



Mansfield Shire

MINUTES

Council Meeting

Tuesday 18 April 2023

Our aspiration for our Shire and its community

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

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1. Opening of the meeting

Mayor James Tehan opened the meeting at 5:00 pm.

2. Present

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

In Attendance:

Chief Executive Officer:

Kirsten Alexander

General Manager Infrastructure & Planning:

Melissa Crane

Acting General Manager Community & Corporate Services:

Nola Bales

EA Mayor & CEO:

Chelsea Young

Coordinator Statutory Planning:

Nicole Embling

Directorate Support Infrastructure & Planning:

Brad Bennetts

Manager Planning & Environment:

Kurt Heidecker

3. Apologies

Nil

4. Statement of commitment

Mayor James Tehan read Council's Statement and called 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

Councillor Steve Rabie recited 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

Councillor Steve Rabie declared a conflict of interest in respect of item 13.2.2 P238/22 - 390 Pollards Road, Mansfield - Delatite Winery.

7. Confirmation of minutes

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT the Minutes of the Mansfield Shire Council meetings held on 21 March 2023 and 4 April 2023 be confirmed as an accurate record.

CARRIED

8. Representations

Item 13.2.2 'P238/22 - 390 Pollards Road, Mansfield - Delatite Winery'

- Chris Stoney
- Anthony Gatti
- Noel Landry
- David Ritchie

13.2.3 'DP003/22 - 175 Dead Horse Lane & 141 Lakins Road, Mansfield - Industrial Development Plan'

- Kym Lynch

13.2.3 'P179016BA/21 - 57 Stock Route, Mansfield - Amendment - Multi-Lot Subdivision'

- Shannon Hill

9. Notices of motion

Nil

10. Mayor's report

Councillor Steve Rabie/Councillor Mark Holcombe:

THAT COUNCIL receive the Mayor's report for the period 22 March 2023 to 6 April 2023.

CARRIED

11. Reports from council appointed representatives

Councillor Mark Holcombe/Councillor Steve Rabie:

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

CARRIED

12. Public question time

Question 1

Sylvia Tyers: *"I would like to know when Council Meetings will return to being in person? Internet coverage is not always reliable. This can restrict residents, especially from outlying areas, from viewing a meeting.*

The online format is also valuable for a similar reason as people are reluctant to travel in the evening for safety reasons, mainly animals on the road. Also health issues and the inability to leave dependent children and adults are a reason to still offer online.

A solution would be to do both. Some Councillor's could attend in person whilst others are on-line. Thank you?"

Answer: As advised previously via email in February 2023 Council is currently investigating how hybrid meetings can be held where the public can be involved both in person and online.

Until a hybrid solution is available Council has made available spaces at the Municipal building where a computer can be set up for you to watch and participate in the meeting with reliable

internet connection. We encourage you to contact Council on 5775 8555 to speak with a Council officer regarding your needs.

Question 2

Edwin Adamson: *“It is suggested that Mansfield Shire have a target of say 5 to 10% of developments that have social or long season worker housing: How many i) long season working family and ii) social housing rental accommodation dwellings have been enabled by the Shire of Mansfield in the last 3 years?”*

Answer: Mansfield Shire Council takes the matters of social and affordable housing, as well as key worker housing, very seriously, and works within the regulatory frameworks to advocate for better solutions for Mansfield Shire. In the absence of a regulatory requirement, Council works closely with developers to encourage the provision of social and affordable housing as part of any development. In terms of the number of long season working family and social housing/rental accommodation dwellings constructed over the past three years, this is not a statistic that is able to be tracked through the Planning Permit process. A dwelling is defined in a particular way in the Victorian Planning Provisions, and the price and how the dwelling is rented or leased is not something Council can control.

Question 3

Carolyn Suggate: *“Regarding the revised waste strategy (to include 4 bins) and the climate action strategy by the Mansfield Council. What mechanism and investment funding is the Council providing to educate the community and provide resources to reduce and repurpose waste (and overall footprint) rather than increasing both the footprint and the volume of waste generated by the community with increased pressure from high visitor numbers?”*

Answer: The minimisation of waste, maximisation of diversion from landfill and minimization of recycling contamination all rely on householders sorting their recycling and waste and this in turns relies on community education. To coordinate this education Council employs a full time Project Officer – Waste and Resource Recovery and the new recycling and waste contracts that begin in July 2024 include \$70,000 per year for community education. Before these new recycling and waste services are rolled out, Council plans to deliver a detailed community education program that focuses on what goes in which bin, particularly for green waste.

Council also encourages community members to drop of clean and working non-electrical items at the Resale Shop at the Mansfield Resource Recovery Centre and Council recently had a successful Facebook campaign to encourage community sales from this shop.

The Mansfield Resource Recovery Centre also offers community members the ability to recycle e-waste, metals, oils, mattresses, batteries, cardboard & car tyres and drop off green waste that is mulched and used in commercial landscaping.

In conjunction with this, Council has had a “Carry In Carry Out” banner printed for display at the western entry to Mansfield township and placed temporary signs at public bins that encourages campers to take their sorted recycling and waste to the Mansfield Resource Recovery Centre for free disposal.

Question 4

Carolyn Suggate: *“In Jindabyne NSW people are offering to pay up to \$800 per week to share a room as short term housing market is so tight.*

Sustainability Mansfield would like to know what is the Council doing to immediately provide the community and business a variety of options for short term affordable housing to ensure Mansfield doesn't go down the same path considering that 2-3 year development opportunities do not address the short term pressure on businesses and the lack of affordable housing for critical workers and essential staff or provide for seasonal accommodation?"

Answer: The Mansfield Planning Strategy, adopted by Council in 2022, goes into a great deal of detail about the policy context, challenges, opportunities and recommended policy directions to manage settlement and housing across Mansfield Shire. A copy of this strategy can be found on Council's website and Council is working to progress the actions identified in that strategy. One example of this is the recent adoption of Amendment C54, which rezones land in Dead Horse Lane from Farming Zone to Neighbourhood Residential Zone.

13. Officer reports

13.1. Chief Executive Officer's report

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 22 March 2023 to 11 April 2023.

CARRIED

13.2. Infrastructure and Planning Directorate

13.2.1. Howqua Public Boat Ramp

Councillor Paul Sladdin proposed an alternative motion to the recommendation.

Councillor Paul Sladdin/Councillor Rohan Webb

THAT COUNCIL:

1. Notes the community engagement outcomes and commits to further community engagement in relation to a mid-level boat ramp
2. Endorses the adoption of parcel number 2\TP880936 location on Mansfield-Woods Point Road to operate between Lake Eildon's full supply level and 79% supply level.
3. Notes that the detailed design will progress based on the above preferred location and will include further stakeholder consultation

CARRIED

Councillor Steve Rabie left the meeting at 5:32 pm.

13.2.2. P238/22 - 390 Pollards Road, Mansfield - Delatite Winery

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL issue a Notice of Decision to Grant a Planning Permit for Planning Application P238/22 for use and development of land for Group Accommodation (14 Eco- Villas) and an associated Restaurant on Lot 1 on Plan of Subdivision 734878H, commonly addressed as 390 Pollards Road, Mansfield in accordance with the endorsed plans and subject to the following conditions:-

Endorsed Plans

1. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.
2. Prior to the commencement of works an amended Landscaping Plan is to be submitted to and approved by the responsible authority. The Landscaping Plan must be generally in accordance with the plans submitted and amended to detail:
 - a. Native mature tree plantings along the northern boundary, east of the existing access, to screen the proposed development from Pollards Road and surrounding properties.

Amenity

3. Prior to the commencement of use the landscaping must be planted to the satisfaction of the responsible authority and in accordance with the endorsed landscaping plan.
4. The use must not detrimentally affect the amenity of the neighbourhood to the satisfaction of the Responsible Authority, including through the:
 - a. Transport of materials, goods or commodities to or from the land;
 - b. Appearance of any building, works or materials; or
 - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
5. No more than twenty-eight (28) persons may be accommodated away from their normal place of residence at any given time.
6. The permit holder acknowledges and accepts that the possibility of nuisance from adjoining or nearby agricultural operations may occur. The possible off-site impacts include but are not limited to dust, odour, waste, vibration, soot smoke, or the presence of vermin, from animal husbandry, animal waste, spray drift, agricultural machinery, pumps, trucks and associated hours of operation. In acknowledging the existence of the agricultural operations being conducted from adjoining or nearby land, the permit holder and guests of the accommodation shall not make complaint against lawful agricultural activities on the adjoining or nearby land.

External Cladding

7. The external materials of the buildings, including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used.
8. For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

Premise Closure

9. The use of the Group Accommodation Building approved under this permit must not operate after 10.00am on any day with a declared Fire Danger Rating of Extreme or Catastrophic.

Wastewater Treatment

10. The wastewater disposal area must be located at least: 100m from any waterways (including dams on a waterway), 40m from any drainage lines, 60m from any dams, and 20m from any bores. *Where wastewater is treated to at least a secondary standard, the distance may be reduced in accordance with the current EPA Code of Practice – Onsite Wastewater Management. However, where possible setback distances must be maximised.
11. The wastewater disposal area must be kept free of stock, buildings, driveways, car parking and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. Unless wastewater disposal is by subsurface irrigation methods, a reserve wastewater disposal field of

equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

12. Prior to the commencement of any works the permit holder must ensure that any obligations or duties that arise under the Environment Protection Act 2017 are met. This may include obtaining an EPA permission, approval, or exemption in accordance with the *Environment Protection Regulations 2021*.
13. All sewage and sullage shall be treated in accordance with the requirements of the Responsible Authority. All effluent shall be disposed of and contained within the curtilage of the property in accordance with the EPA Code of Practice On Site Wastewater Management and the Australian Standards AS 1547 - 2000 Disposal Systems for Effluent from Domestic Premises and AS/NZS 1547:2000/2012 On-site Domestic-Wastewater Management.

Engineering

14. Prior to the commencement of works internal access road must be upgraded to be of an all-weather construction with dimensions adequate to accommodate emergency vehicles and be sufficient to satisfy CFA access requirements.
15. All road and stormwater design work must be conducted by a suitably qualified CPEng, RPEng or National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.
16. Prior to the commencement of works a Traffic Impact Assessment Report is to be submitted to and approved by the responsible authority to demonstrate existing and expected traffic along Pollards and Stoneys Road, considering the impacts at the intersections of Mansfield-Woods Point Road and Mt Buller Road, including seasonal peak traffic flows.
17. Prior to the commencement of works design drawings and engineering plans must be submitted to Council for approval for safety and improvement works along Stoneys Road and Pollards Road, including widening narrow roads at crests and upgrades to the culvert on Stoneys Road.
18. Prior to the commencement of use the road safety upgrades and improvements as determined in the approved engineering plans must be completed to the satisfaction of the responsible authority.
19. Prior to the commencement of works a Stormwater Management Plan must be submitted to and approved by the responsible authority.
20. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

Permit Expiry

21. This permit will expire if one of the following circumstances applies:
 - a. The development is not started within two (2) years of the date of this permit
 - b. The development is not completed and use commenced within four (4) years of the date of this permit.

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

CARRIED

Councillor Steve Rabie returned to the meeting at 6:27 pm.

13.2.3. DP003/22 - 175 Dead Horse Lane & 141 Lakins Road, Mansfield - Industrial Development Plan

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL approves the submitted Development Plan for Industrial Zoned land on Crown Allotment 39, Parish of Mansfield, and Crown Allotment 40, Parish of Mansfield, commonly addressed as 175 Dead Horse Lane, Mansfield, and 141 Lakins Road, Mansfield.

CARRIED

13.2.4. P179016BA/21 - 57 Stock Route, Mansfield - Amendment - Multi-Lot Subdivision

Councillor Rohan Webb/Councillor Steve Rabie:

THAT COUNCIL, having considered all matters under Section 60 of the Planning and Environment Act 1987, determine to issue a Notice of Decision to Amend a Permit for Planning Application P179016BA/21 to allow a Multi-Lot Staged Subdivision (27 Lots) of land on Lots A and C on Plan of Subdivision 905370, Parish of Mansfield, commonly addressed as 57 Stock Route, Mansfield, subject to the following conditions:

Endorsed Plans

1. The subdivision approved under this permit must be undertaken in accordance with the plans endorsed and forming part of this permit.

Public Open Space

2. Prior to the issue of Statement of Compliance under the *Subdivision Act* 1988 for each stage of the subdivision, the permit holder must provide to the Responsible Authority:
 - a. 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
 - b. Any costs associated with valuation of the land including valuers' fees.

The permit holder must make a request to Council to commence the process involved with this condition.

Restrictions

3. A restriction must be placed on the Plan of Subdivision submitted for Certification for any further subdivision to require a minimum lot frontage of 15 metres.

Telecommunications

4. 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.
5. 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.

Landscaping

6. Prior to the certification of the plan of subdivision, a detailed landscape plan for that stage must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions 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, where applicable;
 - 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, where appropriate; and
 - i. Detailed designs for all stormwater treatment features such as bio-retention systems consistent with the submitted Stormwater MUSIC modelling.
7. Prior to the issue of a Statement of Compliance, all nature strips must be seeded and fertilised and grass must be established to the satisfaction of the Responsible Authority.
 8. Prior to the issue of a Statement of Compliance, all landscaping works (including street trees) shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority.
 9. The landscaping shown on the endorsed plans including street trees must be maintained for a period of twelve months from the date of practical completion of the works to the satisfaction of the Responsible Authority. Formative pruning must be undertaken to the satisfaction of the Responsible Authority prior to the end of the 12 month period. Any dead, diseased or damaged plants are to be replaced within 12 months of the date of practical completion for the works.

Engineering conditions

10. Prior to the commencement of works or certification of the plan of subdivision (whichever occurs first), the owner or developer must submit to the Responsible Authority a written report and photos of any existing/prior damage to public infrastructure. The report must detail the condition of kerb & channel, footpath, seal, street lights, signs and other public

infrastructure fronting the property and abutting at least two properties either side of the development.

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

External Road Infrastructure

11. Prior to the issue of Statement of Compliance for the final stage of the development, Stock Route must be sealed and upgraded to "Access Street" as per IDM standard with one footpath on the development side. This upgrade is required only along the frontage of the development up to (along Lot 18) and must be connected to the internal road and footpath of the development.
12. The Stock Route, south of the subject land, is to be closed to through traffic from Maroondah Highway. The closure will be completed by the relevant authorities, at the request of the permit holder. Prior to the issue of a Statement of Compliance appropriate signage is to be placed at the location of the closure to identify the road closure, or no-through traffic, to the satisfaction of the Responsible Authority.

Internal road infrastructure

13. 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.
14. Before the certification of the plan of subdivision or commencement of works (whichever occurs first), all design drawings must be submitted to and approved by the Responsible Authority. All roads, road reserve, court bowls, footpaths, on street parking, kerb and channelling are to be designed in accordance with the Infrastructure Design Manual (IDM) and to the satisfaction of the Council. These plans must include the following details:
 - a. All pavement is to be constructed in accordance with the Infrastructure Design Manual (IDM) and by a suitably qualified CPEng, National Engineering Registered (NER) engineer, to the satisfaction of the Responsible Authority.
 - b. Demonstrate in the design that road pavement will not be adversely affected by the creek.
 - c. Concrete footpaths must be provided on both sides of all roads and must be connected to existing footpaths.
 - d. Traffic calming treatments must be installed in accordance with Austroads standards.
 - e. Removal and clearing of existing temporary court bowl at the east of Stockmans Drive, reinstatement of the nature strip and connection to the new road and associated footpaths.
15. Prior to the issue of statement of compliance, the existing temporary court bowl at the East end of Stockmans Drive must be removed, cleared and reinstate nature strips. Connections to the new road and footpath must be established
16. All road, road related areas and public open spaces / reserves within the new subdivision must 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).
17. All road intersections must be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.

18. 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.
19. All road intersections must be signed and line marked to be compliant with VicRoads Traffic Engineering Manual Volume 2.

Earthworks

20. The extent and depth of all proposed lot filling is to be denoted on the design plan. Where depths of fill on allotments exceed 300 mm, those areas are to be clearly differentiated from areas where the depths of fill are less than 300 mm. 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, to the satisfaction of the Responsible Authority.

Drainage

21. 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:
 - a. On-site detention by use of rainwater tanks or similar detention system(s) designed by a suitably qualified engineering consultant to ensure no net increase in stormwater discharge from predevelopment levels by the proposed development.
 - b. Measures to enhance stormwater discharge quality from the development including output from MUSIC, STORM updated or similar with design calculation summaries of the treatment elements.
 - c. A maintenance plan for all stormwater treatment assets.
 - d. The detention and treatment system must be designed to allow access for maintenance vehicles.
 - e. Altered overland flow paths must pass through the designed routes within reserves for municipal purposes or within easements. No overland flow shall be allowed to impact on the adjacent lots.
 - f. Demonstrate that the proposed lots are flood free in a 1 % AEP storm event.
 - g. Rainwater tanks must be provided for each lot with a capacity as per IDM requirement and agreed with the Council. The tanks must be installed and connected to toilet system, laundry washing machine taps and garden watering. Plumbing details must be provided with the design drawings.
22. 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:
 - a. A rainwater tank with a minimum capacity as per the approved construction and drainage plan must be provided to each dwelling and connected to internal toilets and laundries and include an outlet for garden watering to the satisfaction of the Responsible Authority.

The permit holder must pay the reasonable costs of the preparation, review, execution and registration of the Section 173 Agreement by Council's preferred solicitors.

Signage, Street Furniture and Services

23. All street signs and furniture must be installed prior to the issue of a Statement of Compliance, and must meet Mansfield Shire Council, VicRoads and Australian Standards to the satisfaction of the Responsible Authority.

Asset Protection

24. Prior to the certification of the plan of subdivision, a Site Management Plan (SMP) is to be submitted and approved by Council. The SMP will contain at minimum:
 - a. Protection of significant native vegetation during the construction of roads, reticulated services and other infrastructure.
 - b. Prevention of adverse environmental impacts on existing waterways including through run-off and siltation.
 - c. Procedures to ensure access by construction vehicles during the construction does not impact the amenity of the surrounding neighbourhood.
 - d. Measures in accordance with EPA Victoria Publication 960 Doing it right on subdivisions: Temporary environmental protection measures for subdivision construction sites.
25. 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
26. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
27. All services must avoid root zones of existing trees. Where services cannot be placed to avoid the root zone, boring and/or hand digging must be undertaken to minimise root damage to the satisfaction of the Responsible Authority.
28. Temporary barriers must be erected around the drip line of existing trees and maintained during construction to the satisfaction of the Responsible Authority.

Administration, Permits, Fees and Charges

29. The Responsible Authority for plan checking and supervision must obtain, in writing, the name of the project coordinator appointed to oversee the works and notification of commencement date prior commencing works.
30. Prior to the issue of a Statement of Compliance, the developer is required to pay to The Responsible Authority a cash contribution of:
 - a. 0.75% of the total actual documented cost of the engineering works for the checking of engineering plans associated with the development approved herewith.
 - b. 2.50% of the total actual documented cost of the engineering works for the supervision of works associated with the development approved herewith.
31. 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 4 fees. This bond will be released following a satisfactory inspection, 52 weeks after a Certificate of Practical Completion is issued.
32. 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.
33. Drainage drawings to DSpec requirements (or any other acceptable format by the Council) must be provided prior to issuing of the Statement of Compliance.
34. 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.

Ausnet Electricity Pty Ltd

35. 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.
36. 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

37. 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.

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

38. Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

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

Goulburn Valley Water

39. The applicant must arrange:

- a. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment;
- b. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
- c. 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;
- d. Payment of new customer contributions charges for sewerage services to the development, such amount being determined by the Corporation at the time of payment;
- e. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation;
- f. Provision of easements in favour of the Goulburn Valley Region Water Corporation over all existing and proposed sewer mains located within private property;
- g. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of 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;
- h. 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.

Goulburn Murray Water

40. 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.
41. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of Goulburn Valley Water.
42. 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.
43. The plan of subdivision submitted for Certification must show a building exclusion zone to prevent future buildings being located within 30m of any waterway contained within the reserve.

44. All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).

Expiry

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

- a. The plan of subdivision for the first stage is not certified under the Subdivision Act 1988 within two (2) years of the date of this permit.
- b. The plan of subdivision for each subsequent stage is not certified under the Subdivision Act 1988 within two (2) years of the previous stage.
- c. The subdivision is not completed within five (5) years of the date of certification under the Subdivision Act 1988.

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

Date of amendment	Brief description of amendment	Responsible Authority
dd/mm/yyyy	<p>This permit has been amended pursuant to Section 74 of the <i>Planning and Environment Act 1987</i>, having regard to the following:</p> <ul style="list-style-type: none"> a. Amend what the permit allows to include staging. b. Condition 2, contribution for Public open space to be in accordance with Clause 53.01 of Mansfield Planning Scheme. c. Addition of condition (3) to require a restriction on Title for further subdivision. d. Addition of two conditions (10 & 11) related to upgrade of Stock Route and closure of access from Maroondah Highway. e. Revision of condition requiring design drawings; requirement to show removal of temporary court bowl; reinstatement of nature strip; road and footpath connection to Stockmans Drive (previously Condition 11b). f. Deletion of conditions requiring a temporary court bowl (previously Conditions 11e and 11f). g. Additional Condition (13g) to require the existing temporary court bowl be returned to a natural state. h. Amended Condition requiring maintenance of temporary court bowl, to instead remove the existing temporary court bowl (previously Condition 12). i. Revision of two drainage conditions associated with drainage plans and computations; and requiring rainwater tank through section 173 agreement (previously Condition 19). j. Revision of condition requiring site management plan (previously Condition 21). k. Addition of a new sub-condition as per Goulburn Valley Water's revised consent to the amendment (Condition 38c). l. Revision of a condition as per Goulburn Murray Water's revised consent to the amendment (previously Condition 37). m. Amend permit expiry to allow for staging of the development. n. Renumbered all the conditions pertaining to the addition of new conditions. 	Mansfield Shire Council

CARRIED

13.3. Community and Corporate Services Directorate

13.3.1. Social Inclusion Action Group Funding

Councillor Steve Rabie/Councillor Paul Sladdin:

THAT COUNCIL endorse the acceptance of ongoing and indexable funding from the Victorian Department of Health to support the formation of a Social Inclusion Action Group.

CARRIED

13.3.2. Council Plan Reporting to 31 December 2022

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT COUNCIL receive and note the Council Plan 2021 – 2025 mid-year performance report as of 31 December 2022.

CARRIED

13.3.3. Performance Reporting to 31 December 2022

Councillor Mark Holcombe/Councillor Steve Rabie:

THAT COUNCIL receives and notes the mid-year Performance Reporting for the period 1 July 2022 to 31 December 2022.

CARRIED

14. Council Meeting Resolution Actions Status Register

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT Council receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 6 April 2023.

CARRIED

15. Advisory and Special Committee reports

Nil

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

Councillor Rohan Webb/Councillor Mark Holcombe:

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 defined in section 18 below.

CARRIED

The Council Meeting Agenda 18 April 2023 was closed to the public at 7:50 pm.

18. Confidential Reports

18.1. Lease of the Mansfield Family and Childrens Centre to deliver early childhood education and care services

Councillor Steve Rabie/Councillor Mark Holcombe

THAT COUNCIL:

1. Receives and notes the outcome of the Expression of Interest process for a lease of the Mansfield Family and Children's Centre to deliver early childhood education and care services.
2. Awards a lease to Mansfield Adult Continuing Education for a term of five years with three options for a three-year extension.
3. Set MACE's annual lease payment at \$97,350 (INCL GST) indexed to CPI;
4. As MACE will lease 60% of the net lettable space of the Mansfield Family and Children's Centre, the lease will include a requirement for MACE to pay 60% of the security and utility (including electricity, gas & water) costs for the Mansfield Family and Children's Centre and all of Council's cleaning costs for the MACE leased spaces, each quarter.
5. Authorises the Chief Executive Officer to execute the lease.
6. Makes this resolution public by including it in the public minutes of the meeting

CARRIED

19. Reopen meeting to members of the public

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT COUNCIL reopen the meeting to the public and resume transmission and this resolution be made public.

CARRIED

Council re-opened the meeting at 8:47 pm.

20. Close of meeting

The Council Meeting Agenda 18 April 2023 was closed at 8:49 pm.

CONFIRMED this **sixteenth** day of **May 2023**

Mayor

Post Meeting note: after the Council Meeting held 18 April 2023 a typographical error was identified in item 18.1 (point 3 of the resolution). The matter will be resolved at an Additional Meeting of Council on 2 May 2023.