



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

TUESDAY, 18 AUGUST 2020

**Notice and Agenda of meeting
to be held via Zoom and livestreamed on
the Mansfield Shire Council website**

Commencing at 5.00pm

Our aspiration for our Shire and its community

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

Councillors:

Tolmie Ward:	Cr Marg Attley (Mayor)
Mansfield Ward:	Cr Peter Olver (Deputy Mayor)
Bonnie Doon Ward:	Cr Paul Sladdin
Mansfield Ward:	Cr Paul Volkering
Jamieson Ward:	Cr Harry Westendorp

Officers:

<i>Chief Executive Officer:</i>	<i>Kaylene Conrick</i>
<i>General Manager Infrastructure and Planning</i>	<i>Kirsten Alexander</i>
<i>Corporate and Organisational Development Manager:</i>	<i>Sharon Scott</i>
<i>Finance Manager:</i>	<i>Mandy Kynnersley</i>
<i>Manager Operations and Capital Works:</i>	<i>Kristian Burchat</i>
<i>Manager Planning and Environment:</i>	<i>Ben McKay</i>



MANSFIELD SHIRE COUNCIL

Order of Business

1. OPENING OF THE MEETING

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

2. PRESENT

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

3. APOLOGIES

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

4. STATEMENT OF COMMITMENT

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

5. ACKNOWLEDGEMENT OF COUNTRY

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

6. DISCLOSURE OF CONFLICTS OF INTEREST

In accordance with the *Local Government Act 1989*, a Councillor must declare any Conflict of Interest or Personal Interests pursuant to Sections 77A, 77B, 78, 79 and 79B of the Act in any items on this Agenda. (Note that Section 79(2)(a)(i) of the Act requires Councillors to disclose the nature of a Conflict of Interest or a Personal Interest immediately before the relevant consideration or discussion). Section 79B also requires that the Councillor declaring a Personal Interest must seek consent from Council to be exempt from voting on the item.

Council officers or contractors who have provided advice in relation to any items listed on this Agenda must declare a Conflict of Interest or Personal 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/her 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 Departmental Reports will be presented to the Council from each Department as follows:

- Community Services
- Corporate and Organisational Development
- Finance
- Operations and Capital Works/Field Services/Community Safety
- Planning and Environment

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 following Departments will also be considered by the Council:

- Community Services
- Corporate and Organisational Development Department
- Executive Services Department
- Finance Department

A Council position is adopted on the matters considered.

14. ASSEMBLY OF COUNCILLORS

In accordance with section 80A of the *Local Government Act 1989*, Council must keep a written record of all assemblies of Councillors. An Assembly of Councillors is defined as a planned or scheduled meeting, comprising at least three Councillors and one member of Council staff, that consider matters that are intended or likely to be the subject of a decision of the Council or subject to the exercise of a function; duty or power of a Council that has been delegated to a person or committee [s.76AA].

15. COUNCIL RESOLUTIONS REPORT

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

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

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

17. AUTHORISATION OF SEALING OF DOCUMENTS

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

18. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

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

19. PRESENTATION OF CONFIDENTIAL REPORTS

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

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

21. CLOSE OF MEETING

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

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MANSFIELD SHIRE

COUNCIL MEETING

TUESDAY, 18 AUGUST 2020

AGENDA

MANSFIELD SHIRE COUNCIL
Via Zoom and livestreamed on the
Mansfield Shire Council website
5.00pm

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5.00PM

1. OPENING OF THE MEETING

2. PRESENT

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

- Councillor Olver
- Councillor Sladdin
- Councillor Volkering
- Councillor Westendorp

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, Cr Peter Olver, 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 Olver
- Councillor Sladdin
- Councillor Volkering
- Councillor Westendorp

7. CONFIRMATION OF MINUTES

Recommendation:

THAT the Minutes of the Mansfield Shire Council meetings held on:

- **21 July 2020**
- **4 August 2020**

be confirmed as an accurate record:

8. REPRESENTATIONS

Nil.

9. NOTICES OF MOTION

Nil.

10. MAYOR'S REPORT

Mayor Cr Marg Attley OAM will present the monthly Mayor's report from 16 July to 10 August 2020 to the Council as follows:

This month has presented further challenges for Council, our community, our residents, their finances and employment changes, and of course our businesses.

10. MAYOR'S REPORT CONT.

While I feel extremely saddened at the way we all continually have to change the way we live our lives, it is important in order to keep the community safe and so that we can reduce infections throughout the state. The changes place demands and stresses on all of us. We need to be calm and kind to everyone.

We have to follow the restrictions for Stage 3 to work together towards a healthier and safer community. We will manage to get through this time, together.

Media

Radio Mansfield has me on air for a weekly discussion about Council operations through the pandemic every Tuesday. Most recently we discussed the 2020/21 Budget decisions made at our 4 August Council meeting.

I have also been presenting a weekly video message to inform the community through COVID-19.

During the month I have spoken to ABC Goulburn Murray radio and Channel 9/WIN news journalists to cover aspects such the early closure of our playgrounds and the Budget.

Business and Community Recovery Advisory Committee

This committee meets monthly to discuss processes and aspects to develop the Recovery Plan. Excellent input was provided by the experienced and passionate committee which includes a new member, Leanne Bakewell. The Advisory Committee's plans for the use of the Bushfire Recovery Victoria funding were discussed.

Municipal Association of Victoria (MAV) Mayors' Forum

This forum was well attended (virtually) by Mayors across Victoria. The Minister for Local Government, the Hon. Shaun Leane, MLA, expressed his appreciation of the great work of councils in stepping up their recovery support for their communities.

He mentioned the 4,600 people who have gained employment across the State via the 'Working for Victoria', program. This program is temporarily suspended, but it may be extended. MAV staff presented an election update and discussed the economic recovery and challenges all councils are going through.

The Hon. Helen Haines, Federal Member for Indi - Roundtable

A Zoom workshop was held on 6 August with Mayors and CEOs within Indi to review the Commonwealth Budget submissions which Helen Haines will present to Ministers prior to the Budget deliberations. Dr Haines is working tirelessly on our behalf.



10. MAYOR'S REPORT CONT.

Working for Victoria Program

Council has 11 staff employed through this program. The areas of employment include administration assistants in several areas, gardeners and a cleaner.

Positive Initiatives

It's been great to see how everyone is supporting each other in our community. This month I came across two online sites, both of which also have Facebook pages, that enable you to support our businesses even while staying at home.

If you haven't already heard of www.BuyfromMansfield.com.au , jump online and see the range of products local businesses are selling.

www.eatdrinkmansfield.com.au supports local food businesses to sell their products and takeaway.

Keep up the Great Efforts

I continue to be very proud of our community and how everyone has worked together to lead us through this difficult time.

Thanks to all our businesses who have continued to service us and be creative and hardworking, especially this second time around.

Our hospital, police, pharmacies and medical centres are our backbone, and our Council staff are working on our essential services. Thank you all!

***Cr Marg Attley OAM
Mayor***

Recommendation:

THAT Council receive the Mayor's report for the period 16 July 2020 to 10 August 2020.



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	Mayor and Cr Paul Sladdin and Cr Paul Volkering
Business and Community Recovery Advisory Committee	Mayor and Cr Paul Sladdin
Goulburn Broken Greenhouse Alliance	Cr Marg Attley
Hume Regional Local Government Network (HRLGN)	Cr Marg Attley
Integrated Fire Management Planning Committee.	Cr Paul Volkering and Cr Marg Attley
Lake Eildon Land and On-Water Management Plan Implementation Committee	Cr Paul Sladdin
Mansfield Shire Audit and Risk Advisory Committee	Mayor and Cr Harry Westendorp
Mansfield Shire Environment Advisory Committee	Cr Marg Attley
Mansfield Sport and Recreation Advisory Committee	Cr Paul Sladdin
Municipal Association of Victoria (MAV)	Cr Marg Attley
Municipal Emergency Management Planning Committee (MEMPC)	Cr Paul Volkering and Cr Marg Attley
Municipal Fire Management Planning Committee (FMPC)	Cr Paul Volkering and Cr Marg Attley
North East Local Government Waste Forum	Cr Peter Olver
North East Tracks Local Learning and Employment Network	Cr Harry Westendorp
Rural Councils Victoria	Cr Harry Westendorp

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 DEPARTMENTAL REPORTS

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

Introduction

Departmental reporting allows a short briefing to be provided to Council on the current operations, tasks and projects undertaken within each Department over the past month.

The Chief Executive Officer will present the monthly Departmental reports to Council as follows:

- Community Services
- Corporate and Organisational Development
- Finance
- Operations and Capital Works/Field Services
- Planning and Environment

Attachment

- 1 Departmental reports

Recommendation:

THAT Council receive and note the Departmental reports for the period 18 June to 15 July 2020.



13.2 PLANNING AND ENVIRONMENT

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning

File Number: E6410

Responsible Officer: Manager Planning and Environment, Ben McKay

Recommendation	<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Confirm Resolution 4 of item 10.4.1 of the Ordinary meeting of Council held on 26 June 2018, stating: <p style="text-align: center;"><i>Use the Mansfield Township Approaches Planning Controls and Guidelines Study (June 2018) to inform the preparation of an amendment to review Schedule 1 to the Design and Development Overlay – Alpine Approaches and Township Gateways.</i></p> 2. Endorse the draft Mansfield Planning Scheme ordinance associated with the Mansfield Township Approaches as the basis to prepare an Application for Authorisation from the Minister of Planning. 3. Write to the Minister of Planning requesting authorisation to amend the Mansfield Planning Scheme under Section 8A(2) of the Planning and Environment Act 1987. 4. Upon receipt of authorisation, make any changes necessary to comply with conditions of authorisation. 5. Upon satisfaction of any conditions of authorisation, exhibit proposed amendment pursuant to section 19 of the Planning and Environment Act 1987.
Applicant	Mansfield Shire Council
Title/Covenant/S173 Agreement	N/A
Date Application received	N/A



13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Current statutory days	N/A
Zoning	<p><u>Maroondah Highway Approach</u> General Residential Zone, Commercial 1 Zone, Low Density Residential Zone, Rural Living Zone, Farming Zone, Public Use Zone, Public Park and Recreation Zone, and Road Zone Category 1.</p> <p><u>Mount Buller Road Approach</u> General Residential Zone, Industrial 1 Zone, Mixed Use Zone, Commercial 2 Zone, and Road Zone Category 1.</p> <p><u>Midland Highway Approach</u> Farming Zone, General Residential Zone, Urban Flood Zone, Industrial 1 Zone, Public Park and Recreation Zone, and Road Zone Category 1.</p> <p><u>Mansfield-Whitfield Road Approach</u> Rural Living Zone, Industrial 1 Zone, Low Density Residential Zone, General Residential Zone, Urban Flood Zone and Road Zone Category 1.</p>
Overlays	<p><u>Maroondah Highway Approach</u> Development Plan Overlay, Design and Development Overlay, and Heritage Overlay.</p> <p><u>Mount Buller Road Approach</u> Development Plan Overlay, Design and Development Overlay, Heritage Overlay, Flood Overlay, and Land Subject to Inundation Overlay.</p> <p><u>Midland Highway Approach</u> Development Plan Overlay, Flood Overlay, and Land Subject to Inundation Overlay.</p> <p><u>Mansfield-Whitfield Road Approach</u> Development Plan Overlay, Flood Overlay, and Land Subject to Inundation Overlay.</p>
Site area	N/A
Number of outstanding Objections	N/A

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

The *Mansfield Township Approaches Planning Controls and Guidelines Study* (Attachment 1) is a project that was undertaken by Tract Consultants on Council's behalf in 2017. The project was undertaken to support the provision of appropriate design guidance along four (4) designated main approaches into the Mansfield township with regard to future development.

The focus of the project was to capture the community aspirations for the approaches, develop landscape and built form guidelines to assist development within the approaches and further provide planning controls to allow implementation of changes into the Mansfield Planning Scheme.

Preparation of the study included:

- Initial community and stakeholder consultation
- Preparation of background report
- Preparation of preliminary design guidelines
- Public exhibition of draft documents
- Preparation of Draft Planning controls – Local Planning Policy document and schedule to Design and Development Overlay

At the time of adopting the *Mansfield Design Guidelines* (June 2018), Council was preparing to commence a review of the Mansfield Planning Scheme as part of the State Government's Smart Planning Program. It was indicated at that time that the incorporation of these planning controls would occur as part of this review. This planning scheme review has yet to commence and noting the time that has elapsed since endorsing the *Mansfield Design Guidelines* (June 2018), it is recommended to commence this process now. Discussions with DELWP indicate that it could be a further twelve (12) months before the Mansfield Planning Scheme is updated in accordance with this program.

The proposed draft ordinances are contained at Attachments 2, 3 and 4 to this report.

Background

Mansfield Township Approaches Planning Controls and Guidelines Study

At its Ordinary meeting of Council on 26 June 2018, Council resolved to adopt the Mansfield Township Approaches Planning Controls and Guidelines Study (June 2018).

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

This work was a culmination of two (2) years of investigative work undertaken by Council, with support from Tract Consultants. At the time, the scope of this work was identified as follows:

- Identify the preferred future character of the four (4) township approaches.
- Ensure future development makes a positive impact on the amenity and environment along the township approaches.
- Ensure future development along the four (4) township approaches have regard to their local context and reinforces the valued character of the township.
- Clearly define township approaches through built form and landscaping treatments within the private realm.
- Provide clear, logical, and useful guidelines for all – including developers, residents, Council officers and Councillors.

The study focused on the four (4) key entry corridors to Mansfield, as shown on the following diagrams, including all land on either side of the approaches within their visual catchments. These corridors are centred along the following roads:

- Approach One - Maroondah Highway
- Approach Two - Mount Buller Road
- Approach Three - Midland Highway
- Approach Four - Mansfield-Whitfield Road

Approach One – Maroondah Highway

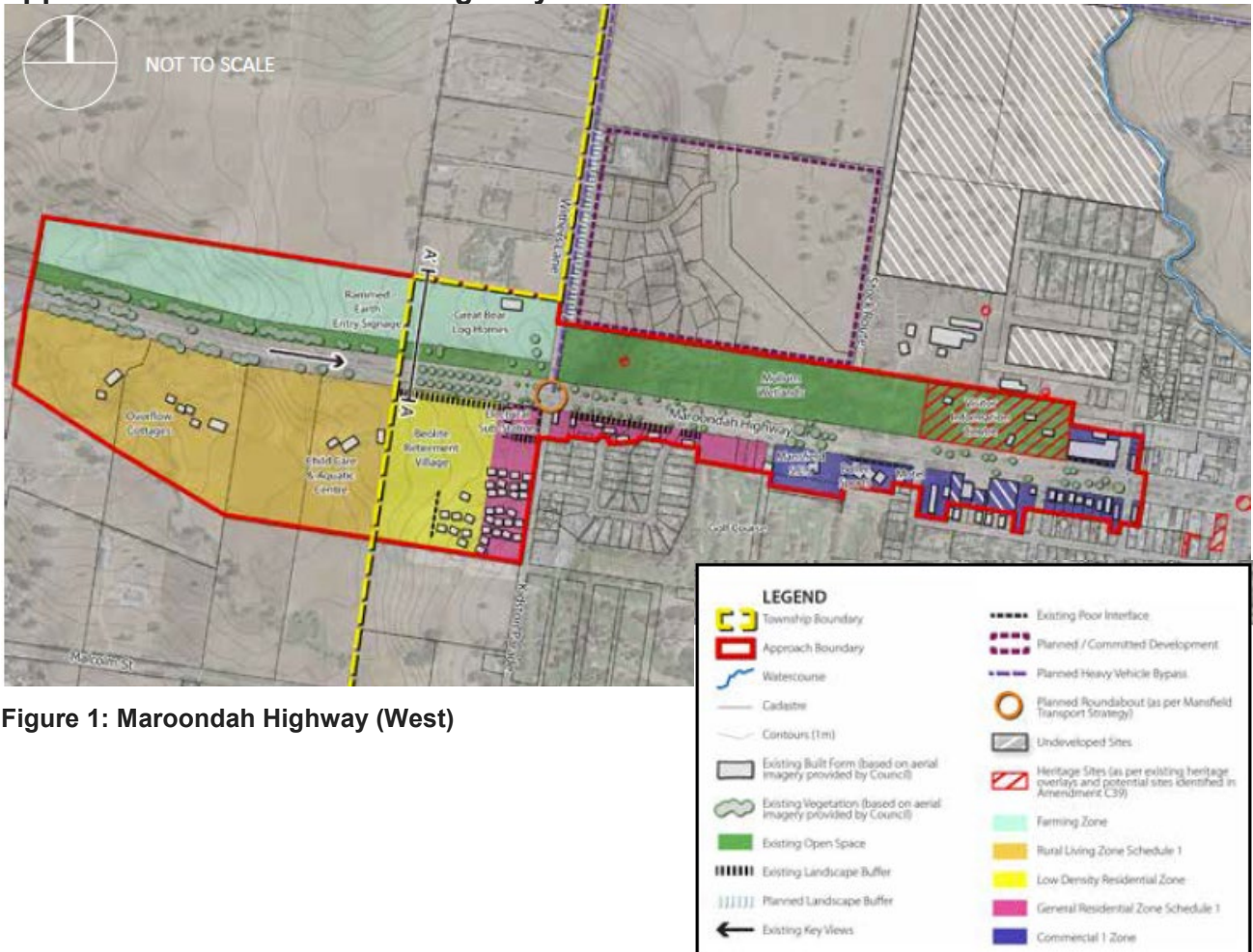


Figure 1: Maroondah Highway (West)

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Approach Two – Mount Buller Road

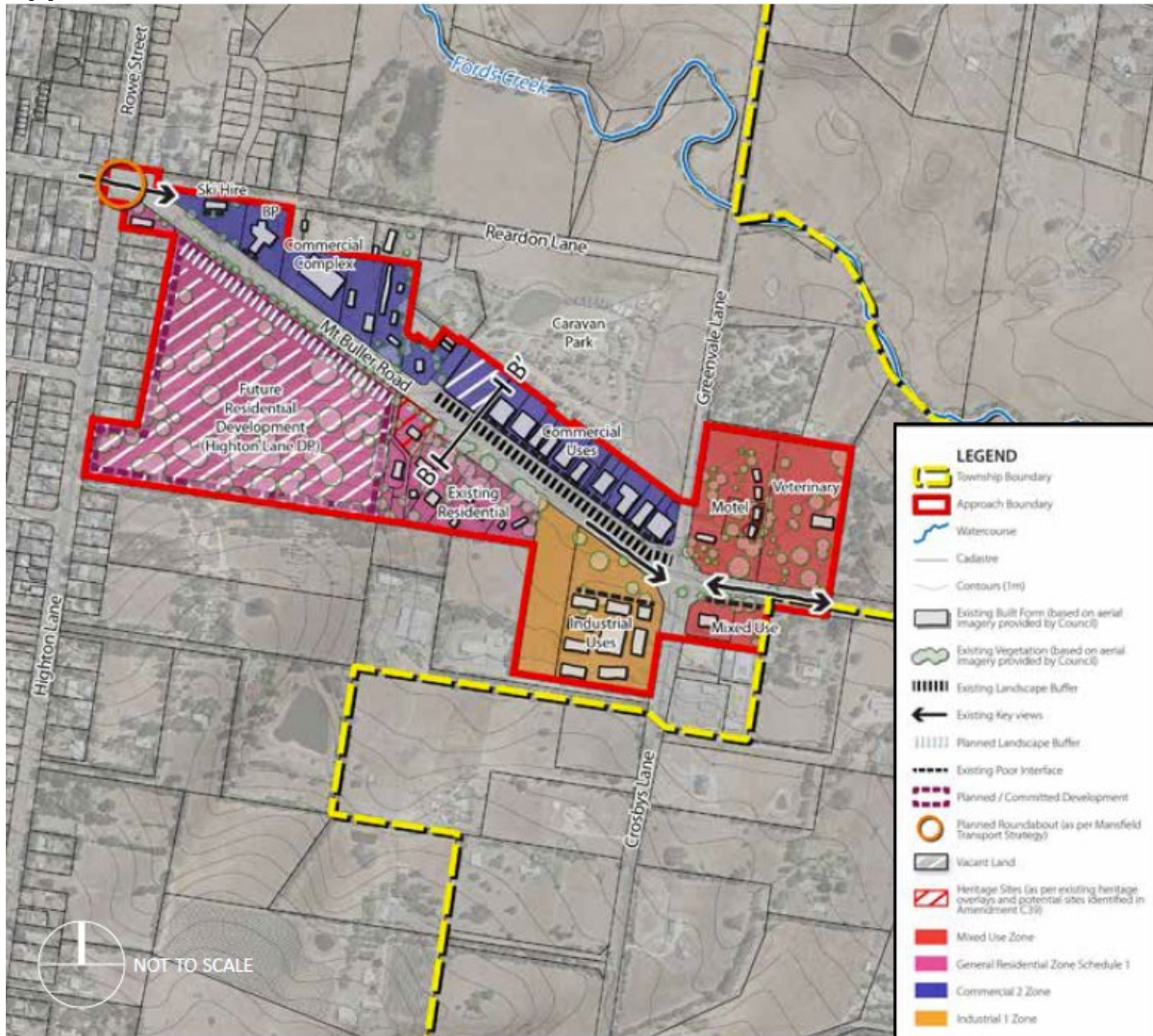


Figure 2: Mount Buller Road (East) Approach

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Approach Three – Midland Highway

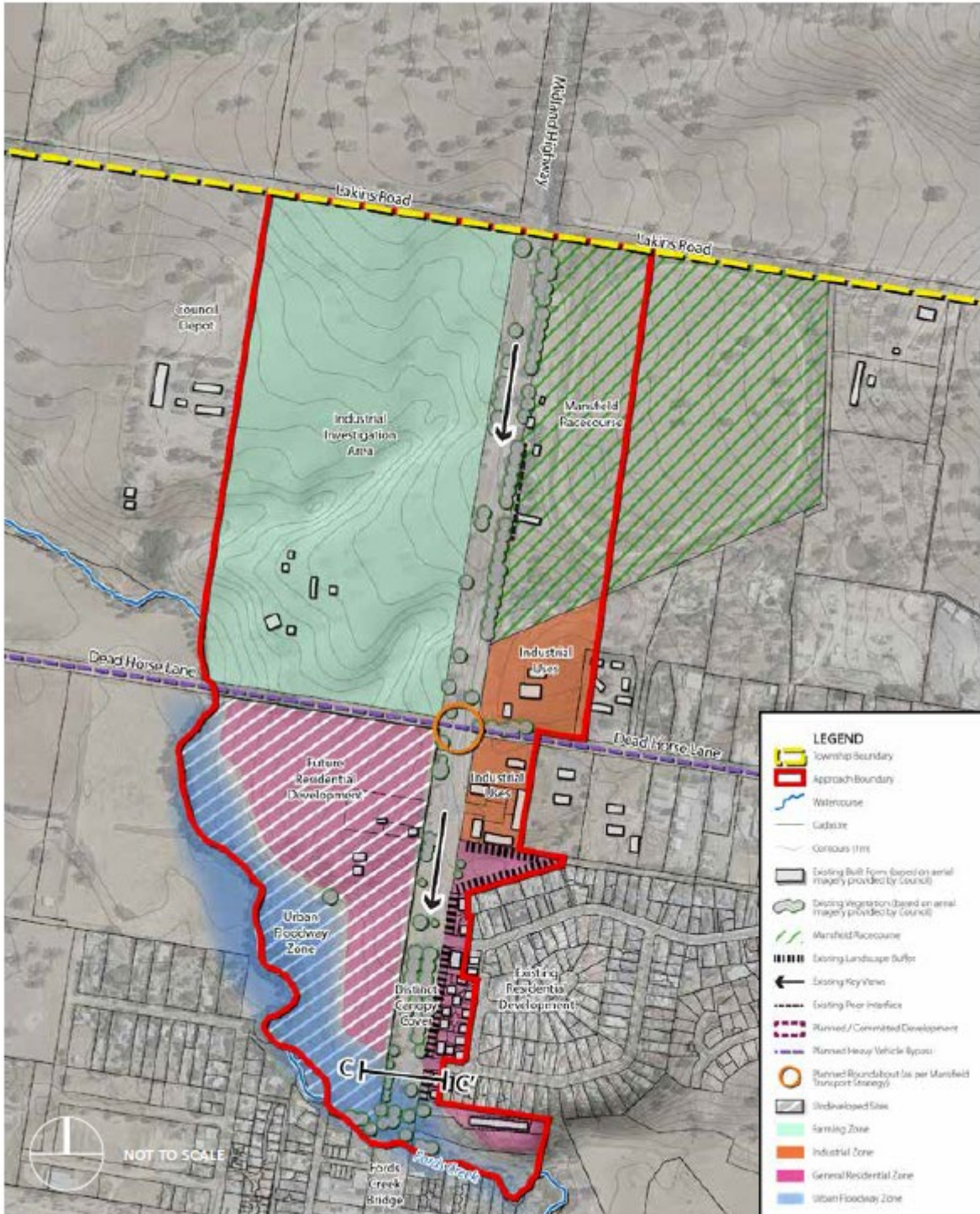


Figure 3: Midland Highway (North) Approach

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Approach Four – Mansfield-Whitfield Road

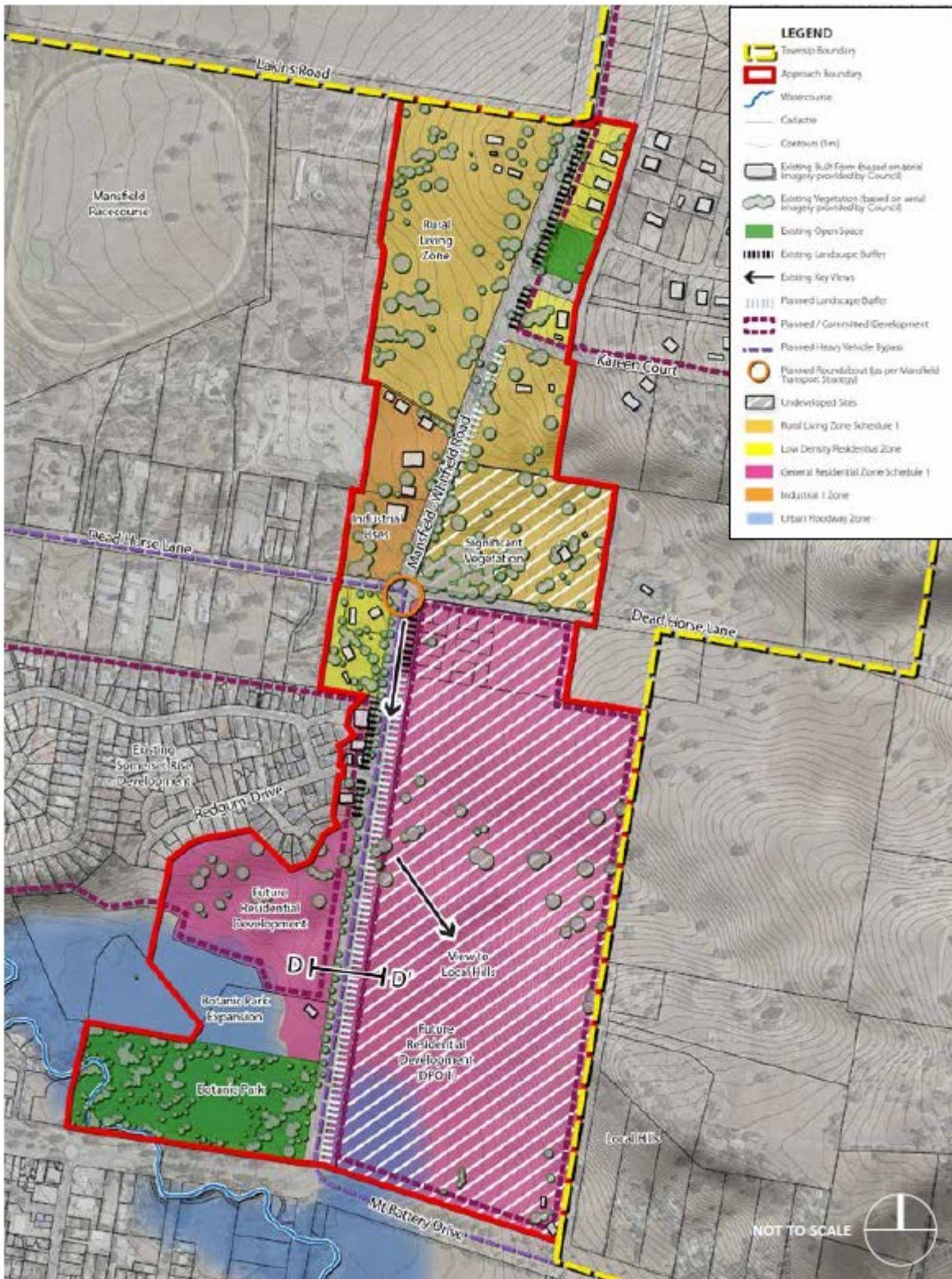


Figure 4: Mansfield-Whitfield Road (North) Approach

Source: Tract 2018

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

In response to these instructions, Tract Consultants undertook extensive background research to identify any issues or opportunities that existed in the four (4) approach corridors. This work was undertaken to inform 'Stage 1' of the consultation process as part to the initial body of work.

The 'Stage 1' consultation process was undertaken in May and June 2017. This process included two (2) meetings held in May 2017 with key stakeholders and the broader community. Further, an information stall / drop-in session occurred in High Street in late May as well as a bush market stall in June of that year. Documentation relevant to the work done to date was also available at Council offices and on Council's website for viewing and comment. This consultation process was fundamentally used as an information gathering exercise, where the background research was presented to the public, with the opportunity provided for residents and key stakeholders to identify any issues or opportunities that were not adequately detailed within the background reporting. These findings were collated and used to inform the subsequent work undertaken by Tract as part of the overall Study.

In summary, the key issues raised were:

- Retention and enhancement of street trees within corridors.
- Sense of space created by wide road reserves is highly desirable.
- Views to surrounding alpine foothills highly desirable.
- Preference for 'local, small business' shops along approaches. Absence of bulky goods, car dealerships and fast food restaurants to be maintained.
- Limiting signage along corridors is desired.
- Service roads aid in retaining spacious road corridor.

Following the first round of consultation, Tract Consultants developed a high-level vision and list of strategic objectives which ultimately informed the Guidelines that were adopted by Council at its ordinary meeting in September 2017 and formed the basis of the 'Stage 2' consultation process. This included the Background Report, Town Approach Guidelines, and draft ordinances. Exhibition occurred for two weeks, concluding in late 2017.

Key issues from the 'Stage 2' consultation is outlined below:

- Impacts of additional signage requirements and how this would be controlled.
- How will street trees be controlled and what are the preferred street tree species.
- Will fencing requirements limit Colorbond fencing in future.
- Will this work enable the beautification of public land along corridors.
- Further controls are required to limit fast food restaurants locating within corridors and in the proximity of schools.
- Need for more parking options around town to deal with long term parking and for users of VLine bus services.

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Work following adoption of Mansfield Design Guidelines (June 2018)

Council commenced work in September 2019 to review previous work and to update any required documentation to current State Government standards. Preliminary discussions have been held with DELWP regarding the structure of draft ordinances as originally prepared by Tract Consultants as well as additional urban design work to determine the impact and effect the Guidelines would make to future development proposals. As a result of recommended Government changes, a rework of these documents has occurred to reflect current requirements. This work has been undertaken solely to update structural issues, with the content of the *Mansfield Design Guidelines* (June 2018) for translation into the Mansfield Planning Scheme.

To effect this change in the Mansfield Planning Scheme and in consultation, three (3) draft ordinances being prepared as follows:

- **Amended Clause 21.09.** In discussions with DELWP, it was identified that the originally proposed Clause 21.11 was contrary to the intent of the Smart Planning Program. It was identified that the content of this draft clause would be better suited forming part of the existing strategic direction for the Mansfield Township that exists within Clause 21.09. Amendments to this clause are proposed to solely include the inclusion of application strategies and objectives to affect the *Mansfield Design Guidelines* (June 2018). No changes are proposed to existing controls within this clause, other than some minor renumbering to reflect inserted content and correcting minor grammatical errors.
- **Amended Schedule 1 to the Design and Development Overlay.** Based upon the advice of DELWP, Schedule 1 to this clause has been rewritten, both from what currently exists within the Mansfield Planning Scheme and as was drafted for community exhibition as part of the previous work undertaken. This was done to reflect current requirements for Schedules to the Design and Development Overlay. The *Mansfield Design Guidelines* (June 2018) details a specific set of development controls for the residential areas within the township approaches compared to the Commercial and Industrial areas. DELWP advised that these would be best split into two separate Schedules to ensure clarity of requirements for each area.
- **New Schedule 2 to the Design and Development Overlay.** As described above, this schedule has been drafted to reflect the specific development controls that are proposed to apply to the Commercial and Industrial zones within the township approaches.

The draft Mansfield Planning Scheme ordinances as outlined above are contained at Attachments 2, 3 and 4.

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Mansfield Planning Scheme Amendment Process

Should Council resolve to seek to proceed with Authorisation, Council staff will prepare the required documentation in order to formally request Authorisation from the Minister of Planning in accordance with Section 8A of the *Planning and Environment Act 1987*.

Following receipt of the Application for Authorisation, the Minister of Planning is required to notify Council within 10 business days of the decision. This decision must be in the form of:

- Authorisation for the preparation of the amendment.
- Authorise the preparation of the amendment subject to conditions, including conditions relating to notice.
- Require further information.
- Refuse authorisation for preparation of an amendment.

If no response is received within ten (10) days, Council may proceed to prepare the amendment without the Minister's authorisation.

Following Authorisation (should it be provided), a formal period of exhibition of the proposed Planning Scheme Amendment must be initiated by Council within forty (40) business days. DELWP have indicated that a conditional Authorisation will be provided (without prejudice) requesting that exhibition occur for a period at least six (6) weeks.

On completion of formal exhibition, a panel may need to be convened to consider the proposed planning scheme amendment and any submissions received.

Statutory Requirements

Section 8A (2) of the *Planning and Environment Act 1987* (the Act) requires that a municipal council must not prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in its municipal district unless it has applied to the Minister under Section 8A of the Act, and the Minister has authorised it to do so. This application must be prepared in accordance with the requirements of Section 8A (3) of the Act.

Council Plan

This project is consistent with the Council Plan. The purpose of the Council Plan is to:

- *Provide a forward-looking plan detailing Council's strategic directions and objectives for the current term of the Council.*

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Subsequently, this project sits within the Council Plan 2017-2021 at the following Strategic Objectives:

4.4 – We have strong policy and decision making frameworks in place to protect and enhance the unique character of our Shire for future generations.

Specifically actioned through:

“Progressively undertake the further strategic work outlined in the Local Planning Policy Framework of Mansfield Planning Scheme”.

Community Engagement

The preparation of the *Mansfield Design Guidelines* (June 2018) included two periods of consultation with the community, stakeholder and agencies representatives, firstly in May 2017 and again in October 2017.

Broadly, the consultation provided the following comments which were incorporated into the *Mansfield Design Guidelines* (June 2018) adopted by Council in June 2018:

- Protection and enhancement of mature street trees within township approaches.
- Retention of wide road reserves.
- Greater control of signage within corridors, maximising views of landscaped corridors and views to the surrounding alpine foothills.
- Increased controls to divert bulk goods store, car dealerships and fast food restaurants away from township approaches.
- Reduce the impact of fences abutting the township corridors and enhancement of existing landscaped qualities of adjacent privately owned land.

Further exhibition will occur as part of the Planning Scheme Amendment process.

Officer’s Comments

An extensive body of work has been undertaken by Council staff and engaged consultants to deliver a robust and considered strategic direction for the treatment of the four main township approaches to Mansfield which will result in changes to the Mansfield Planning Scheme. The *Mansfield Design Guidelines* (June 2018) are the culmination of this work, with these guidelines being adopted by Council in June 2018.

Community, as well as stakeholder and relevant agency input has been vital to this project for it to reach this comprehensive position. Two periods of community consultation have occurred to date, both in 2017, which received significant interest from the community at the time. It is acknowledged that significant time has passed since this consultation occurred and, as detailed above, an extended period of formal exhibition is proposed as part of the formal planning scheme amendment process to ensure that any new or expanded concerns or opportunities can be expressed by the community.

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

The overall aims of the project were to:

- Identify the preferred future character of the four township approaches.
- Ensure future development makes a positive impact on the amenity and environment along the township approaches.
- Ensure future development along the four township approaches have regard to their local context and reinforces the valued character of the township.
- Clearly define township approaches through built form and landscaping treatments within the private realm.
- Provide clear, logical, and useful guidelines for all - including developers, residents, Council officers and Councillors.

These aims have been and will be addressed as part of this proposed planning scheme amendment through the following:

- Preferred character statements, as developed and detailed within the *Mansfield Design Guidelines* (June 2018), have been incorporated into the Decision Guidelines for each of the Design and Development Overlay schedules.
- Positive impact from future development will be achieved through all proposed developments needing to meet the applicable development controls that apply, either within residential zoned areas or the commercial and industrial areas of the township approaches.
- By incorporating the preferred character statements into the Decision Guidelines, each application within the designated township approaches will need to demonstrate how it contributes to the achievement of the stated preferred character as provided for in the updated local policy.
- The proposed built form and landscape treatment controls within the proposed two Design and Development Overlay Schedules will ensure that the township approaches continue to enhance their distinctive character.
- The proposed controls within the two Design and Development Overlay Schedules have been developed to be succinct, clear, and prescriptive to enable all users (developers, residents, Council officers, and Councillors) to easily and consistently understand what is permissible within these key township approach corridors.

At the time of adopting the *Mansfield Design Guidelines* (June 2018), Council was preparing to commence a review of the Mansfield Planning Scheme as part of the State Governments Smart Planning Program. It was indicated at that time that the incorporation of these planning controls would occur as part of this review.

This planning scheme review has yet to commence and noting the time that has elapsed since endorsing the *Mansfield Design Guidelines* (June 2018), it is recommended that Councillors look to commence this process now. Discussions with DELWP indicate that it could be a further twelve months before the Mansfield Planning Scheme is updated in accordance with this program.

13.2.1 Mansfield Township Approaches Planning Controls and Guidelines Study – Report to Commence Planning Scheme Amendment and Seek Authorisation from the Minister of Planning cont.

Options

Option 1

Proceed with amending the Mansfield Planning Scheme by seeking authorisation from the Minister of Planning.

Option 2

Delay amendment to the Mansfield Planning Scheme to occur as part of the Smart Planning Program, which is not likely to be finalised within the next 12 months.

Option 3

Determine to no longer proceed with this amendment to the Mansfield Planning Scheme.

Attachments

- 1 Mansfield Township Approaches Plans Controls and Guidelines Study (June 2018)
- 2 Draft Mansfield Planning Scheme Ordinances CXXX Clause 21.09
- 3 Mansfield CXXX Draft DDO Schedule 1
- 4 Mansfield CXXX Draft DDO Schedule 2

Recommendation:

THAT Council:

1. **confirm resolution 4 of item 10.4.1 of the Ordinary meeting of Council held on 26 June 2018, stating:**

Use the Mansfield Township Approaches Planning Controls and Guidelines Study (June 2018) to inform the preparation of an amendment to review Schedule 1 to the Design and Development Overlay – Alpine Approaches and Township Gateways.
2. **endorse the draft Mansfield Planning Scheme ordinance associated with the Mansfield Township Approaches as the basis to prepare an Application for Authorisation from the Minister of Planning.**
3. **write to the Minister of Planning requesting authorisation to amend the Mansfield Planning Scheme under Section 8A(2) of the *Planning and Environment Act 1987*.**
4. **upon receipt of authorisation, make any changes necessary to comply with conditions of authorisation.**
5. **upon satisfaction of any conditions of authorisation, exhibit proposed amendment pursuant to Section 19 of the *Planning and Environment Act 1987*.**

**13.2 PLANNING AND ENVIRONMENT CONT.****13.2.2 Amendment to Highton Manor Development Plan**

File Number: DA4787/3
Responsible Officer: Manager Planning and Environment, Ben McKay

Recommendation	<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Approve the amended <i>Highton Manor, 140 Highton Lane, Mansfield Development Plan</i>, as attached in this report. 2. Authorise an assessment between Council officers and landowners to amend the Section 173 agreement applying to the area to reflect the amended content and area of the development plan. 3. Investigate options for an applicable overlay to apply to the land, including amendment to the Development Plan Overlay boundaries and application of the Heritage Overlay to amended development plan area.
Applicant	Mansfield Shire Council
Title/Covenant/S173 Agreement	Lots 1-6 PS739856, Lots 2, 3 and 4 PS749853. No Section 173 Agreement registered on title.
Date Application received	Not applicable
Current statutory days	Not Applicable
Zoning	General Residential Zone and part Rural Living Zone
Overlays	Development Plan Overlay – Schedule 1
Site area	
Number of outstanding Objections	No objections

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

The purpose of this report is to seek a Council resolution to amend the Highton Manor, Highton Lane, Mansfield Development Plan.

13.2.2 Amendment to Highton Manor Development Plan cont.

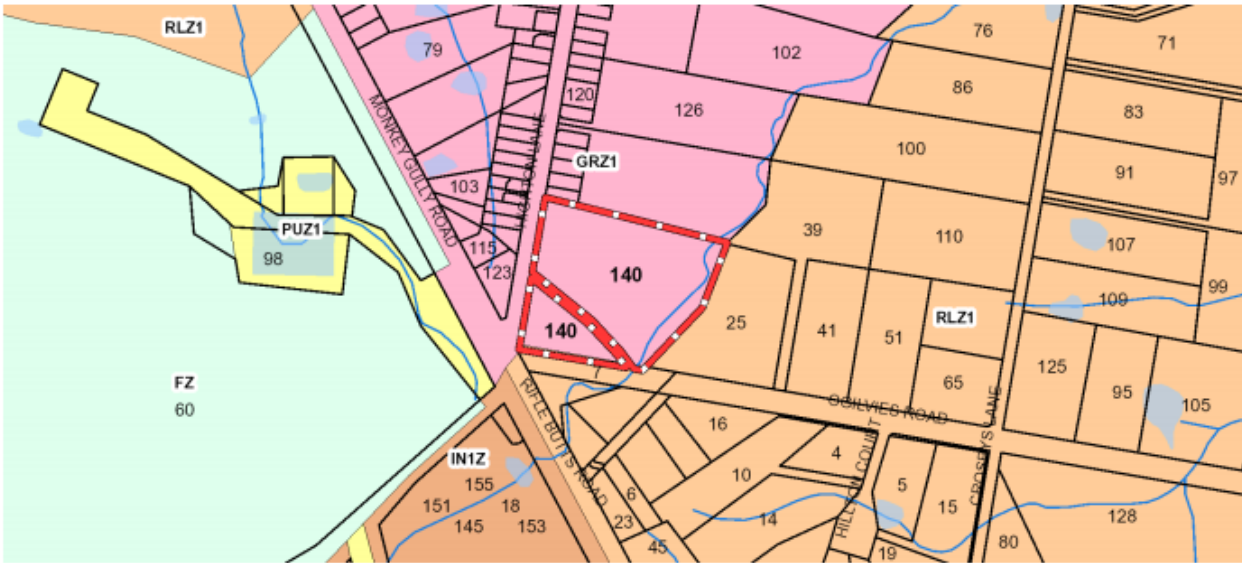


Figure 1: Zoning Map of subject land

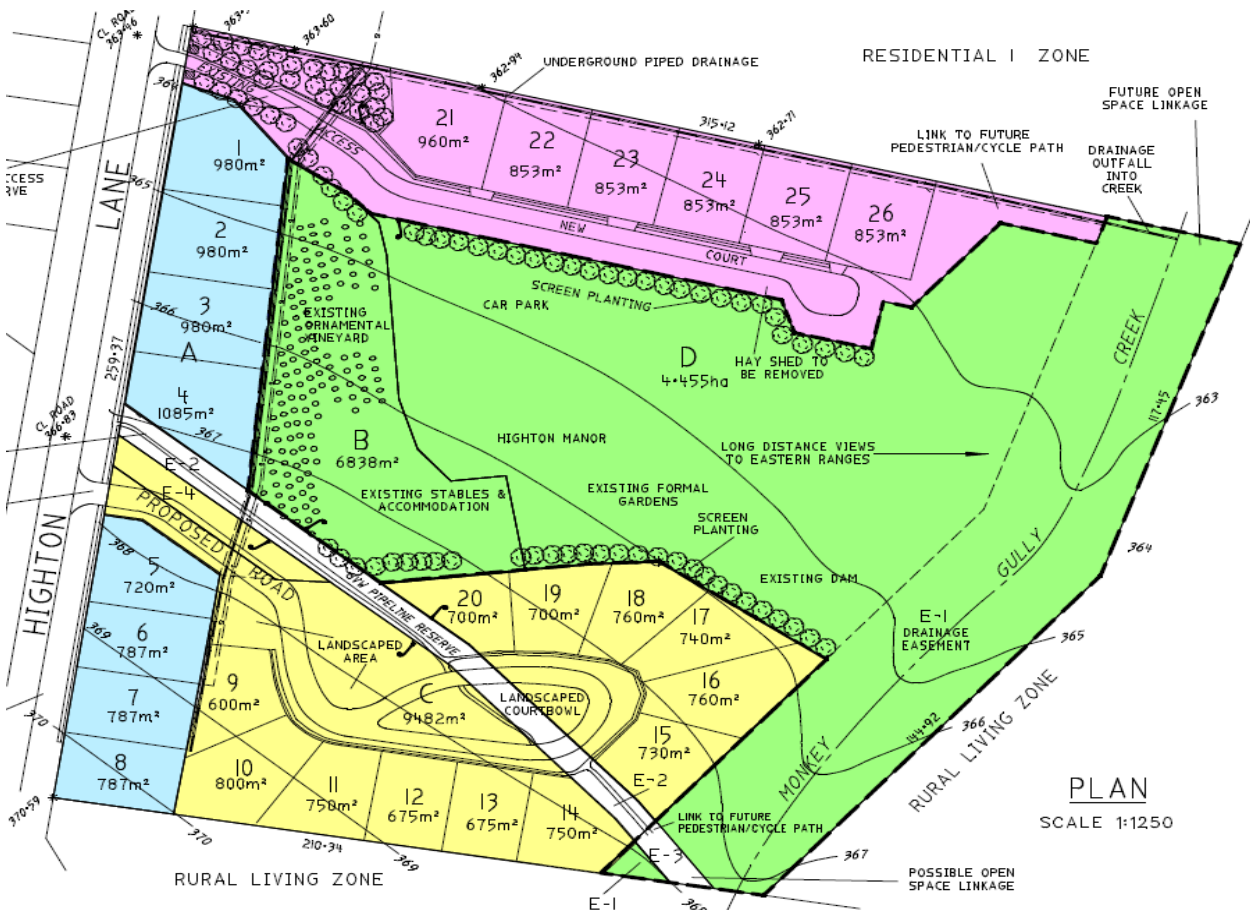


Figure 2: Proposed Highton Manor Development Plan Layout

13.2.2 Amendment to Highton Manor Development Plan cont.

Background

Under the Mansfield Planning Scheme, the land subject to the development plan is zoned General Residential 1, with the Development Plan Overlay 1 (General Residential Zone and Rural Living Zone) also applying to the land. The DPO was applied to the land under Amendment C1, Pt 1 in March 2006 to provide coordinated residential layout and design guidance for the overall Highton Manor precinct. The DPO requires that a development plan be prepared and approved prior to any planning permit being issued for any use, subdivision or any other development on the land.

Mansfield Shire Council approved the *Highton Manor, Highton Lane, Mansfield Development Plan* on 23 September 2008 (the 'development plan') to guide the future design and framework for future development and subdivision for the Highton Manor precinct. This approved plan is not typical of a development plan in that it includes detailed design guidelines for subdivision, buildings and works. The current, approved development plan is shown as attachment 1.

A Section 173 Agreement also applies the same land as the development plan, the intention of the agreement being to give effect to the Development Plan. The agreement effectively applies the intent of the development plan, including detailed design outcomes for land and buildings that normally could not be controlled under the zone or development plan.

It is also noted that the land has been subdivided with titles being issued with the Section 173 Agreement not being registered on title.

Statutory Requirements

Development plans outline the broad directions for future land use, development, subdivision and servicing of an area rather than specific detail and conditions that would typically be included in planning applications and permits. Planning permits cannot be issued for any use or development of land affected by an approved development plan unless a proposal 'is generally in accordance' with the approved plan. Any planning application that 'is generally in accordance' with an approved plan is exempt from notification (advertising) and appeal rights.

Approved development plans may be amended by Council and can include sunset clauses for expiry. While there is no prescribed statutory process for the approval or amendment of development plans, it is standard practice to notify potentially affected landowners and seek comment from relevant service agencies.

Council Plan

The proposed amended development plan generally complies with and implements the Mansfield Shire Council Plan 2017-2021, in particular Strategic Direction Two, Financial Sustainability, and Strategic Direction Four, Enhanced Liveability.

13.2.2 Amendment to Highton Manor Development Plan cont.

Community Engagement

Notice of the proposed amendments to the development plan was given to all potentially affected landowners, ie, owners of all land / lots proposed to be removed from the plan and all owners of land on the opposite (western) side of Highton Lane. No submissions were received from any landowner to which notice was given.

Referral of the proposed amendments to the development plan was not given to Goulburn Valley Water (GVW), as supplier of reticulated water and sewerage, as GVW has already consented to the current subdivision and is able to supply services to the present lot configuration.

Council's Engineering Department has consented to the proposed changes, noting that local road access and drainage may be effectively provided to all land within the current development plan boundary.

Officer's Comments

The need for amendment to the development plan has been recognised by both the owner of Highton Manor and Council officers, with a view to simplifying the plan, reducing the applicability of the plan to only apply to the core Highton Manor area and reducing the burden on lots adjoining Highton Manor where the development plan is no longer required or imposes excessive requirements. It is recommended that the extent of the plan be reduced to only apply to the key Highton Manor area, maintaining design outcomes and protecting the integrity of this core area but allowing conventional residential subdivision and development to take place on the periphery of this core area.

The following changes are proposed to the existing development plan, previously approved in 2008:

Plan:

- Removal of the two plans forming part of the current plan (*Highton Manor Development Key Plan* (pg 21) and *Highton Manor Development Plan* (pg 28)), replacing these plans with a new plan (*Highton Manor Development Plan*).
- Reduction of area to which the plan applies to now only be applied to the core Highton Manor precinct, including stables / accommodation and vineyard.
- Deletion of the 'new dam' proposal in the north eastern section of the Highton Manor precinct to which the amended plan is proposed to apply.

Report:

- Outline a current legal description of the land to which the development plan applies.
- Remove Section 7, Building guidelines for new building on other titles, including extensions.
- Remove the two diagrams at the end of Section 7, Typical dwelling with mezzanine floor and Typical dual occupancy dwelling.
- Remove Section 5.9, Further subdivision.

13.2.2 Amendment to Highton Manor Development Plan cont.

The proposed amended development plan, incorporating the proposed changes outlined above and subject to the recommendation of this report, has been separately distributed to Council.

Once the development plan has been amended and reduced in area, officers will initiate an amendment to the Section 173 agreement applying to the land with relevant landowner/s, making the same consequential changes to those proposed to be made to the development plan. Main changes would be reduction of the area of applicability and removal of unnecessary design guidelines that should not apply to land outside the core Highton Manor lot. These changes will remove unnecessary design controls over private lots that already exist, allowing unrestricted residential development on them.

Once the development plan is amended and its coverage is reduced, the application of the DPO outside this reduced plan area is redundant and should be removed. The reduction of the DPO may be undertaken as part of any future planning scheme amendment to correct anomalies, or could be amended as part of any future review of the planning scheme.

Another alternative overlay to apply to the reduced development plan area is the potential application of the Heritage Overlay, an overlay that could readily provide planning control for siting, development and design. An existing heritage assessment for Highton Manor would most likely form adequate justification for the application of the Heritage Overlay. The use of the Heritage Overlay could substitute for the current cumbersome and lengthy combination of development plan and Section 173 Agreement and should be further investigated.

Options

1. Approve the amended *Highton Manor, Highton Lane, Mansfield Development Plan*, as attached in this report.
2. Refuse the amended *Highton Manor, Highton Lane, Mansfield Development Plan*, as attached in this report

Attachments

- 1 Existing *Highton Manor, Highton Lane, Mansfield Development Plan*, 2008 and associated documentation.
- 2 Proposed amended *Highton Manor, Highton Lane, Mansfield Development Plan*



13.2.2 Amendment to Highton Manor Development Plan cont.

Recommendation:

THAT Council:

- 1. approve the amended *Highton Manor, Highton Lane, Mansfield Development Plan*, as attached to this report.**
- 2. authorise an assessment between Council officers and landowners to amend the Section 173 agreement applying to the area to reflect the amended content and area of the development plan.**
- 3 investigate options for an applicable overlay to apply to the land, including amendment to the Development Plan Overlay boundaries and application of the Heritage Overlay to amended development plan area.**



13.2 PLANNING AND ENVIRONMENT CONT.

13.2.3 Mansfield Shire Council Waste Management Strategy

File Number: E7092
Responsible Officer: Manager Planning and Environment, Ben McKay

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

This report presents Council with the Mansfield Shire Waste Management Strategy, seeking Council adoption.

Background

In 2019, Council began a planning process to develop a Waste Management Strategy (the Strategy) to guide operations over the next five years.

There are a number of factors that support the need for a new Waste Management Strategy:

- The recent release (February 2020) of the *Recycling Victoria: A New economy* action plan which will drive significant changes to how local governments manage resource recovery and residual waste over the next 10 years.
- The in-house management of the Mansfield Resource Recovery Centre, which resumed on 1 July 2019, after being managed by contractors in previous years.

The Strategy will guide waste and resource recovery operations over the next five years including meeting the Victorian Government’s requirements.

Public exhibition feedback

Council received a total of six respondents to the draft Waste Management Strategy during the public exhibition phase. The comments received have been collated in to themes, provided below;

Theme	How the Strategy addresses the specific theme
Increase to resources to deliver on the Waste Strategy	1.1 - Employ an additional waste and resource recovery officer (1FTE) to assist with the delivery of the strategy

**13.2.3 Mansfield Shire Council Waste Management Strategy cont.**

Theme	How the Strategy addresses the specific theme
Increased involvement from waste collection contractors in terms of educating on services which should be a key part of all future contracts.	1.2 - Develop a waste and recycling education program detailing actions to improve waste sorting practices. This should include the communication tools that will be used, how often communication will occur and target audiences.
Introduction of food and organics collection	3.3 - Plan for food organics and garden organics (FOGO) collection and processing. Business case should analyse options for food and organics collection and processing and nominate a preferred option.
Reference to the carbon footprint of waste transportation and landfill emissions. The strategy should show some form of carbon offset for the Shire's waste management operations.	2.1 - Review kerbside collections: establish an audit program and undertake analysis of collection frequency, carbon footprint, service area and cost of services
Alignment with Recycling Victoria targets which includes the diversion of 80% waste from landfill by 2030.	3.3 - Plan for FOGO collection and processing. Business case should analyse options for food and organics collection and processing and nominate a preferred option. 3.8 Plan for a separate glass collection service for the Mansfield Shire 3.9 Implement a glass collection service in the Mansfield Township
Litter and Illegal Dumping not reflected in the actions.	1.2 - Develop a waste and recycling education program detailing actions to improve waste sorting practices and discourage illegal littering. This should include the communication tools that will be used, how often communication will occur and target audiences. It will align with state and regional education campaigns and programs.
Formal arrangements with alpine resorts	4.1 - Establish formal arrangements with alpine resorts to manage select waste streams such as mattresses and FOGO.

The draft Mansfield Shire Council Waste Management Strategy includes:

- Information on the national, Victorian (statewide) and regional strategic directions that are relevant to the municipal resource recovery and waste environment
- An overview of the current waste operation managed by the Mansfield Shire Council
- A strategic vision (20 years), goals and actions for the next five years.

13.2.3 Mansfield Shire Council Waste Management Strategy cont.

Statutory Requirements

Recycling Victoria: A New economy is the Victorian Government's 10-year policy and action plan for waste and recycling. Council will be required to meet actions as set out in the policy.

Council currently has a *Waste Management Service Policy*, which outlines the processes for kerbside waste and recycling collection and the conditions of waste supply and service. This policy may need to be revised if a collection service for FOGO and glass is added in the future.

Council Plan

Strategic Objective 4.4

We have strong policy and decision making frameworks in place to protect and enhance the unique character of our Shire for future generations.

Financial

The implementation of the Strategy will have budget implications for Council over the next five years. Section 5 of the Strategy provides an indication of how much each of the actions are estimated to cost to deliver and whether the actions fit within existing budget or require additional funding. The cost are categorised as follows:

- \$\$\$ = more than \$200,000
- \$\$ = between \$50,000 and \$200,000
- \$ = less than \$50,000

The largest cost items that require funding are expected to be:

- the development of the Master Plan for the Mansfield Resource Recovery Centre and its implementation,
- the food and garden organics collection service implementation collection,
- glass collection service implementation,
- the street bin upgrade,
- the employment of an additional waste and resource recovery officer, and
- any required remediation works for closed landfills.

The Strategy requires an additional 1 FTE staff resource to assist the current Waste Co-ordinator to oversee waste management within the Shire. This resource was included in Council's 2020/21 budget adopted on 4 August 2020.

13.2.3 Mansfield Shire Council Waste Management Strategy cont.

Social

A core element of the Strategy is to increase residents' and businesses' sense of responsibility for the waste produced; through education initiatives, pilot programs and charges. Bringing responsibility for waste management back to communities will mean there is more individual accountability and a sense a collective action that can protect and promote the natural beauty of the Shire for generations to come.

Environmental

The Strategy is expected to have a positive impact on the environment by reducing the amount of waste households produce

It is also expected to identify and begin any remediation works required for closed landfills.

Economic

The Strategy is expected to have a positive economic impact by guiding sustainable waste management principles across the Shire. Encouraging the management of waste and recycling materials locally, could stimulate investment and support jobs growth.

Risk Management

Financial risk - The State Government's *Recycling Victoria Policy* mandates certain cost increases that may impact ratepayers. The Strategy aims to reduce waste disposal (per household) and maximise diversion of materials from landfill therefore passing on reduced costs to rate-payers.

Operational risk - Waste generation and material recovery is relatively low across the Shire, comparatively to other councils of similar size. This could pose a risk when seeking contract services for resource recovery. Industry may not consider tendering for services or may withdraw services if it is economically unsustainable. The Strategy seeks to mitigate this risk by increasing the capacity of the Mansfield Resource and Recovery Centre to sort waste and recyclables locally.

Community Engagement

The process of developing the Strategy began in late 2019 with RM Consulting Group appointed to assist Council with the process.

In March 2020, three workshops were held with stakeholders. The focus of these sessions was to explore the aspirations for waste and resource management in the Shire and scope out preliminary actions as to how Council could achieve stakeholders goals and meet the requirements of the Victorian Government.

The draft Strategy was presented to Councillors before being released for public comment from the 11 June to the 13 July. A further workshop was held with community members via Zoom on 29 July to further feedback on the draft Strategy.



13.2.3 Mansfield Shire Council Waste Management Strategy cont.

The final Strategy incorporated all feedback and was presented to Council on 4 August 2020.

The Strategy proposes the development of educational resources and engagement on how waste is managed in the shire and how households should dispose of their waste correctly. The educational resources will also promote changes to services outlined in the strategy which include the introduction of a food organics and gardens organics service and a glass service.

Officer's Comments

The Waste Management Strategy is a key document that will guide how Mansfield Shire manages waste over the next five years.

During this time there will be State level policy changes to how resource recovery is managed across the State, which will mean significant changes to the Council's current service model. The state-wide changes have been considered in the development of this Strategy, as well as the resource recovery objectives of the community and stakeholders.

Attachments

- 1 Mansfield Shire Council Waste Management Strategy

Recommendation:

THAT COUNCIL adopt the Mansfield Shire Council Waste Management Strategy 2020-2025.



13.3 COMMUNITY SERVICES

13.3.1 Council Managed Events

File Number: E5528
Responsible Officer: Economic Development Officer - Tourism & Events,
 Nicole Nye

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

This report presents Council with an update of scheduled events and seeks a decision from Council on its two managed events scheduled for late 2020 in consideration of the current COVID-19 environment and restrictions.

Background

Spring is an extremely busy period for events. It is also the same period that Council holds its two significant events:

Event Name	Description	Est Attendance	Budget Amount
Mansfield High Country Festival 30 Oct – 3 Nov	Long standing community event with a focus on community. Council co-ordinates a program of approx. 30+ community volunteer run events along with managing opening night, grand parade, marketing, sponsorship and permits	100 – 3,000 Depending on the event within the program	\$18,000
Lake Eildon Festival 28 Nov	1 day festival to celebrate the opening of water sport season in two lakeside towns. Bonnie Doon – Boat expo & on water demonstrations. Goughs Bay – Twilight Market & Boat show n shine. Each Community runs its own event with Council overseeing the management of EMP's, permits and booking of infrastructure for each community. Note: Jamieson was part of the festival but withdrew holding an event in 2019 as they prioritised another event	500-1,500	\$20,000

13.3.1 Council Managed Events cont.

Council also funds the *Spring in Events* Brochure to promote the program of Shire events held September to November along with Council's two significant events.

While COVID-19 restrictions are in place, no mass gathering events (500+) will be allowed to take place. Its anticipated mass gathering events will not occur in the foreseeable future - possibly 12 months plus. Smaller scale events of up to 50 and possibly 100 are more likely to be allowed when the crisis stabilises. However, the timing of this is unclear.

The following Mansfield community run events have already been cancelled:

- Mansfield Fun Run
- Mansfield & District Hospital Art Show
- Mansfield Show

Other significant events outside of the Shire that have been cancelled in September and October include:

- Bright Spring Festival
- Beechworth Oktoberfest
- Royal Melbourne Show
- Benalla Festival – report put forward for Council to cancel

Council is also involved in a third spring Targa Fest on behalf of Targa. Targa management have advised Council that they will still run Targa High Country as long as restrictions ease from Stage 3 and Victoria Police give approval. By changing how they operate, they believe that they can meet all the social and safe hygiene measures required to run the rally.

Targa Fest which is held after the street stage will need to be vastly modified. Council manages Targa Fest on behalf of Targa using the funds as per the contracted agreement; Council's contribution is \$37,500.

At this stage Council will continue to work with Targa for the best possible outcome for all stakeholder while operating within the pandemic guidelines.

Statutory Requirements

There are no statutory requirements in considering this report.

Council Plan

Strategic Direction 1 – Participation and Partnerships

1.4 We have high levels of community participation, with growing levels of engagement from our senior citizens and people of all abilities:

Deliver and support a diverse events program that offers numerous accessible and affordable opportunities for participation



13.3.1 Council Managed Events cont.

Strategic Direction 2 – Financial sustainability

2.7 Mansfield’s economy is diverse, with the ability to respond to changing consumer demands.

Facilitate and support existing and new events to build on our strengths and increase economic returns across the Shire.

Strategic Direction 3 – Community resilience and connectivity

3.2 We support our communities in meeting their own needs:

Provide advice to support local community events.

Financial

Spring In Events Brochure	Mansfield High Country Festival	Lake Eildon Festival
\$10,000	\$18,000	\$20,000

Council’s events budget is already allocated for 2020/21.

The \$48,000 would remain unspent for the financial year 2020/21. Council could then choose to allocate additional funds to events in 2021/22 financial year or alternatively, Council could elect to redirect the funds in 2020/21 to community recovery activities.

Social

The social benefits of events are less visible, but they are just as important. Events foster community pride, teach people new things, and strengthen relationships.

Already there is an indication that without interactive stimulation and engagement, there is a negative impact on our community mental wellbeing. Virtual online activities only go so far.

Events will be an important part of recovery. Council’s Business and Community Recovery Advisory Committee is already discussing activities and events and will advise Council over the next few months.

Environmental

Nil.

Economic

Mansfield High Country Festival

- Community event with a side benefit of visitors
- 30 individual events over 5 days with patron numbers ranging from 50 - 3000
- Engaging all generations. Social benefits are just as significant as economic
- MHCF estimated economic benefit = \$345,000* (based on day visitor expenditure x 1000 visitors x 5 days)
- Add tourism multiplier effect (x 2.7) = **\$931,500 total economic benefit**
- Council’s contribution \$20,000

13.3.1 Council Managed Events cont.

Lake Eildon Festival

- Predominately day visitors generating approx. \$69 per person*
- Attendance figures are approx. 1500 for Bonnie Doon & 500 for Goughs Bay & Jamieson generating \$172,500 (for 2018)
- Add tourism multiplier effect (x 2.7) = \$465,750 total economic benefit
- Council's contribution \$18,000

*Figures from Mansfield Shire Visitor Profile 2012/13

Risk Management

The only foreseeable risks in cancelling the two spring events relates to community expectation and disappointment if the pandemic situation is resolved much quicker than expected and large gatherings are allowed. This is considered highly unlikely.

Community Engagement

Events provide an opportunity to engage with all ages, groups and demographic and foster positive community spirit during these unprecedented times.

However, given the current global pandemic and Victoria's restrictions as at August 2020 it is unlikely that events with crowd gatherings of 100+ will be permitted in spring 2020.

Cancelling the spring events has not been discussed with Council's Business and Community Recovery Committee at this point in time.

Officer's Comments

Events take up a considerable amount of time in the planning and activating stages prior to the actual event occurring. Planning should be occurring now to stage the spring events however, there is understandably hesitation within community groups to even start planning when there is absolutely no indication that events will be allowed to go ahead over the next few months.

At the time of writing this report, Victoria is under a declared State of Disaster. COVID-19 Victorian regional and metro Stages 3 and 4 restrictions respectively are in place until mid-September 2020. Essentially the State of Victoria is in lockdown.

Borders between States are closed with some States indicating that this is likely to continue until early 2021.

If the situation improves in shorter timelines than expected, Council could redirect all or part of the funds to support business and community to hold smaller bookable events or events that allow for social distancing outdoors during October and November 2020, as part of community and business recovery.

To keep spirits up with in the community and stimulate positive mental wellbeing our community could be to run some competitions that are creative, promotes left field thinking and encourages kindness. Council could purchase vouchers from our local businesses with some of the event funds as prizes.

13.3.1 Council Managed Events cont.

With this idea, supported by Council, businesses, community and community groups could start planning and possibly doing their perspective elements during lock down and once restrictions have eased, the end 'products' could be displayed around town. Council could also run a competition for the outlying towns of Tolmie, Jamieson, Bonnie Doon etc, which would also further enhance inner and outer town engagement.

Funds budgeted for the Spring In events brochure and a portion of the Mansfield High Country Festival budget could be used to support running these smaller community focused events.

Council could consider the following options:

1. Cancel the two events for Spring 2020
2. Cancel the two events and seek advice from the Business and Community Recovery Advisory Committee on how the funds could be used to support businesses and community recovery.

Attachments

Nil.

Recommendation:

THAT Council:

1. **due to the current coronavirus pandemic, restrictions on the number of people permitted to gather and the likely prolonged nature of this environment, cancel the following events for spring 2020:**
 - Mansfield High Country Festival
 - Lake Eildon Festival
2. **contact all key stakeholders about this decision to avoid unnecessary planning and expense.**
3. **request that the Business and Community Recovery Advisory Committee consider alternative events or recovery events to assist the Mansfield Shire Community to recovery post COVID-19.**
4. **consider a report from the Business and Community Recovery Advisory Committee on events with appropriate recommendations. This could include the holding of events or activities or not.**



13.4 EXECUTIVE SERVICES

13.4.1 Beolite Village Limited Request for Street Sweeping Services

File Number: E6549
Responsible Officer: Chief Executive Officer, Kaylene Conrick

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

This report presents Council with a letter from Beolite Village requesting street sweeping services for the roads within the village.

Background

Beolite Village Limited is a not-for-profit charitable company established in 2006.

The Village comprises three lots:

1. One lot comprising 52 multiple dwellings individually rated as Residential Assessments;
2. One Rural Residential (Parent Block A18522 which is split as houses are built); and
3. One Vacant land (not yet developed).

Council provide Beolite Village with a rating discount on the Parent Block with respect to the community benefit derived from the Community Centre facility that is available for use by members of the Mansfield Shire Community. The rate rebate is calculated each year and equated to approximately \$400 on a rate charge of \$4,392.96 in 2019/20.

The 52 residential dwellings attract Council's usual residential rate charge and where applicable the Pension Concession Rebate is applied.

As the original development plan was not a subdivision but multiple dwellings on one lot, the roads within Beolite are private roads equivalent to private driveways and not classified as local roads under Council's control.

The development plan did, however, include specific requirements as to the construction of these roads based on garbage truck access and internal traffic with the permit issued clearly stating that the internal roads shall be maintained by the owner.

Beolite Village originally wrote to Council seeking street sweeping of its internal roads. Council's CEO responded outlining the nature of its roads (being private) and other relevant matters. Beolite Village has again written to Council seeking a review.

13.4.1 Beolite Village Limited Request for Street Sweeping Services cont.

Currently Council use Central Vic Street Sweepers (CVSS) once a month for two consecutive days to sweep the roads with kerb and channel in Jamieson, Bonnie Doon Sawmill Settlement and Mansfield townships to prevent leaves, dirt, and rubbish blocking up the stormwater pits.

Statutory Requirements

Council's obligations to maintain local roads and its powers in relation to roads are described in Schedule 10 of the *Local Government Act 1989*, the *Road Management Act 2004* and the *Planning and Environment Act 1987*. Council is responsible for local roads only.

Council Plan

This matter relates to Council Plan Strategic Direction 4 - Enhanced Liveability.

Financial

Council provide Beolite Village with a rating discount on the Parent Block with respect to the community benefit derived from the Community Centre facility, this discount equated to approximately \$400 for 2019/20 financial year.

Council has received a quote from its existing street cleaning service provider CVSS for the cost to include Beolite Village in Council's monthly street cleaning program. CVSS would charge \$60 per sweep equating to \$720 per annum.

Social

Beolite Village Limited is a not-for-profit charitable company providing affordable housing to independent older residents in the community.

In recognising Beolite Village's contribution to the Mansfield Shire Community Council provides a rating discount to the Parent Block with respect to the community benefit derived from the Community Centre facility.

Environmental

Not applicable to this report.

Economic

Not applicable to this report

Risk Management

There are no risks identified, the private roads at Beolite Village are constructed to Council standard with waste management trucks collecting domestic waste on a weekly basis.



13.4.1 Beolite Village Limited Request for Street Sweeping Services cont.

Community Engagement

Not applicable to consideration of this matter.

Officer's Comments

Council currently uses CVSS once a month for two consecutive days. This arrangement is a fee for service without any formal agreement in place.

In the 2020/21 financial year Council intends to go to tender for the street sweeping service. The tendering process will provide the opportunity to adjust frequency as needed, as well as adding new roads, and subdivisions as they become Council responsibility.

The options available to Council in respect of Beolite Village's request are:

1. Agree to include Beolite Village private roads in Council's street sweeping program.
2. Agree to include Beolite Village private roads in Council's street sweeping program, specified in the new tender specification and on-charge Beolite Village for the cost.
3. Agree to include Beolite Village private roads in Council's street sweeping program, specified in the new tender specification and on-charge Beolite Village for part of the cost.
4. Decline Beolite Village's request.

It is in Council's interest to ensure that Beolite Village maintains its roads to avoid drainage issues further elsewhere in Council's drainage network.

It could be difficult for Beolite Village to procure the street sweeping separately and it may be more cost effective if Council procures this service for the Village as part of its overall contract and then charges Beolite Village full cost recovery for the private roads. How Beolite deals with that additional cost will be up to them.

Attachments

- 1 6 March 2020 letter from Beolite Village request for street sweeping
- 2 23 March 2020 response to Beolite Village
- 3 8 July 2020 letter from Beolite Village request for street sweeping

Recommendation:

THAT Council offer to include a monthly street cleaning for the private roads in Beolite Village, as part of Council's street sweeping program, at full cost recovery.

13.5 FINANCE

13.5.1 Naming of a Feature: Sporting Precinct

File Number: E429
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

Council is proposing to name the Sporting Precinct consisting of the new dual court stadium, dual outdoor multipurpose courts and existing playing fields. This report presents the results of community engagement on the proposal for Council consideration.

Background

The construction of the new dual court stadium and dual outdoor multipurpose courts commenced in early 2020.

The project is a partnership between Council, Mansfield Secondary College and the Department of Education and a Joint Use Agreement between the parties has been established. Once completed, the agreement allows for community use of the new facility, which will be managed by Council.

The new stadium forms part of a sporting precinct that also includes the turf sports grounds colloquially known as the “additional playing fields”. A proposal to name the precinct commenced in February 2020, in accordance with the *Naming Rules for Places in Victoria* (the Naming Rules).

Appropriate naming is essential to identify locations for managing emergencies and delivering goods and services in Victoria. The *Naming Rules* are based on national standards and policies. They provide a strong basis for standardised and unambiguous naming procedures across the state. They have been developed through detailed consultation with councils, government departments, emergency agencies and public service providers.

Principles that should be considered when proposing a name include:

- The name must not risk public and operational safety for emergency response; or, cause confusion for transport, communication and mail services.
- Regard needs to be given to the long-term consequences and short-term effects on the wider community of naming.
- The name should be relevant to the local area with preference given to unofficial names used by the local community.
- The name must not duplicate another name within a 30 kilometre radius.

13.5.1 Naming of a Feature: Sporting Precinct cont.

- Place names must not discriminate.
- The use of Aboriginal languages in the naming of features is encouraged, subject to agreement from the relevant Traditional Owner group.
- A dual name proposal can be made as a way of recognising the names given to places by different enduring cultural and language groups.
- If named after a person, that person should be or have been held in strong regard by the community, with preference given to unofficial names used by the local community. The names of people who are still alive must be avoided because community attitudes and opinions can change over time. A commemorative name applied to a feature can use the first name and surname of a person; although, it is preferred that only the surname be used. The initials of a given name are not to be used in any instance.
- Places should not be named after commercial businesses, trade names, estate names (which are solely commercial in nature) or not-for-profit organisations.
- Names, except when they are proper nouns, must be written in standard Australian English or a recognised format of an Aboriginal language local to the area of the road, feature or locality.
- Names should be easy to pronounce, spell and write, and preferably not exceed three words (including feature or road type) and/or 25 characters.
- 'The' is not a suitable prefix.
- Cardinal directions (north, south, east and west) must be avoided.

Statutory Requirements

Section 5 (1) to Schedule 10 of the *Local Government Act 1989* states that a Council may

- (a) approve, assign or change the name of a road (or feature); and
- (b) erect signs on a road;

Section 5 (2) requires Council to comply with the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016* (the Naming Rules).

Geographic Names Victoria (previously the Office of Geographic Names) provides state-wide advice to Victorian naming authorities and the public about appropriate and compliant naming practices. The Registrar of Geographic Names oversees the gazettal and registration of place names in Victoria. Road names & features must be approved by the registrar and once gazetted are placed on the public VICNAMES database.

The naming process is undertaken in accordance with Council Policy, and the statutory requirements under the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2016* (the Naming Rules).

13.5.1 Naming of a Feature: Sporting Precinct cont.

Council Plan

Strategic Direction Four: Enhanced Liveability

Strategic Objective 4.4: We have a strong policy and decision making framework in place to protect and enhance the unique character of our Shire for future generations.

Financial

There may be a small financial impact to Council to erect signage.

Social

Council acknowledge the significance and ownership the community has of its local facilities. Sporting facilities are often the heart of communities, providing opportunities for people to be physically active and socialise.

Environmental

There is no environmental impact associated with this proposal.

Economic

There is no economic impacted associated with this proposal.

Risk Management

There are no significant risks associated with this proposal.

Community Engagement

Community consultation has been conducted in accordance with the statutory requirements under Section 7 of the Naming Rules. Schools, user groups and Traditional Owner groups were also contacted to request submissions.

On 1 February 2020 Council initiated the naming process by issuing a request for naming proposals to be submitted to Council for consideration. A Have Your Say was set up for the community to submit their requests online. Proposals could also be emailed or posted to Council.

Proposals were received up until the closing date of 6 March 2020, however due to the low number of proposals received the proposal period was extended to 31 May 2020.

A total of 54 naming proposals were received, and the full list is provided as *attachment 1* to this report.

A panel was convened to discuss the proposals and shortlist three names to refer to Council. The panel consisted of representatives from the Mansfield Secondary College, Council's Project Manager for the dual court stadium project and Council's Property Management Officer representing the Mansfield Shire Council Sport and Recreation Advisory Committee.

13.5.1 Naming of a Feature: Sporting Precinct cont.

The shortlisted names were discussed with Geographic Names and refined to meet the requirements of the *Naming Rules*.

The three names shortlisted by the panel are:

- College Park,
- Sports Precinct, and
- Community Sporting Precinct.

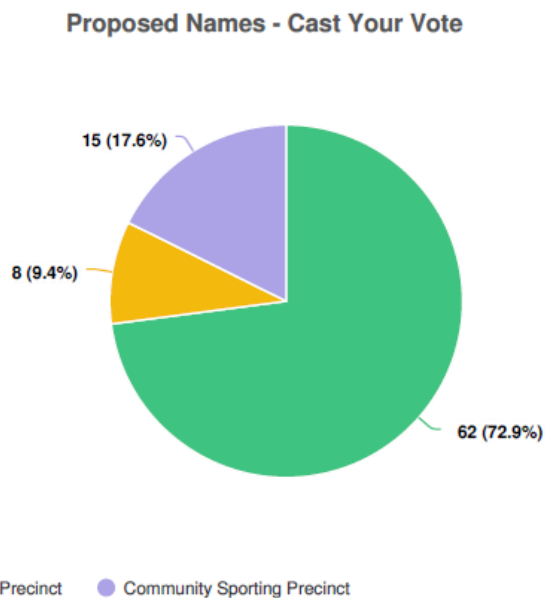
The shortlisted names were released on Council's Have Your Say portal for community voting over a 30 day period from 1 July to 31 July 2020.

The results of the vote are shown below.

ENGAGEMENT TOOL: QUICK POLL

Proposed Names - Cast Your Vote

Visitors 89	Contributors 85	CONTRIBUTIONS 85
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Officer's Comments

Council may elect to do any of the following:

- Select the name chosen by the majority (72.9%) of community voters, College Park. This name fits well with the location of the precinct ensuring it will be easily identified and located.
- Reject the recommended name, College Park, and select another name/s compliant with the *Naming Rules* to be released for a new community vote.



13.5.1 Naming of a Feature: Sporting Precinct cont.

- c) Reject the community vote and resolve to use another name of Council's choosing (providing it is compliant with the *Naming Rules*). This is not a recommended course of action as it overrides the process of engaging with the community.

Attachments

- 1 List of all names proposed by the community

Recommendation:

THAT Council:

- 1. resolve to name the sporting precinct feature at the end of View Street in Mansfield "College Park".**
- 2. lodge the name College Park with Geographic Names Victoria to be approved by the registrar, gazetted and added to VICNAMES.**
- 3. issue a public notice to announce the new feature name once it has been gazetted.**



13.5 FINANCE CONT.

13.5.2 Mansfield Shire Council Instruments of Delegation and Authorisation

File Number: E328
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Summary

This report seeks Council endorsement of the Schedule 5 Instrument of Delegation – Council to Chief Executive Officer, Schedule 6 Instrument of Delegation – Council to Members of Staff and Schedule 11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*), due to the recent changes in legislation and a Council organisational realignment.

Background

Delegation 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.

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, instruments are updated periodically as legislation is amended, or new legislation is introduced which impacts upon the operations of Council.

Statutory Requirements

The *Local Government Act 2020* (the Act) received Royal Assent on 24 March 2020.

All delegations made under the *Local Government Act 1989* (the 1989 Act) sunset by 1 September in accordance with the new 2020 Act. As a result, delegation instruments made previously under the 1989 Act are required to be updated.

Council Plan

Strategic Direction Five - *Responsible Leadership*.

Strategic Objective 5.1: We achieve the highest standards of good governance

Financial

There is no financial impact.

13.5.2 Mansfield Shire Council Instruments of Delegation and Authorisation cont.

Social

There is no social impact.

Environmental

There is no environmental impact.

Economic

There is no economic impact.

Risk Management

The review and update of Council's delegation instruments mitigates the risk of non-compliance with statutory legislation.

Community Engagement

There has been no community engagement.

Officer's Comments

The S5 Instrument is used by Council to delegate powers to its Chief Executive Officer (CEO). The updates to this instrument include clarification on limitations of the CEO's powers by making minor amendments to the instrument.

The S6 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. The updates to this instrument reflect the commencement of the *Local Government Act 2020*, as well as the commencement of some changes to the *Residential Tenancies Act 1997*. An internal realignment of positions within the organisation has recently taken place, and changes to these roles have been reflected in this Instrument.

The S11A Instrument is used by Council to authorise officers to enforce the *Planning and Environment Act 1987*, and institute proceedings on behalf of Council or represent the Council. There have been no legislative updates since this instrument was endorsed by Council at its 23 June 2020 meeting, however due to an internal realignment of positions within the organisation, together with the appointment of a General Manager role, this instrument must be updated accordingly to reflect these changes.

Attachments

1. Schedule 5 – Instrument of Delegation from Council to Chief Executive Officer
2. Schedule 6 – Instrument of Delegation from Council to Members of Staff
3. Schedule 11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)



13.5.2 Mansfield Shire Council Instruments of Delegation and Authorisation cont.

Recommendation:

THAT Council:

1. **revoke the existing Schedule 5 – Instrument of Delegation from Council to Chief Executive Officer previously endorsed by Council on 23 June 2020;**
2. **endorse the Schedule 5 – Instrument of Delegation from Council to Chief Executive Officer dated 18 August 2020;**
3. **determine that during the continued declared State of Emergency arising from the global pandemic COVID-19 and in circumstances where a Council quorum cannot be formed, the Chief Executive Officer’s delegation under Schedule 5 continues to be expanded to include all matters that would normally be determined by the Council excluding such matters that are specifically prohibited by the *Local Government Act 2020* or any other relevant Act;**
4. **receive from the Chief Executive Officer a report to the next available meeting on the Council decisions made under the expanded delegation;**
5. **revoke the existing Schedule 6 – Instrument of Delegation from Council to Members of Staff previously endorsed by Council on 21 April 2020;**
6. **endorse the Schedule 6 – Instrument of Delegation from Council to Members of Staff dated 18 August 2020;**
7. **revoke the existing Schedule 11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 23 June 2020;**
8. **endorse the Schedule 11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 18 August 2020;**
9. **authorise the Mayor to sign the Instruments of Delegation and Authorisation on behalf of Council.**

13.6 OPERATIONS AND CAPITAL WORKS

13.6.1 Kidston Parade - Malcolm Street Footpath Project

File Number: E270

Responsible Officer: Manager Operations & Capital Works, Kristian Burchat

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

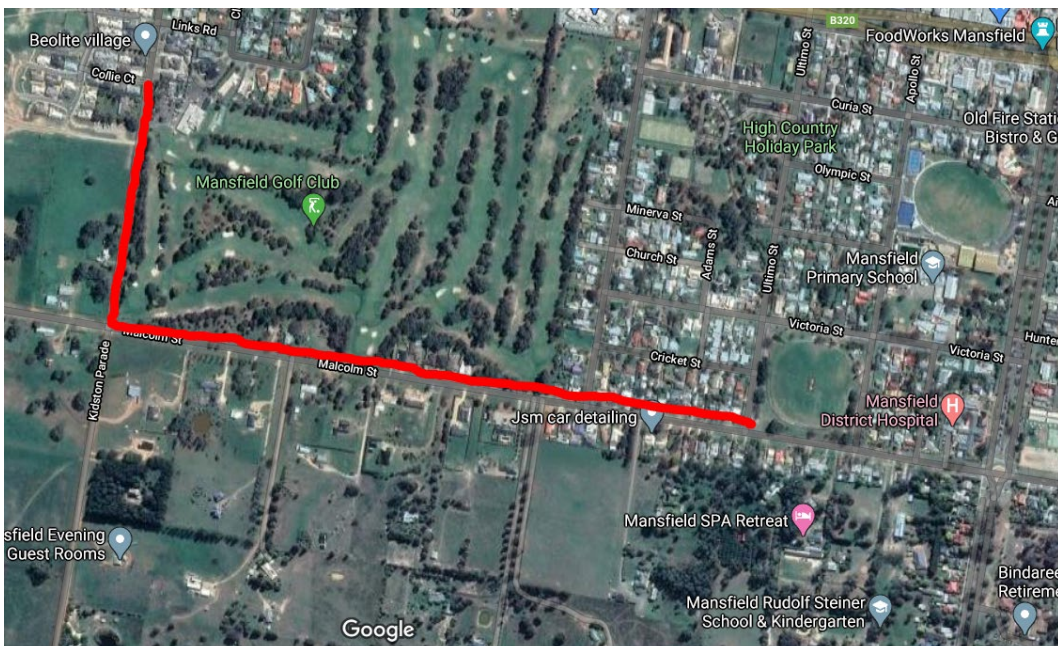
The purpose of this report is to seek Council endorsement to submit an application for funding for the Malcolm Street and Kidston Parade Footpath project.

Background

The Malcolm Street and Kidston Parade Footpath project comprises a path from Mansfield Golf Course entrance on Kidston Parade to connect with to the Mansfield Lords Reserve along the north side of Malcolm Street from Kidston Parade to Ultimo Street.

An opportunity exists for Council to seek part funding for the project from the Transport Accident Commission (TAC) for up to \$100,000 to facilitate the construction of this path in the 2021-2022 financial year.

A footpath connecting the areas along Kidston Parade including the Mansfield Golf Club and Beolite Village and Malcolm Street between Kidston Parade and Ultimo Street has been identified as one of the top two priority footpaths in the 2017 Draft Footpath Strategy. The path would provide a link for the western part of town into schools, recreation reserves and the CBD. Many people walk and ride their bikes along this section of road and as there is no footpath it is quite dangerous for users.



13.6.1 Kidston Parade - Malcolm Street Footpath Project cont.

The Draft Footpath Strategy identifies the key drivers for footpaths in the Shire, a basis for evaluating projects and details on key projects and initiatives to improve connectivity within Mansfield Township.

The list of Mansfield township projects and initiatives outlined in the document are based on issues raised by Mansfield Shire residents, ratepayers and businesses, safety issues at critical sites with high pedestrian activities (e.g. schools routes) and limited footpath access and connections.

One of the biggest dangers to the pedestrian and cyclist users is that Kidston Parade and Malcolm Street are gazetted B-Double heavy vehicle routes around the main CBD of Mansfield. Malcolm Street is also a bus route and one of the main access points into the communities of Howes Creek and Burnt Creek areas.

Several community members have expressed concern over the lack of footpaths on the western side of Mansfield and have written to Council requesting that a footpath be installed to provide safer access for pedestrian and cyclists alike.

The path would be 2.5m wide, approximately 1.3km long with a mix of sealed and concrete sections to match in to existing infrastructure. It is proposed that the path would be used by both pedestrians and cyclists which will reduce the risk of serious injury or death of a pedestrian or cyclists in that section of the road network. Being a sealed service this will allow for greater accessibility by the community providing a firm flat surface for prams, mobility scooters and kids on bikes.

Council has the opportunity to offset some of the costs of the project by applying for a grant through the Transport Accident Commission (TAC) for up to \$100,000 for the construction of the pathway. Timeline for the funding is for the projects to be completed between January 2021 and June 2022.

Council were successful in obtaining grant funding from TAC last year for \$100,000 towards the Mt Buller Road footpath, which has had a positive outcome for that section of the road network.

Statutory Requirements

The Kidston Parade and Malcolm Street footpath is aligned with the 2017 Draft Footpath Strategy with its current ranking at equal number 1 due to other recently completed footpath projects.

Council Plan

This project is aligned with Council Plan 2017-2021 Strategic Objective 4.3 –Our community proactively manages its health and wellbeing and promotes healthy, active lifestyles and increasing the use of Council's leisure facilities.

The construction of a footpath in this area would encourage greater participation in passive recreation within the community.



13.6.1 Kidston Parade - Malcolm Street Footpath Project cont.

Financial

An opportunity has been presented to Council to potential offset some of the costs of the project with funding through TAC. The project estimate and proposed Council contribution is detailed below.

Kidston Parade and Malcolm Street Footpath – Project Total	\$289,000
TAC Grant	\$100,000
Total Council Contribution Required	\$189,000

If successful with the funding application, this project would be included in the 2021-22 Council Capital Works budget.

Council may also consider application of its special charge scheme policy to potential offset further some costs.

Social

The construction of a footpath along this section of road will improve the pedestrian and cyclist link into schools, recreation facilities and the main CBD of the Mansfield Township and will provide safe access for users.

This will also extend Council's current pedestrian network, which increases the community's participation in recreation activities such as bike riding, walking and jogging.

Environmental

While this proposal would represent an increase in the amount of hard paved surface, the final design would incorporate provisions to mitigate the impacts. There would be negligible impacts on surrounding areas given low impact nature of the works.

During construction, the work specifications will contain requirements for contractors to provide suitable mitigation measures to address potential environmental impacts. Environmental issues that must be managed throughout construction include excessive noise, vibration, dust, and sediment transportation.

Economic

The construction works for the footpath will provide significant short term benefit to primarily local businesses through labour and materials.

Risk Management

Project risks would be mitigated by ensuring the projects is in line with Council's policies and procedures on Grant Administration, Procurement, Project Management and Contract Management.



13.6.1 Kidston Parade - Malcolm Street Footpath Project cont.

Community Engagement

In 2016-17, Council undertook community engagement on the Draft Footpath Strategy with over 13 written submission received with positive support for Malcolm Street be a top priority with lots of school children using this section of road to walk and ride to school.

Prior to works commencing onsite, land owners adjacent to the works would be notified and Council and the appointed contractor would work with the property owners to ensure minimal impact to access and amenity.

Officer's Comments

The construction of the footpath along Kidston Parade and Malcolm Street (between Kidston Parade and Ultimo Street) allows for greater opportunities for residents in the area to enjoy passive recreation and the provision of safe access for pedestrian and cyclists to schools, recreation facilities and the Mansfield CBD.

Applications for the funding for TAC are due on the 19 August 2020 with project delivery between January 2021 and June 2022. By applying for funding in the 2020-21 financial year and delivery of the project in the 2021-22 financial year, will allow for comprehensive project planning and community consultation to be completed.

Attachments

Nil.

Recommendation:

THAT Council submit an application to the Traffic Accident *Local Government Area Grants Program* for \$100,000 toward the Kidston Parade and Malcolm Street Footpath Project.

14. ASSEMBLIES OF COUNCILLORS

Under sections 3 and 80A of the *Local Government Act 1989* an Assembly of Councillors (however titled) is defined as:

- a meeting of an advisory committee of the Council, if at least one Councillor is present, or
- a planned or scheduled meeting, comprising at least three Councillors and one member of Council staff, that consider matters that are intended or likely to be:
 - a) the subject of a decision of the Council; or
 - b) subject to the exercise of a function; duty or power of a Council that has been delegated to a person or committee.

An assembly of Councillors does not include a meeting of the Council, a special committee of the Council established under s139, a club, association, peak body, political party of other organisation.

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 and the issues discussed.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
21 July 2020	<p>Councillors' Briefing Session – via Zoom</p> <p><i>Councillors:</i></p> <ul style="list-style-type: none"> • Cr Marg Attley • Cr Paul Volkering • Cr Peter Olver • Cr Paul Sladdin • Cr Harry Westendorp <p><i>Apologies:</i></p> <ul style="list-style-type: none"> • Development Services Manager, Ben McKay • Infrastructure Manager Interim, Andre Kompler <p><i>Officers:</i></p> <ul style="list-style-type: none"> • Chief Executive Officer, Kaylene Conrick • Community Services Manager, Melanie Hotton • Finance Manager, Mandy Kynnersley • Corporate and Organisational Development Manager, Sharon Scott 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • 2020/21 Budget • Rosehaven Tour • Staff acknowledgements – Jenny Brown and Glen Sutcliffe • Visitor Economy Recovery Plan • Stadium Naming Update • Buy from Mansfield Website Launch • Mandatory Candidate Training Sessions Online • Lake Eildon Activation Masterplan • Rotary Park Project • Goughs Bay Council Meeting Venue Change • Planning Matters – Councillor Updates • Highett Street Median Strip • Development Services Reports to Council • Facebook Posts • Demand for Childcare Places
4 August 2020	<p>Councillors' Briefing Session – via Zoom</p> <p><i>Councillors:</i></p> <ul style="list-style-type: none"> • Cr Marg Attley • Cr Paul Volkering • Cr Peter Olver • Cr Paul Sladdin • Cr Harry Westendorp <p><i>Apologies:</i></p> <ul style="list-style-type: none"> • Community Services Manager, Melanie Hotton • Infrastructure Manager (Interim), Andre Kompler 	<p><i>Conflicts of Interest:</i> Mayor, Cr. Attley declared a Conflict of Interest in the Beolite Village item and left the meeting for the duration of discussion.</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Council Expenses Policy • Public Transparency Policy • Open Space Strategy • Waste Strategy • Mayor's Media Commitments

14. ASSEMBLIES OF COUNCILLORS CONT.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
<i>...cont.</i> 4 August 2020	<i>Councillors' Briefing Session cont.</i> External Attendees: <ul style="list-style-type: none">• Realm Studio, Consultants representatives - Open Space Strategy - Alaic Hellawell, Jon Shinkfield and Watkin McLennan• RMCG consultant representative, Waste Strategy - Melissa Ludeman Officers: <ul style="list-style-type: none">• Chief Executive Officer, Kaylene Conrick• GM Infrastructure and Planning, Kirsten Alexander• Corporate and Organisational Development Manager, Sharon Scott• Governance and Risk Co-ordinator, Michelle Kain• Planning and Environment Manager, Ben McKay• Waste Management Coordinator, Rebecca Kirley• Finance Manager, Mandy Kynnersley• Corporate and Organisational Development Manager, Sharon Scott	<ul style="list-style-type: none">• Business and Community Recovery Committee• MAV Mayor's Forum with Minister• COVID Update on Economic Recovery and Bushfire Recovery Scope• Statutory Planning Review• Business Continuity Plan• Beolite Village• Audit and Risk Committee Nominations• Wearing of Masks in Chamber• Mens Shed/MACE Agreement• Council Agenda Order• Caravan Park Development• Tolmie Tavern• Trout Grove

Recommendation:

THAT Council receive and note the Assembly of Councillors report for the period 21 July to 4 August 2020.

15. COUNCIL RESOLUTIONS REGISTER

This report presents to Council a schedule of outstanding actions from Council meetings held from 20 August 2019 to 12 August 2020.

Attachment

- 1 Council Resolutions Register

Recommendation:

THAT Council receive and note the Council Resolutions Register as at 12 August 2020.

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

Nil.

17. AUTHORISATION OF SEALING OF DOCUMENTS

Nil.



18. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Nil.

19. PRESENTATION OF CONFIDENTIAL REPORTS

Nil.

20. REOPEN MEETING TO MEMBERS OF THE PUBLIC

Nil.

21. CLOSE OF MEETING