of Page 13	The Cleaning Fee is changed to include the following additional fee: <i>“Additional charges on a cost recovery basis”</i> . The change ensures consistency across all Cleaning Fees.
Bonnie Doon Recreation Reserve	Page 15	For consistency across all Buildings and Sporting Facilities, a Key Replacement Fee and a Cleaning Fee have been included.
Mansfield Recreational Reserve	Page 15/16	As these facilities are open to public use, the following new line items have been removed from the 2023-24 schedule: <ul style="list-style-type: none"> <li>• Skate Park – Hourly</li> <li>• Skate Park – Daily</li> <li>• Bouldering Wall – Hourly</li> <li>• Bouldering Wall – Daily.</li> </ul>
Lords Recreation Ground	Page 16	As these facilities are open to public use, the following new line items have been removed from the 2023-24 schedule: <ul style="list-style-type: none"> <li>• Cricket net – Hourly</li> <li>• Cricket net – Daily.</li> </ul>
Mansfield Botanic Park	Page 16	As there is no history of bookings for the herb garden at Mansfield Botanic Park, the following new line items have been removed from the 2023-24 schedule: <ul style="list-style-type: none"> <li>• Herb garden – Hourly</li> <li>• Herb garden – Daily.</li> </ul>
Other General Space (not for Profit or Community Organisation)	Page 16	The 2023-24 Fees and Charges schedule was published inclusive of a new “Other General Space” section for fees relating to casual use. The clarification regarding adhoc use of Building and Sporting facilities (refer page 11) and inclusion of fees for each facility has enabled the deletion of these new “Other General Space’ fees.

### **Rates and Charges**

As a result of the final certified (Stage 4) property valuations provided to Council by the Valuer General, no amendments have been required to the Proposed Budget 2023-24.

The key tables below show the total valuations for each rating category and the proposed rate in the dollar:

<i>Total Valuations</i>	<i>Preliminary 17/04/2023</i>	<i>Final 31/5/2023</i>	<i># Change</i>	<i>% Change</i>
Residential	\$2,540,818,000	\$2,540,818,000	\$0	0.0%
Commercial	\$347,455,000	\$347,455,000	\$0	0.0%
Vacant land	\$192,751,000	\$192,751,000	\$0	0.0%
Rural residential	\$2,503,213,000	\$2,503,213,000	\$0	0.0%
Farmland	\$1,685,878,000	\$1,685,878,000	\$0	0.0%
<b>TOTAL</b>	<b>\$7,270,115,000</b>	<b>\$7,270,115,000</b>	<b>\$0</b>	<b>0.0%</b>

<i>Rate in the dollar</i>	<i>2023/24 Proposed</i>	<i>2023/24 Final Budget</i>	<i># Change</i>	<i>% Change</i>
<b>Residential properties</b>	0.001610	0.001610	\$ 0.00	0.0%
<b>Commercial properties</b>	0.002689	0.002689	\$ 0.00	0.0%
<b>Vacant land</b>	0.002930	0.002930	\$ 0.00	0.0%
<b>Rural residential</b>	0.001433	0.001433	\$ 0.00	0.0%
<b>Farmland</b>	0.001030	0.001030	\$ 0.00	0.0%

<i>Municipal Charge</i>	<i>2023/24 Proposed Budget</i>	<i>2023/24 Final Budget</i>	<i># Change</i>	<i>% Change</i>
<i>Municipal Charge – Per assessment</i>	<b>\$ 340.50</b>	<b>\$ 340.50</b>	\$ 0	0.0%
<i>Municipal Charge - Total</i>	<b>\$2,722,63</b>	<b>\$2,722,63</b>	\$ 0	0.0%

The below table represents the dollar change in the type/class of land as a result of the Ministerial approved rate cap increase:

<i>Type or Class of Land</i>	<i>2022/23 \$'000s</i>	<i>2023/24 \$'000s</i>	<i># Change \$'000's</i>	<i>% Change</i>
<b>Residential properties</b>	3,898	4,091	193	5.0%
<b>Commercial properties</b>	887	934	47	5.3%
<b>Vacant land</b>	529	565	36	6.8%
<b>Rural residential</b>	3,470	3,586	116	3.3%
<b>Farmland</b>	1,662	1,737	75	4.5%
<b>Total Rates</b>	<b>10,446</b>	<b>10,913</b>	<b>467</b>	<b>4.5%</b>

### Budget Savings

During the budget process Council identified cost savings and additional revenue initiatives that were recognised and included in the Proposed Budget, including:

- Relinquishment of Aged Care Services - ongoing saving of \$219,180 per annum.
- Restructure of Youth Services - ongoing saving of \$80,909 per annum.
- Increased number of planning permits being processed – revenue increase of \$50,000.
- Property leasing service optimized through new operating system and additional leasing capacity at Bonnie Doon Recreation Reserve Hall – forecast increased income for 2023-24 of \$50,000.
- Increased income/reimbursement of costs for property due to a comprehensive review completed of all leases and licenses to ensure capture of revenue and reimbursement of utilities costs where applicable.
- Administrative salary savings with recent recruitment and structure changes.



- Increased use of internal resourcing for strategic planning activities resulting in a reduction in the use of consultants – proposed reduced budget of \$100,000 for 2023-24 (for completion of flood study).
- More gravel re-sheeting works being completed in-house; 10km of re-sheeting will be completed in-house for 2023/24.

## Recommendation

### THAT COUNCIL:

1. Having considered all submissions received on the Proposed Budget 2023-24, adopts the Budget 2023-24 including the Schedule of Fees and Charges for the financial year ending 30 June 2024.
2. Formally declares and sets the following rates and charges for the 2023-24 rating year:

### General Rates

- a) Pursuant to the provisions of Section 161 of the Local Government Act 1989 the following differential rates be declared for the 2023-24 financial year:
  - i. A general rate of 0.1610 cents in the dollar of Capital Improved Value for all rateable residential properties.
  - ii. A general rate of 0.2689 cents in the dollar of Capital Improved Value for all rateable commercial properties.
  - iii. A general rate of 0.2930 cents in the dollar of Capital Improved Value for all rateable vacant land.
  - iv. A general rate of 0.1433 cents in the dollar of Capital Improved Value for all rateable rural residential properties.
  - v. A general rate of 0.1030 cents in the dollar of Capital Improved Value for all rateable farmland properties.
- b) It be recorded that Council believes each differential rate will contribute to the equitable and efficient carrying out of Council functions. Details of the objectives of each differential rate, the types of classes of land which are subject to each differential rate and the uses of each differential rate are set out in the Revised Revenue and Rating Plan 2021-25 and shown at item 4.1.1 of the Budget 2023-24 as attached.
- c) In accordance with the Cultural and Recreational Lands Act 1963 the cultural and recreational charge, in lieu of rates in respect of the 2023-24 financial year, be applied to all land to which the Act applies.

### Municipal Charge

- d) Pursuant to the provisions of Section 159 of the Local Government Act 1989 a municipal charge be declared in respect of the 2023-24 financial year.
- e) The municipal charge be declared for the purpose of covering some of the administrative costs to Council.
- f) The municipal charge in the sum of \$340.50 for each rateable land (or part) in respect of which a municipal charge may be levied is declared in respect of the 2023-24 financial year.
- g) It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district of which a municipal charge may be levied.

### Annual Service Charge

- h) Pursuant to the provisions of Section 162 of the Local Government Act 1989 an annual service charge relating to waste management be declared for the 2023-24 financial year for each rateable property as follows:
  - i. Kerbside rubbish collection 80 litre bin \$187.33

- ii. Kerbside rubbish collection 120 litre bin \$281.00
  - iii. Kerbside rubbish collection 240 litre bin \$561.99
  - iv. Kerbside recycling collection 240 litre bin \$169.05
  - v. Kerbside recycling collection 240 litre additional bin \$169.05
  - vi. Community Waste \$91.42
- i) Pursuant to the provisions of Section 221 of the Local Government Act 1989 an annual service charge relating to waste management be declared for the 2023-24 financial year for each non-rateable property the same as for a rateable property. The charges are:
- i. Kerbside rubbish collection 80 litre bin \$187.33
  - ii. Kerbside rubbish collection 120 litre bin \$281.00
  - iii. Kerbside rubbish collection 240 litre bin \$561.99
  - iv. Kerbside recycling collection 240 litre bin \$169.05
  - v. Kerbside recycling collection 240 litre additional bin \$169.05

#### Rate Payments

- j) Rates are due and payable in four (4) instalments, due by:
- i. First Instalment: 30 September
  - ii. Second instalment: 30 November
  - iii. Third instalment: 28 February
  - iv. Fourth instalment: 31 May
3. Writes to all submitters thanking them for their participation in the budget development process and advising them in writing of the reasons for Council's decision.

#### Support Attachments

1. Mansfield Shire Council Budget 2023-24 [13.3.2.1 - 74 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Economic: The economy is continuing to grow after a period of uncertainty created by the COVID pandemic, with inflationary pressures and associated interest rate rises contributing to cost of living pressures. Council has responded to this by undertaking a comprehensive review of operational expenditure.

Mansfield Shire experienced extraordinary growth (3.4%) over the 2021-22 period and is expected to continue at a rate of 2.2% per annum, this puts Mansfield only behind the City of Wodonga as experiencing the fastest population growth in North East Victoria. Over the next 15 years Mansfield Shire's permanent population is forecast to grow by 5,000 residents. This together with the non-resident population, which currently equates to 42.1% of our rate base, presents some emerging opportunities and challenges, which have been considered during development of the 2023-24 Budget.

### Community Engagement

Council sought community input into the 2023-24 budget process for the period 20 January 2023 to 17 February 2023, with 102 submissions being received. This early consultation occurred through Council's Engage Mansfield portal and allowed officers to consider and respond to the community feedback received in the Proposed Budget 2023-24.

Council released the Proposed Budget 2023-24 on 9 May 2023 for public exhibition for a period of 21 days, inviting community feedback and submissions. The exhibition of the Proposed Budget 2023-24 was through the Engage Mansfield portal on Council's website. Council undertook two public consultation sessions – one in person and one on-line on 31 May 2023.

Public submissions were received until close of business Wednesday, 7 June 2023.

A total of 14 submissions were received by Council and have been addressed in this report.

## **Collaboration**

Not Applicable

## **Financial Impact**

The Proposed Budget 2023-24 contains the financial resources required to deliver the Council Plan.

## **Legal and Risk Implications**

There are no known legal and risk implications associated with this report.

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

Not Applicable

## **Innovation and Continuous Improvement**

Not Applicable

## **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 7 Financial sustainability and value for money

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

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

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

### 13.3.3. Review of Mansfield Council Instrument of Delegation - S5 & S6

<b>File Number</b>	E2478	<b>Responsible Officer</b>	Interim Coordinator Governance & Risk, Jane Carter
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#### Purpose

To seek Council endorsement of the following revised Instrument of Delegations:

- Schedule S5 Instrument of Delegation to Chief Executive Officer, and
- Schedule S6 Instrument of Delegation to Council Staff

#### Executive Summary

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

Council subscribes to a delegations and authorisations service produced by the legal firm, Maddocks. The firm reviews all legislation that impacts upon local government in Victoria, and distributes an updated schedule of delegations, reflecting recent legislative changes. This is provided on a six-monthly basis. This template is used by many Victorian councils and reflects common practice within the industry.

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

#### Key Issues

Council maintains registers of staff who have delegations to purchase goods (in accordance with the Mansfield Shire Council 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 Chief Executive Officer.

#### S5 – Council to Chief Executive Officer

Due to recent legislative changes, this report seeks Council endorsement of the revised Schedule S5 Instrument of Delegation to Chief Executive Officer. A tracked changes version is also attached identifying the changes made to this Instrument of Delegation.

#### S6 – Council to Members of Staff

Due to the appointment of the new General Manager Business & Economic Development (GMBE), the delegations previously made to the role of General Manager Community & Corporate Services (GMCC) have been updated to reflect the title change. The delegations have been updated to add the General Manager Infrastructure & Planning (GMIP) role where applicable and to reflect other structural or role changes arising since the delegations from Council to Members of Staff were last reviewed. A tracked changes version is also attached identifying the changes made to this Instrument of Delegation.

## Recommendation

### THAT COUNCIL:

1. Revokes the existing Schedule 5 - Instrument of Delegation from Council to Chief Executive Officer previously endorsed by Council on 30 March 2020.
2. Endorses the Schedule 5 – Instrument of Delegation from Council to Chief Executive Officer dated 27 June 2023.
3. Revokes the existing Schedule 6 - Instrument of Delegation from Council to Members of Council Staff previously endorsed by Council on 21 March 2023.
4. Endorses the Schedule 6 – Instrument of Delegation from Council to Members of Council Staff dated 27 June 2023.
5. Approves Mayor Cr James Tehan to sign and Deputy Mayor Cr Steve Rabie to witness the signing of Schedule S5 Instrument of Delegation to Chief Executive Officer, and Schedule S6 Instrument of Delegation - Members of Staff.

## Support Attachments

1. S5 Instrument of Delegation – Council to CEO [**13.3.3.1** - 4 pages]
2. Tracked Changes - S5 Instrument of Delegation - Council to Chief Executive Officer [**13.3.3.2** - 4 pages]
3. S6 Instrument of Delegation – Council to Members of Staff [**13.3.3.3** - 73 pages]
4. Tracked Changes - S6 Instrument of Delegation – Council to Members of Staff [**13.3.3.4** - 73 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Not Applicable

### Collaboration

Not Applicable

### Financial Impact

Council has an annual subscription for the Maddocks delegations and authorisations service that is included in Council's operational budget allocations. Appropriate delegations and authorisations allow Council and Council staff to operate effectively within legislative frameworks.

### 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 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 has 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**

Not applicable

### **Innovation and Continuous Improvement**

Not Applicable

### **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations

Strategy 6.2 Building organisational capacity through its people

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

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

## 14. Council Meeting Resolution Actions Status Register

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

<b>Recommendation</b>
THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 19 June 2023.
<b>Support Attachments</b>
1. Action Register as at 19 June 2023 [14.1.1 - 6 pages]

## 15. Advisory and Special Committee reports

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

The Agenda & Minutes of the Mansfield Shire Audit and Risk Committee, held 29 May 2023, are attached for the Councils information.

<b>Recommendation</b>
THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 29 May 2023.
<b>Support Attachments</b>
1. Audit and Risk Committee Meeting Agenda - 29 May 2023 [15.1.1 - 51 pages]
2. Audit and Risk Committee Meeting Minutes - 29 May 2023 [15.1.2 - 6 pages]

## 16. Authorisation of sealing of documents

Nil

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

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

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

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

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

## 18. Confidential Reports

### 18.1. Bank Contract Re-tender

#### **Confidential**

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

## 19. Reopen meeting to members of the public

#### **Recommendation**

THAT COUNCIL reopen the meeting to members of the public.

## 20. Close of meeting