



Mansfield Shire

Council Meeting

Tuesday 16 May 2023 5:00 pm
ZOOM

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

Our aspiration for our Shire and its community

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

Councillors

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

Officers

Kirsten Alexander, Chief Executive Officer
Melissa Crane, General Manager Infrastructure and Planning
Nola Bales, Acting General Manager Community and Corporate Services

Order of Business

1. Opening of the meeting

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

2. Present

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

3. Apologies

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

4. Statement of commitment

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

5. Acknowledgement of Country

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

6. Disclosure of conflicts of interest

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

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

7. Confirmation of minutes

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

8. Representations

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

9. Notices of Motion

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

10. Mayor's report

The Mayor provides a report on his activities.

11. Reports from council appointed representatives

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

12. Public question time

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

13. Officer reports

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

13.2-13.2 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.

14. Council resolutions report

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

15. Advisory and Special Committee reports

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

16. Authorisation of sealing of documents

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

17. Closure of meeting to members of the public

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

18. Presentation of confidential reports

19. Reopen meeting to members of the public

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

20. Close of meeting

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

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Agenda

1. Opening of the meeting

2. Present

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

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

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

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

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

3. Apologies

The Chair will call on the CEO for any apologies.

4. Statement of commitment

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

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

5. Acknowledgement of Country

Deputy Mayor Steve Rabie will recite Council’s Acknowledgement of Country:

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

6. Disclosure of conflicts of interest

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

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

7. Confirmation of minutes

Recommendation

THAT the Minutes of the Mansfield Shire Council meeting held on 18 April 2023 and 2 May 2023 be confirmed as an accurate record.

8. Representations

9. Notices of motion

10. Mayor's report

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

We saw our first glimpse of snow in Mansfield Shire this past month, highlighting a colourful autumn and a busy winter just around the corner. The seasonal change signals a busy time for Council, as the end of financial year approaches and the final budget consultation commences.

The Proposed 2023/24 Budget is out now for community consultation. Community sessions are being held on 31 May, both in person and online, and I encourage community members and rate payers to participate and consider the budget at engage.mansfield.vic.gov.au.

It proposes a \$15.58 million Capital Works Program, which will be funded with \$7.92 million from government grants, \$180,000 of developer contributions, and \$7.48 million from Council operations. It also includes a number of new initiatives in response to the extensive community consultation we undertook earlier this year.

Some of these include:

- *Increased funding for the Outlying Communities Infrastructure Fund for community projects*
- *Additional resources to maintain fire access tracks and expand the street sweeping program*
- *Expanded library opening hours and programs*
- *Community Connections program to continue following the relinquishment of Home and Community Care services*
- *Increased statutory planning resources to assist planning permit processes and timelines*
- *Increased resources for the tree inspection and management program*
- *Ongoing commitment to events funding, with increased support for community events*
- *Preparation for the rollout of FOGO (green bins) in July 2024*
- *A wide range of infrastructure projects including upgrades to roads, footpaths, and streetscapes*

The budget provides for a rate increase of 3.5 per cent as determined by the Minister for Local Government under the Fair Go Rates System. The current economic environment of high inflation and increased material and construction costs have contributed to the rate increase, with CPI currently sitting at 7%. The increase will enable Council to continue to deliver the services and infrastructure that our community needs and despite the inflationary pressures, costs have been controlled.

The newly refurbished Mansfield Library on Collopy St has just reopened following extensive renovations, with longer opening hours following community feedback. It's been great to see the regular updates and enthusiasm from the Library team, and I would like to thank the staff for their commitment during this time and the contractors who've done an amazing job. We're excited to share the new space with the community.

The new layout provides something for community members of all ages. The design reflects the beautiful landscapes and colours of Mansfield's environment and includes an exciting children's space as well as areas for socialising, studying and remote working.

Earlier in April Council awarded the lease of the Mansfield Family and Children's Centre (MFCC) to Mansfield Adult Continuing Education (MACE), who will continue to deliver early childhood education and care services at 10 Davies Street, Mansfield. This is a great outcome for our community, for MACE, and the families who utilise Cubbyhouse's early childhood education and care services.

ANZAC Day services were once again well-attended around the shire, and I was honoured to lay a wreath at the Menin Gates in Mansfield in memory of the soldiers who've served our country.

I was also honoured to officiate our most recent Citizenship Ceremony in early April, welcoming Jacob Chathanattu Phillip, Camille Richard, and Angelica Tudeen on their commitment to being part of Australia's future and for taking the final step in their journey to become Australian citizens.

*Cr James Tehan
Mayor*

Recommendation

THAT COUNCIL receive the Mayor's report for the period 19 April 2023 to 10 May 2023.

11. Reports from council appointed representatives

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

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

Recommendation

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

12. Public question time

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

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

13. Officer reports

13.1. Chief Executive Officer's report

File Number: E103

Responsible Officer: Chief Executive Officer, Kirsten Alexander

Introduction

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

The Chief Executive Officer report will provide information relation to:

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

Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 19 April 2023 to 10 May 2023.

Support Attachments

1. CEO Monthly Report – April 2023 [13.1.1.1 - 37 pages]

13.2. Infrastructure and Planning Directorate

13.2.1. P226/22 - 70-72 Highton Lane Mansfield - Multi-Lot Subdivision

File Number	DA6835 P226/22	Responsible Officer	Coordinator Statutory Planning, Nicole Embling
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Purpose

The purpose of this report is to seek Council's determination of application P226/22, lodged for a Multi-Lot Subdivision (13 Lots) of land. This application is being referred to Council for determination as there are more than three (3) submissions objecting to the proposal and one of the landowners is a Mansfield Shire Council employee.

Executive Summary

<i>Application Details</i>	
APPLICANT	Tessindi Park Enterprises Pty Ltd C/- Urban Design and Management Pty Ltd
PROPOSAL	Multi lot (13) staged subdivision of land
APPLICATION LODGED	27 October 2022
NOTICE AND SUBMISSIONS	Five (5) current objections
<i>Property Details</i>	
PROPERTY ADDRESS	70-72 Highton Lane, Mansfield
LAND DESCRIPTION	Lot 1 LP200086N Parish of Loyola (proposed Lot 1 PS905405)
RESTRICTIVE COVENANTS	Nil
LAND AREA	1.341 ha
EXISTING USE	Dwelling and vacant land
<i>Planning Provisions</i>	
ZONE	Clause 32.08 – General Residential Zone
OVERLAYS	None
PARTICULAR PROVISIONS	Clause 53.01 – Public open space contribution and subdivision
<i>Permit Triggers</i>	
Clause 32.08-3 – <i>A permit is required to subdivide land.</i>	

This application seeks Council approval for a Multi-Lot Staged Subdivision (13 lots) of land at 70-72 Highton Lane, Mansfield.

The subject site comprises a typical infill General Residential greenfield site within Highton Lane, with an area of approximately 1.341ha in one piece. Highton Lane has been identified as a residential zoned area that can accommodate further infill/greenfield residential growth within Mansfield. Several recent permit applications have been approved on similar allotments in Highton Lane. The site has frontage to Highton Lane of 44.49m. Highton Lane is a sealed road providing access to a number of existing and developing properties and residential areas, with works soon to be undertaken to upgrade this carriageway.

The proposal seeks to develop the land into lots of between 627 and 1,178 square metres in size, with one lot proposed to retain the existing dwelling of 988 square metres. A new internal road is proposed with a direction connection to Highton Lane, which will provide connections to the north in the future.



Figure 1: Proposed Plan of Subdivision

Pursuant to Section 52 of the Planning and Environment Act 1987, the proposal was advertised to adjoining and nearby property owners and occupiers. As a result of public notice, seven (7) submissions objecting to the proposal were received however, two (2) have since been withdrawn following a response from the Applicant.

The subject land is within the General Residential Zone, and no overlays apply.

Key Issues

A detailed Delegate Report with the full Officer Assessment of the proposal can be found at Attachment 1. A copy of the submitted proposed Plan of Subdivision can be found at Attachment 2.

In summary, the key issues considered as part of this assessment are as follows:

- Traffic Impacts to Highton Lane and internal road**

The land has been through a strategic process to be zoned to General Residential Zone in 2006, with more intense residential development as a result. The surrounding street network can absorb this without adverse impact, with the permit holder to be required to undertake works to provide adequate intersection treatments into the site. Highton Lane is proposed for upgrade by Council (independent of this application) which will resolve a number of the ongoing complaints relating to this road.
- Subdivision is inconsistent with the character of the area**

The intensification of the land is expected by the zoning of the land, with character relating to large residential land changing as anticipated by the zoning. The proposed lot sizes are considered generous and in keeping with the prevailing character along

Highton Lane and in new subdivisions nearby. In terms of vegetation and its impact on character, Council officers have given due regard to the existing vegetation on the lot. This assessment has shown that the existing trees on the property are exempt from requiring a planning permit, as they are either on a boundary, or not native vegetation, and cannot be considered as part of this application under the planning regulations as there is no permit trigger for their removal. While these trees may have created a screen for adjoining properties, it is advised that the subdivision development will include fencing of new boundaries - typically a 1.8m high fence, which will provide a visual buffer in the absence of these trees.

- **Loss of privacy**

In terms of the subdivision overall, the proposal has no impact on privacy. In relation to future dwelling developments, any future dwelling will be required to comply with ResCode in relation to overlooking, overshadowing and other amenity impacts. An overall assessment of the proposed subdivision has concluded that the layout of lots and the internal road would not be materially detrimental to the adjoining properties in terms of privacy.

- **Lack of public open space (park or playground)**

The Highton Lane area, including the subject land has reasonable walkability to the Mansfield Township and its open parklands, furthermore existing approved developments at the northern end of Highton Lane provide for large open spaces and recreational areas which could be utilised by the future residents of this development. Additionally, south of Highton Lane there is access to bicycle tracks and a Mountain Bike Park. The proposed permit conditions will require a monetary Public Open Space contribution, which is a standard requirement in these types of applications. An additional Development Contribution is also required by the permit conditions, to contribute to the future upgrade works of Highton Lane, and this figure has been calculated with the standard approach applied to previous Highton Lane subdivisions, for consistency.

In response to the objections raised the permit application provided responses to address concerns and subsequently two (2) objections were withdrawn.

Recommendation

THAT COUNCIL issue a Notice of Decision to Grant a Permit for Planning Application P226/22 for the Multi-Lot (13) Staged Subdivision of land on Lot 1 LP200086N Parish of Loyola, commonly addressed as 70-72 Highton Lane, Mansfield in accordance with the endorsed plans and subject to the following conditions:

Endorsed Plans

1. The subdivision must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.
2. The subdivision must proceed in the order of stages as shown on the approved and endorsed plan. The Responsible Authority may consent in writing to vary this requirement.

Subdivision Conditions – Prior to Certification

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

- b. Any fencing forward of the front façade of a dwelling must not exceed 1.2 metres in height.

The restriction must not include provisions that allow for written consent to vary its requirements.

4. Prior to the commencement of works or certification of the plan of subdivision (whichever occurs first), the owner or developer must submit to the Responsible Authority a written report and photos of any existing/prior damage to public infrastructure. The report must detail the condition of kerb & channel, footpath, seal, streetlights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development.
5. Unless identified within the written report, any damage to infrastructure will be attributed to the development. The permit holder must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development permitted by this permit, prior to the issue of a Statement of Compliance or at a later time as may be agreed by the Responsible Authority.
6. Prior to the certification of the plan of subdivision, the permit holder must either:
 - a. Demonstrate that each internal road provides sufficient width for waste collection vehicles to collect waste and turn/exit with no reversing manoeuvres; or
 - b. Create temporary turning areas (including easements over private land where required) to ensure that waste collection vehicles can service each lot with no reversing manoeuvres.
7. Prior to the certification of the plan of subdivision, road names must be submitted to and approved by the Responsible Authority. Until such time as these road names are approved, they must not be shown on any plans submitted for endorsement or certification.
8. Prior to the certification of the plan of subdivision, all design drawings must be submitted to Council for approval. All works must be designed in accordance with the Infrastructure Design Manual (IDM) and to the satisfaction of Council. All works constructed or carried out must be in accordance with these plans to the satisfaction of the Responsible Authority.
 - a. All roads, road reserve, footpaths, on street parking, kerb and channeling are to be designed in accordance with the Infrastructure Design Manual (IDM) and to the satisfaction of the Council.
 - b. Temporary court bowls or road dead ends shall be fully fenced or have bollards, appropriately signed, shaped, drained, and be of all-weather construction, with a minimum turning radius of 10 metres.
 - c. Concrete footpaths must be provided on both sides of all roads created and connected to the footpath on Highton Lane.
9. Before the certification of the plan of subdivision, construction and drainage plans and computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. All works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority. The plans must include the proposed stormwater treatment and detention system for the contributing catchment (contributing upstream catchment developed). A Stormwater Drainage Master Plan for Highton Lane will be provided by Council.
10. Prior to the certification of the plan of subdivision, a detailed landscape plan must be submitted to and approved by the Responsible Authority. When approved, the

landscape plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions must be provided. The landscape plan must be consistent with the construction plans for the development and must show:

- a. New planting, including their layout to be provided in any road reserves and municipal reserves;
- b. Detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule should be based on the recommended planting schedule documented in the Revegetation Guide for the Goulburn Broken Catchment as published by the Goulburn Broken Catchment Management Authority;
- c. The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds;
- d. All trees planted as part of the landscape works must have a minimum height of 2.0 to 2.5m at the time of planting unless otherwise agreed by the Responsible Authority;
- e. The supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve/s);
- f. Soil quality and planting techniques in median or verge tree planting zones along arterial roads (including service road nature strips) that will support full growth of medium to large trees;
- g. Mechanisms for the exclusion of vehicles;
- h. All proposed open space, streetscape embellishments such as installation of pathways, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve); and
- i. Detailed designs for all stormwater treatment features such as bio-retention systems consistent with the submitted Stormwater MUSIC modelling.

Subdivision Conditions – Works requirements

11. Prior to the commencement of any works within the road reserve, an application for Works Within Roads Reserve Permit must be submitted to and approved by Council.
12. All new powerlines within the subdivision must be underground.
13. The extent and depth of any proposed lot filling must be denoted on the design plan. Where depths of fill on allotments exceed 300 mm, those areas are to be clearly differentiated from areas where the depths of fill are less than 300 mm.
14. Where the depth of fill exceeds 300mm, the fill is to be compacted in accordance with the requirements of Table 204.131 Compaction Requirements Scale C of VicRoads Technical Specification 204 and shaped to match existing site levels. Geotechnical test results are to be submitted to Council's Engineering Department for confirmation that the required compaction has been achieved.
15. Where fill is imported onto the site, written records are to be provided to Council's Engineering Department to confirm the source of the fill and to provide evidence that the soil is not contaminated.

16. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
17. All services must avoid root zones of existing native trees. Where services cannot be placed to avoid the root zone, boring and/or hand digging must be undertaken to minimise root damage to the satisfaction of the Responsible Authority.
18. Temporary barriers must be erected around the drip line of existing native trees and maintained during construction to the satisfaction of the Responsible Authority.
19. Prior to the commencement of works, the permit holder must provide to the Responsible Authority the name of the project coordinator appointed to oversee the works and notification of commencement date of the works.
20. All pavement is to be constructed in accordance with the Infrastructure Design Manual (IDM) and a suitably qualified CPEng, National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.
21. All design plans and specifications must be detailed in accordance with the IDM to the satisfaction of the Responsible Authority and will be valid for a period of 12 months only after approval. Following the expiry date design plans must be resubmitted for review and accepted prior to works commencing.
22. Traffic calming treatments must be installed within the subdivision in accordance with Austroads and the Traffic Impact Assessment Report requirements to achieve a target speed of 50km/hr.
23. Temporary court bowls or road dead ends shall be fully fenced, appropriately signed, shaped, drained, and be of all-weather construction (minimum pavement thickness 100mm, class 4 FCR), with a minimum turning radius of 10m. Prior to installation of a temporary court bowl, formal agreement with the neighbouring property must be achieved if applicable. Maintenance of the temporary court bowl will remain the responsibility of the developer during the applicable maintenance period.
24. All road, road related areas and public open spaces / reserves within the new subdivision shall be provided with public lighting in accordance with the minimum requirement for Category P lighting guidelines and light technical parameters in AS/NZS 1158.3.1 and as approved by the Responsible Authority. All public lighting must incorporate the use of energy efficient globes (i.e. T5).
25. All road intersections, must be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.

Subdivision Conditions – Prior to Statement of Compliance

26. Prior to the issue of a Statement of Compliance of Stage 1 the existing infrastructure, shed and stables as shown on the endorsed plans, are to be removed to the satisfaction of the Responsible Authority.
27. Prior to the issue of Statement of Compliance, for the final Stage, a Development Contribution must be agreed to and provided to Council for the upgrade of Highton Lane along the effective frontage of the property. The contribution must be monetary and to the value of \$96,171.00, unless otherwise agreed by Council in writing.
28. Prior to the issue of a Statement of Compliance, a sealed Basic Left Turn and Basic Right Turn (type BAL / BAR) must be provided on Highton Lane at the proposed junction to the internal road, at the cost of the developer and to the satisfaction of the Council.

29. Any damage to Council managed assets such as roads, footpaths, street trees and stormwater infrastructure, must be repaired at the cost of the developer to the satisfaction of the Responsible Authority.
30. The landscaping shown on the approved landscaping plan must either:
- Be established prior to the issue of the Statement of Compliance and maintained for a twelve (12) month period thereafter to the satisfaction of the responsible authority; or
 - A monetary contribution as determined by the responsible authority made to provide for the above-mentioned landscaping and maintenance.
31. Prior to the issue of Statement of Compliance under the *Subdivision Act 1988* for the subdivision, the permit holder must pay to the Responsible Authority:
- A contribution in accordance with Clause 53.01 (Public Open Space Contribution and Subdivision) of Mansfield Planning Scheme at time of payment, or Certification of the plan in the case of a land contribution; and
 - Any costs associated with valuation of the land including valuers fees.
- The permit holder must make a request to Council to commence the process involved with this condition.
32. Prior to the issue of a Statement of Compliance, the permit holder must enter into an agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987*, to the effect that:
- Any dwelling constructed must provide a rainwater tank with a capacity not less than 15,000 litres. The rainwater tanks must be installed and connected to the toilet cistern, laundry and garden taps.
 - The floor level of any new dwelling must be a minimum of 300mm above the 1% AEP (100yr) flood level as specified by the Goulburn Broken Catchment Management Authority.
- The permit holder must pay reasonable costs of the preparation, review, execution and registration of the Section 173 Agreement by Council's preferred solicitors.
33. Altered overland flow paths must pass through the designed routes within reserves for municipal purposes or within easements to the satisfaction of the Responsible Authority.
34. Prior to the issue of Certificate of Practical Completion and subsequent Statement of Compliance, the Developer is to lodge a security bond to the Responsible Authority for 5% of the total actual documented cost of the engineering works based on actual tender fees. This bond will be released following a satisfactory inspection, 52 weeks after a Certificate of Practical Completion is issued.
35. Prior to the issue of a Statement of Compliance, the permit holder must pay to the Responsible Authority a cash contribution of:
- 0.75% of the total actual documented cost of the engineering works for the checking of engineering plans associated with the development approved herewith.
 - 2.50% of the total actual documented cost of the engineering works for the supervision of works associated with the development approved herewith.
36. Following completion of all works, and prior to issuing of the Statement of Compliance, "as constructed" drawings must be submitted and accepted by the Council. The preferred format of the drawings are AutoCAD *.DWG or *.DXF. Drainage drawings to

DSpec requirements must also be provided prior to issuing of the Statement of Compliance.

37. The owner of the land must enter into an agreement with:
 - a. A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
38. Before the issue of a statement of compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b. A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
39. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
40. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
41. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

AusNet Electricity Services

42. The Plan of Subdivision submitted for certification must be referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the *Subdivision Act 1988*.
43. The applicant must:
 - a. Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
 - b. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
 - c. Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the

- subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- d. Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of "Power Line" in the favour of "AUSNET ELECTRICITY SERVICES PTY LTD" pursuant to Section 88 of the *Electricity Industry Act 2000*, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
 - e. Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.
 - f. Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.
 - g. Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.
 - h. Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the *Transfer of Land Act* prior to the registration of the plan of subdivision.
 - i. Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
 - j. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the *Electricity Safety Act 1998*.
 - k. Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.

Country Fire Authority

44. Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:
 - a. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
 - b. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.
45. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable width.

- a. Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.
- b. Dead-end roads and cul-de-sacs more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including roll-over kerbs if provided); T or Y heads of dimensions specified by CFA may be used as alternatives.
- c. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than 1 in 8 (12%) (7.1 degrees) entry and exit angle.
- d. Curves must have a minimum inner radius of 10 metres.

Goulburn Murray Water

46. Any Plan of Subdivision lodged for Certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the *Subdivision Act*.
47. All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).
48. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
49. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Goulburn Valley Water

50. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
51. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
52. Provision of one water tapping per lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
53. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation;
54. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
55. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation; (The works may include, but not be limited to the construction of a sewerage pumping station, rising mains and gravity mains);
56. Provision of sewerage connection points with an inspection opening to each allotment within the development, at the developer's expense, in accordance with standards of

construction adopted by and to the satisfaction of the Goulburn Valley Water Corporation (sewer branch cut-in for Proposed Lot 1);

57. Relocation if any existing house connection drain, and each allotment to be independently and directly connected to a sewer main of the Goulburn Valley Region Water Corporation;
58. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
59. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request;
60. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the *Subdivision Act, 1988*.

Permit Expiry

61. This permit will expire if one of the following circumstances applies:
 - a. The first stage of the subdivision is not certified within two (2) years of the date of this permit.
 - b. The second stage of the subdivision is not certified within two (2) years of the date of certification of the first stage.
 - c. The subdivision is not completed within five (5) years of the date of certification.

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

Support Attachments

1. Attachment 1 - Delegate Assessment Report [13.2.1.1 - 42 pages]
2. Attachment 2 - Application Documents [13.2.1.2 - 45 pages]
3. CONFIDENTIAL - Objections [13.2.1.3 - 8 pages]
4. CONFIDENTIAL - Applicant Response to Objections [13.2.1.4 - 4 pages]

Considerations and Implications of Recommendation

Sustainability Implications

The application has been assessed against the provisions of the Mansfield Planning Scheme, which includes consideration of integrated water management and natural resource management, with the requirement to make the development as sustainable as possible within the current legislation.

Community Engagement

The application was advertised to nearby and adjoining landowners and had a notice of application placed on the site, in accordance with the provisions of the Planning and Environment Act 1987 and Council's community engagement policy.

Collaboration

Not Applicable

Financial Impact

The application has been assessed within existing Council resources in the Statutory Planning Department. An application fee of \$1,360.80 was received for the application. When this subdivision is completed the following will be provided to Council as either a new asset or a contribution from the development:

1. Public Open Space Contribution – this is currently set at 5% of the value of the vacant land, however when the Mansfield Open Space Strategy is implemented into the planning scheme this will become a 7% contribution.
2. Developer Contribution to Highton Lane - \$96,171 will be required to be paid to Council towards the upgrade works on Highton Lane.
3. Plan Checking Fees – A contribution of 0.75% of the total actual documented cost of the engineering works will be required for work associated with the checking of engineering plans associated with the development.
4. Supervision Fees – A contribution of 2.5% of the total actual documented cost of the engineering works will be required for the work associated with the inspections of the new infrastructure being created as part of the development.
5. New Assets – The completion of the subdivision will see approximately 216 metres of sealed road, including kerb and channel, become a council asset within a new 18m wide road reserve. In addition, there will be concrete footpaths on both sides of the road, totalling approximately 450m of concrete footpaths.

Legal and Risk Implications

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

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

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

Strategy 3.2 Enhance township character

Strategy 3.3 Improve roads, drainage and footpaths

Strategy 3.4 Plan for and encourage appropriate housing

Governance - Disclosure of Conflicts of Interest

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

13.2.2. Allocation of Land for the Jamieson Police Paddock Community Hub

File Number	E9435	Responsible Officer	Manager - Major Projects, Kurt Heidecker
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Purpose

To seek in-principle Council approval for the allocation of land on Lot 2009, Brown Street Jamieson (known as the Police Paddock site) for the proposed Jamieson Community Hub.

Executive Summary

The Jamieson Community Hub Committee are seeking in-principle support from Council for the proposed location of a new Community Hub building on the Jamieson Police Paddock, as outlined in Attachment 1. The Community Hub is intended to provide a multipurpose community facility that will:

- provide day to day services and activities,
- support wider community activities, and
- in the event of an emergency be the designated “Neighbourhood Safer Place - Place of Last Resort”.

The Community Hub is proposed to be located on Council-owned land in Brown Street, adjacent to the Jamieson CFA shed and Jamieson Police Station (refer Attachments 2 and 3) and once constructed would become a Council asset. The Jamieson Community Group propose to manage the facility and be responsible for ongoing maintenance of the Community Hub. The group will charge fees to hire the facility to cover the cost of utilities and ongoing maintenance.

Key Issues

In 2021 the Jamieson Community Hub Committee was formed to investigate use of vacant land in Brown Street, Jamieson for a Community Hub.

In October 2022 Council acquired this land from the Victorian Government for \$25,000 (GST EXCL) or 25% of its full value provided that, “the Land may only be used for community purposes and must not be used for any other purposes without the prior written consent of the Minister responsible...”

This land has dual road frontage, is partly subject to flooding, has a bore that provides water supply to the adjacent public toilets, the CFA water storage tank and standpipe, and a public access standpipe. The site adjoins the Police Station and the CFA Station. An old building (horse stables) is located on the site.

The current proposal for the Community Hub (Attachment 4) is for a place where community groups can meet and utilise common resources. It will have multiple purposes including, but not limited to:

Day-to-day activities:

- Operate as a multifunctional community facility for community activities and local events,
- Provide a location for visiting medical, nursing and welfare services to operate,
- Provide storage capacity for local community groups,

- Provide additional storage capacity for local emergency services including CFA, SES and Ambulance Victoria, and
- Operate a community garden for the benefit of the wider community.

Emergency events:

- Act as a place of last resort in the event of bushfire,
- Operate as a Forward Command Post during emergency events, and
- Operate as a relief staging area post emergency event.

In February 2023 Council provided a letter of support for the Jamieson Community Group's application to the Australian Government's *Disaster Ready Fund* for funding of the design of the facility. Council has also allocated \$18,000 from the funding received through the Council Assist Fund as a financial contribution towards the project.

Recommendation

THAT COUNCIL:

1. Provide the Jamieson Community Hub Committee in-principle support for the allocation of Council owned land on Lot 2009 Brown Street, Jamieson (Volume 12462 Folio 303) for the proposed Jamieson Police Paddock Community Hub.
2. Provide this in-principle support so that the Jamieson Community Hub Committee may seek external grant funding for the delivery of the Hub.
3. Provide this in-principle support for a period of up to five years.
4. Note that if the Jamieson Police Paddock Community Hub is funded, Council owned land in Brown Street, Jamieson will be an in-kind contribution towards the Jamieson Community Hub.
5. Note that a financial contribution of \$18,000 will be made to the project from funding received through the Council Assist Fund.

Support Attachments

1. Jamieson Community Group Letter of Request to Mansfield Shire Council [13.2.2.1 - 2 pages]
2. Certificate of title volume 12462 folio 303 [13.2.2.2 - 1 page]
3. Allot-2009- Township- Of- Jamieson-(I D 421288859)- Vicplan- Planning- Property- Report [13.2.2.3 - 6 pages]
4. Jamieson Community Hub Project Proposal Document - Nov 2022 [13.2.2.4 - 27 pages]
5. Cindy Mc Leish MP Letter of Support [13.2.2.5 - 1 page]
6. Mansfield Shire Council Letter of Support [13.2.2.6 - 1 page]

Considerations and Implications of Recommendation

Sustainability Implications

The Jamieson Police Paddock Community Hub will improve community sustainability and resilience as it will:

- Operate as a multifunctional community facility for community activities and local events,
- Provide a location for visiting medical, nursing and welfare services to operate,
- Provide additional storage capacity for local emergency services including CFA, SES and Ambulance Victoria, and

- Operate a community garden for the benefit of the wider community.

As the area that surrounds Jamieson is a high fire danger area, the Jamieson Police Paddock Community Hub will provide improved safety for Jamieson community members by providing a designated “Neighbourhood Safer Place - Place of Last Resort” in the event of an emergency.

Community Engagement

Community Engagement has been undertaken in accordance with the Council Community Engagement Policy through liaison with Jamieson Community Hub Committee members and through a public meeting with the Jamieson community attended by Council officers and Committee members, where the proposal received wide support.

In addition to this, Council has received letters of support for the Jamieson Police Paddock Community from the:

- Jamieson Community Group,
- Jamieson Fire Brigade,
- Jamieson Police Station,
- Jamieson SES,
- Jamieson Historical Society,
- Jamieson Primary School,
- Cindy McLeish MP (Attachment 5), and
- Mansfield Shire Council (Attachment 6).

Collaboration

Not Applicable

Financial Impact

The Jamieson Community Group & Associated Bodies Inc. has submitted a *Disaster Ready Fund: Round One, 2023-2024* application for the Jamieson Police Paddock Community Hub Project/Business Case and Project Plan Development for \$42,000.

Mansfield Shire Council has agreed to contribute \$18,000 towards the Community Hub Business Case and Project Development, if this application is successful.

Legal and Risk Implications

The proposed use is in accordance with the purpose that the land is allowed to be used for, being public purposes.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

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

Strategy 2.1 Support our arts community and facilitate the delivery of festivals and events.

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

Governance - Disclosure of Conflicts of Interest

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

13.2.3. The Merton Plan

File Number	E10360	Responsible Officer	Strategic Planning Officer, Oscar Yencken
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Purpose

To present Council with the final *Merton Plan 2023*, recommended for adoption. The report provides information on community submissions received during the exhibition period and the response to these submissions. It also recommends that officers begin preparation of an amendment to incorporate the recommendations of the plan into the Mansfield Planning Scheme.

Executive Summary

In late 2022, work began on the Merton Plan, with the aim of developing a comprehensive document for sustaining Merton's unique character into the future in line with the community's vision and values over the next 20 years. The plan was developed through extensive consultation with the community, Traditional Owners, and relevant government bodies. It is recommended that Council adopt the Merton Plan.

The Merton Plan was drafted based on the community plan prepared by the Merton community, who were actively consulted throughout its development. The plan addresses key objectives, including community protection and enhancement, infrastructure and capital works direction, Merton's character preservation, and sustainability, resilience, and biodiversity integration into decision-making. Council needs to decide whether to adopt the Merton Plan.

Key Issues

The Merton Township Plan is a comprehensive plan designed to sustain the unique character of Merton, a small settlement within Mansfield Shire, while aligning with the community's vision and values. The primary aim of the plan is to provide a strategic framework addressing community enhancement, infrastructure and capital works, character preservation, and the integration of sustainability, resilience, and biodiversity into decision-making.

The development of the Merton Plan involved a detailed review of existing documents adopted by Council related to Merton within Mansfield Shire. The review process ensured consistency with the Council's overall strategic vision while incorporating relevant state, regional, and local planning policies, plans, and reports. These documents, including the State Planning Policy Framework (SPPF), the Hume Regional Growth Plan, and local policies, which provide guidance on essential issues such as the built environment and heritage, economic development, and transport and infrastructure.

Extensive consultation was undertaken with the Merton community, Traditional Owners, and relevant government bodies to ensure that the Merton Plan accurately reflects the community's priorities and concerns. The consultation process included a walk-through of the township, letters to residents in the area, and an online survey to gather feedback. This engagement helped identify critical issues such as the recreation reserve, pedestrian and cyclist crossings, community spirit, and safety concerns related to Maroondah Highway.

After drafting the Merton Plan based on the community's input, the Plan was shared with the community for further feedback. Council received two submissions in response to the draft. One submission supported the draft plan, while the other supported the plan but recommended

some changes. These changes were carefully considered and implemented into the plan where possible.

The Merton Plan is presented to the Council for adoption to ensure that the strategic framework it provides can guide future decision-making and planning processes for the township. Adopting the plan will enable Council to address the community's priorities and concerns effectively, ensuring that Merton's unique character is preserved and enhanced in the future.

Key Objectives and Strategies of the Merton Plan

The Merton Plan includes several key objectives and strategies to address the community's priorities and concerns, focusing on community enhancement, infrastructure and capital works, character preservation, and the integration of sustainability, resilience, and biodiversity into decision-making.

The plan aims to foster a strong sense of community spirit and ensure that local services and facilities meet residents' needs. To achieve this, the plan provides direction on supporting community events and activities, encouraging volunteerism, and improving access to essential services such as healthcare, education, and public transport. The plan also emphasizes the importance of promoting community connectivity and engagement by creating spaces and opportunities for residents to come together and celebrate their shared identity.

The plan identifies key projects and investments needed to support the township's growth and development. This includes prioritizing improvements to the recreation reserve, enhancing pedestrian and cyclist safety at key crossings, and advocating for safety improvements along Maroondah Highway. The plan also identifies opportunities for improved integration with the Great Victorian Rail Trail, connecting separated residential areas, and linking community spaces with residents. By focusing on these infrastructure and capital works projects, the plan aims to create a safe, functional, and enjoyable urban environment for Merton's residents.

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Adopt the Merton Plan 2023 to inform the preparation of a planning scheme amendment to develop local policies in accordance with the recommendations of the plan. 2. Commence preparation of a planning scheme amendment to implement the recommendations of the plan.
Support Attachments
<ol style="list-style-type: none"> 1. The Merton Plan [13.2.3.1 - 23 pages] 2. Submissions to the Merton Plan [13.2.3.2 - 2 pages] 3. Submssion 1 annotated draft merton plan [13.2.3.3 - 23 pages]

Considerations and Implications of Recommendation

Sustainability Implications

- Economic: The plan supports sustainable growth, infrastructure, and economic development in Merton.
- Social: Enhancing the community and promoting community spirit aligns with social sustainability goals.

- Environmental: Protecting Merton's natural landscape and biodiversity contributes to environmental sustainability.
- Climate change: Integrating sustainability and resilience in decision-making will help address climate change risks.

Community Engagement

Extensive community engagement was undertaken, including a walk-through of the township, letters to residents, and an online survey. This engagement was undertaken in accordance with Council's Community Engagement policy. The draft plan was presented to the community, and two submissions were received and considered in the final plan.

Collaboration

Collaboration with Traditional Owners and relevant government bodies was sought during the development of the Merton Plan.

Financial Impact

The preparation of the plan has been undertaken within existing council resources.

The implementation of the Merton Plan will have budgetary implications related to infrastructure and capital works. These will be incorporated into future revisions of the 10 Year Capital Works Plan and Asset Plan. Further engagement will be undertaken with the community over the scope, timing and priority of the recommended projects as part of this process. The funding of the identified projects is anticipated to be through a combination of grants, community funding and Council contributions to capital works projects within the parameters of the Long Term Financial Plan.

Legal and Risk Implications

The Merton Plan aligns with the *Local Government Act 2020*, the State Planning Policy Framework, and other relevant legislation. The Strategy will become an adopted document of Council in the first instance, then a part of the Mansfield Planning Scheme following the later planning scheme amendment

Regional, State and National Plans and Policies

The Merton Plan aligns with the Planning Policy Framework, the Hume Regional Growth Plan, and local policies, plans, and reports, ensuring a consistent approach to planning and management.

Innovation and Continuous Improvement

The Merton Plan promotes innovative approaches to community engagement, sustainability, and resilience in decision-making.

Alignment to Council Plan

Theme 1: Connected and Healthy Community Strategic Objective 1: The health and wellbeing of families and communities is maximised

Strategy 1.1 Embed health and wellbeing enablers and protections to reduce risks to our communities.

Strategy 1.2 Connect, develop and support children and young people.

Strategy 1.3 Contribute to efforts that ensure essential community services exist locally.

Theme 1: Connected and Healthy Community Strategic Objective 2: Activities that promote connection and fitness of our people and visitors
Strategy 2.2 Create an environment where community and clubs can recreate, socialise and contribute to the health and wellbeing of the community

Theme 2: Vibrant Liveability Strategic Objective 3 Future focused: Intelligent land use and infrastructure
Strategy 3.1 Protect natural vistas and farmlets
Strategy 3.2 Enhance township character
Strategy 3.3 Improve roads, drainage and footpaths

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 6: Council possesses in-house and outsourced capability to meet community expectations
Strategy 6.1 Use and gain knowledge of our community to make good decisions

Theme 3: A Trusted, Effective and Efficient Council Strategic Objective 8 A consultative Council that represents and empowers its community
Strategy 8.1 Increase community trust in Council to make informed decisions with “no surprises”

Governance - Disclosure of Conflicts of Interest

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

14. Council Meeting Resolution Actions Status Register

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

Recommendation
THAT Council receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 8 May 2023.
Support Attachments
1. Mansfield Shire Council Action Register as at 8 May 2023 [14.1.1 - 5 pages]

15. Advisory and Special Committee reports

Nil

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

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

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

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

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

18. Confidential Reports

18.1. Tender Award: Delivery of Asset Management System and Services

Confidential

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

18.2. Tender Award: Malcolm Street Shared Path

Confidential

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

19. Reopen meeting to members of the public

Recommendation

THAT COUNCIL reopen the meeting to members of the public.

20. Close of meeting