



Mansfield Shire

Council Meeting

Tuesday 16 August 2022 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 Mark Holcombe (Deputy Mayor)
Cr Steve Rabie
Cr Paul Sladdin
Cr Rohan Webb

Officers

Bill Millard, Interim (Acting) Chief Executive Officer
Kirsten Alexander, General Manager Infrastructure and Planning
Dena Vlekkert, 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.

13.2-13.3 Officer reports are presented to the Council, where required.

Detailed reports prepared by officers from the Infrastructure and Planning Directorate are considered by the Council. This includes reports from the following Departments:

- ▶ Planning and Environment
- ▶ Operations and Capital Works
- ▶ Community Safety
- ▶ Field Services

A Council position is adopted on the matters considered.

Detailed reports prepared by officers from the Community and Corporate Services Directorate will also be considered by the Council:

- ▶ Business and Performance
- ▶ Community Health and Wellbeing
- ▶ Community and Economic Development
- ▶ Governance and Risk

A Council position is adopted on the matters considered.

14. Assembly of Councillors

An assembly of Councillors is referred to in Council's Governance Rules as a "meeting conducted under the auspices of Council", meaning a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a 'Councillor Briefing' or by some other name);

15. Council resolutions report

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

16. Advisory and Special Committee reports

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

17. Authorisation of sealing of documents

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

18. Closure of meeting to members of the public

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

19. Presentation of confidential reports

20. Reopen meeting to members of the public

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

21. Close of meeting

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

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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 Tehan
- Councillor Webb

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

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

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

3. Apologies

The Chair will call on the CEO for any apologies.

4. Statement of commitment

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

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

5. Acknowledgement of Country

Deputy Mayor Mark Holcombe 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 19 July 2022 and 2 August 2022 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:

An Additional Council meeting was held on 2 August to appoint Kirsten Alexander as the new Chief Executive Officer of Mansfield Shire Council. Kirsten, who was previously the General Manager of Infrastructure and Planning, has been appointed for a four-year term. Congratulations Kirsten, this Council looks forward to working with you in your new role.

Council recently entered into a license agreement with the Mansfield District Hospital for the rental of the Buckland Centre and the Anderson Hall. This agreement will support Mansfield District Hospital in their provision of home and community care following Councils decision to cease providing the services as of 30 June 2022. The Centre was previously used as the COVID-19 Vaccination Clinic operated by the Hospital. Community groups who previously used the Centre are able to use it again outside of the hospitals working arrangements. There is also capacity to provide for commercial bookings of the office spaces for complimentary healthcare services on the site, and Mansfield District Hospital have indicated they are happy to work with Council and their respective healthcare providers to encourage the ongoing use of the facility by the services. This will provide better local access for the Mansfield community to these healthcare providers and avoid the need for residents to travel to other centres.

The Mansfield Emergency Services Precinct Feasibility Study and Preliminary Business Case has been endorsed by Council. The next steps include actively pursuing grant funding for detailed design and build stages of the Precinct. A committee of stakeholders will be facilitated by Council to ensure a coordinated approach given the diverse needs and timing of each emergency service agency.

Council awarded the tender for the second stage of the Heavy Vehicle Alternative Route. This second stage will be constructed by North East Civil and will upgrade Greenvale Lane, Mount Battery Road and the east end of Dead Horse Lane section of the bypass route. These works are due to start later this year after consultation with the community and affected property owners and commuters to notify them of disruptions throughout the construction works. Traffic management plans will take into consideration continued access to all businesses to minimise impact.

*Cr James Tehan
Mayor*

Recommendation

THAT COUNCIL receive the Mayor's report for the period 11 July 2022 to 3 August 2022.

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
Lake Eildon Land & On-Water Management Plan Implementation Committee	<ul style="list-style-type: none"> ▶ Cr Paul Sladdin
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 Mark Holcombe
North East Local Government Waste Forum (a committee of the North East Regional Waste and Resource Recovery Group)	<ul style="list-style-type: none"> ▶ 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: Interim (Acting) Chief Executive Officer, Bill Millard

Introduction

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

The Chief Executive Officer report will provide information relation to:

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

Recommendation

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 13 July 2022 to 5 August 2022.

Support Attachments

1. CEO Monthly Report July 2022 [**13.1.1.1** - 28 pages]

13.2. Infrastructure and Planning Directorate

13.2.1. Heavy Vehicle Safety and Productivity Program Grant Application

File Number	E9854	Responsible Officer	Manager Operations & Capital Works, Kristian Burchat
Purpose			

The purpose of this report is to seek Council endorsement of the grant application to the Federal, *Heavy Vehicle Safety and Productivity Program* for intersection improvements on Dead Horse Lane and Mansfield-Whitfield Road, and to seek a matching contribution from the Victorian Government for the required 20%.

Executive Summary

The intersection of Dead Horse Lane and Mansfield-Whitfield Road is considered a road safety Black Spot, having seen a fatality in recent years. To fund the intersection improvements necessary to increase the safety of this intersection, an application to the *Heavy Vehicle Safety and Productivity Program* is proposed. This grant requires a co-contribution of State/Local government funds in the amount of \$372,970 (20% of the estimated cost).

Key Issues

The design of this intersection has been considered in consultation with representatives of the State Department of Transport as part of the Heavy Vehicle Alternate Route (HVAR) detailed design process. It has been determined that the appropriate intersection treatment at this location would be a roundabout. Preliminary designs have been developed and consultation with local heavy vehicle operators supports use of a roundabout at this location.

Council has previously applied to the Australian Government Black Spot Program; however, the nomination was not accepted by the State Department of Transport. Feedback from that process has been used to prepare a new application for the *Heavy Vehicle Safety and Productivity Program*.

The intersection was included in the recent tender process undertaken as part of the HVAR Stage 2 project as a provisional sum item. This up-to-date, market-tested pricing information has better informed and reinforced the cost estimates included in the proposed grant application.

The total project cost has been estimated at \$1,864,851 (ex GST), including a 15% project contingency. Under the terms of the funding program, 80% of the total project cost is funded by the grant, with a State/Local government contribution required for the remaining 20%.

Grant funding required:	\$1,491,881	(80%)
Co-contribution required:	\$372,970	(20%)
Total Project Cost:	\$1,864,851	

Opportunities for a contribution from the State Government towards the intersection upgrade should be explored, as it is located on an arterial road intersection under the control of the Department of Transport.

Council officers have requested a written commitment from the Department of Transport to cover the entire 20% co-contribution. Their response is still forthcoming. The department may agree to cover all, part, or none of the co-contribution. It is recommended that Council proceeds with the grant application regardless. A further report will be brought back to Council following a response from the Department.

The co-contribution amount has not been included in Council's proposed 2022/23 Budget, as it is not envisaged that these works would commence until the following budget year and any Council contribution would therefore be included in the 2023/24 Budget development process.

Recommendation

THAT COUNCIL:

1. Endorses the submission of a grant application to the Heavy Vehicle Safety and Productivity Program for construction of a roundabout at the intersection of Dead Horse Lane and Mansfield-Whitfield Road.
2. Notes that a financial contribution has been sought from the State Government for a total amount of \$372,970 (ex GST).
3. Receives a further report once the outcome of Point 2 above is known.

Support Attachments

Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Engagement with freight industry operators has been undertaken as part of the HVAR project, and they are supportive of the proposed roundabout.

Collaboration

Not Applicable

Financial Impact

The intersection upgrade is not included in the 2022/23 Budget and would need to be considered as part of the 2023/24 Budget process. If Council is unsuccessful in obtaining a financial contribution from the State Government, the cost of the co-contribution would need to be considered in the 2023/24 Budget process.

Legal and Risk Implications

Not Applicable.

Regional, State and National Plans and Policies

Not Applicable.

Innovation and Continuous Improvement

Council aims to continually improve its roads for the safety of the community. To this end, identifying and treating black spot intersections is of the highest priority.

Alignment to Council Plan

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

Strategy 3.3 Improve roads, drainage and footpaths

Theme 2: Vibrant Liveability Strategic Objective 5 Prosperous: Industries, businesses and workforces of the future

Strategy 5.1 Create conditions that enable local businesses

Strategy 5.2 Enable land use and base infrastructure that stimulates commercial activity

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. Footpath and Shared Path Strategy 2022

File Number	E3999	Responsible Officer	Manager Operations & Capital Works, Kristian Burchat
Purpose			

To present the updated Footpath and Shared Path Strategy 2022 for adoption by Council.

Executive Summary

The Footpath and Shared Path Strategy (the Strategy) was first prepared in draft form in 2016 and has been updated several times over the intervening years to incorporate community feedback.

Following a comprehensive update of the Strategy in 2021 an online survey was undertaken using Council's Engage platform to test the general direction of the re-drafted Strategy and seek further community input on the specific proposals included in it, as well as feedback on areas of the shire requiring new pathways. The Strategy has now been reviewed and further updated to respond to the community feedback received from this on-line engagement and is now presented for adoption by Council, particularly in relation to the policy directions it contains. The updated Strategy document can be found at Attachment 1.

The Strategy provides a framework for the planning and prioritisation of pathway projects into the future. It is essential that Council has in place a clear and deliberate strategy capturing its vision for the pathway network across Mansfield Shire to guide future development and investment.

By necessity, the Strategy is an operational document that will be updated as new paths are constructed or existing paths upgraded. It is intended for use in guiding project priorities for consideration and inclusion in the Annual budget process and in the 10 Year Capital Works Plan. The adoption of this strategy will guide the future expansion of the pathway network for walking, bicycling, and horse-riding as the population grows and further development occurs.

Key Issues

This Strategy sets out the extent of the existing pathway network, identifies areas for improvement and then details those improvements with a series of maps and tables, making it easy to interpret for members of the community.

Rather than one prioritised list for the whole shire, each township has been given its own list of prioritised projects thereby eliminating the necessity for one township to be prioritised over another. Community feedback has been sought to inform this document, and the responses have been highly constructive in shaping the content of the strategy. A summary of that consultation is attached to this report in Attachment 2.

The Strategy has also been shared with the Department of Transport as a key stakeholder and the feedback they provided has been considered and integrated as part of the updated Strategy.

Following formal adoption by Council, the Strategy will be published on Council's website for the entire community to reference. The feedback received as part of the engagement process has already been used to support grant funding submissions.

As a living document it will continue to be updated into the future to ensure that community feedback is heard, considered, and organised into a practical plan for the ongoing development of Mansfield Shire's pathway network to meet the needs of the growing community.

Recommendation

THAT COUNCIL adopts the Footpath & Shared Path Strategy 2022.

Support Attachments

1. Mansfield Shire Council Footpath & Shared Path Strategy 2022 [13.2.2.1 - 49 pages]
2. v 2 Summary of Public Survey Responses [13.2.2.2 - 20 pages]

Considerations and Implications of Recommendation

Sustainability Implications

To sustain the community through this period of growth, careful planning of new infrastructure is essential. Listening and acting in the interests of community stakeholders is key to ensuring social sustainability. Community feedback is an important part of determining priorities for investment and integrating this feedback into the Strategy builds confidence and support in the actions planned to manage future growth and development. This document takes community feedback and organises it into a practical plan for action focused on the projects that are important to the community.

Community Engagement

Community Engagement has been undertaken in accordance with Council's Community Engagement Policy using the Engage platform. The summary.

Collaboration

Not Applicable

Financial Impact

The review and update of the Strategy has been completed using existing resources from the Operations & Capital Works team, assisted by an engineering undergraduate student. While the preparation of the Strategy itself has no financial implications beyond staff time, the Footpath and Shared Path Strategy 2022 will be used to inform project priorities for inclusion in the annual capital works budgets over the coming years.

The adoption of a Strategy tested with community will better position Council to take advantage of grant opportunities as they arise, lending weight to the application and showing Council's commitment to deliver what is a clear community need.

Legal and Risk Implications

Not Applicable.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

This strategy allows for continuous improvement of the shire's pathway networks by clearly identifying and prioritising the pathway projects necessary to improve connectivity and accessibility in each township.

Alignment to Council Plan

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

Strategy 3.3 Improve roads, drainage and footpaths

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. On-Site Wastewater Management Plan Review

File Number	E8082	Responsible Officer	Senior Coordinator Community Safety, Kevin Murphy
Purpose			

The purpose of this report is to provide Council with the final On-site Wastewater Management Plan (OWMP) and seek adoption of the final document.

Executive Summary

The current Domestic Wastewater Management Plan (DWMP) was adopted by Council in October 2014, in accordance with the requirements of the State Environmental Protection Policy (SEPP) *‘Waters of Victoria’*. The DWMP document was to be reviewed after 5 years. As part of the recently completed review, the title of the document has been updated to On-site Wastewater Management Plan to recognise that wastewater systems have a broader scope than domestic systems alone.

The OWMP has been prepared to comply with the requirements of Environment Protection Act (EPA) legislation. Whilst the *‘Waters of Victoria’ document* no longer exists, the requirement for Council to have an OWMP has been preserved within the Environment Protection Act and Regulations. The OWMP also satisfies the requirements of the Mansfield Planning Scheme.

The final OWMP document is a refresh of the earlier DWMP and incorporates changes to respond to the new Environment Protection Act 2019, including the introduction of the General Environmental Duties (GED) in addition to the SEPP (2018). The document retains the risk-based methodology that was included in the earlier DWMP, and details requirements to be met by new and existing developments for treatment of wastewater not discharged to a reticulated sewer system. This satisfies the Ministerial Directions relevant to Planning Scheme referral processes.

Consultation over the OWMP has been completed in line with the project engagement plan. As this is a technical document the engagement has occurred principally with the statutory water authorities Goulburn-Murray Water (GMW) and Goulburn Valley Water (GVW), and their feedback has been incorporated into the final document.

Key Issues

A Municipal or Regional wastewater management plan is necessary to allow ongoing development of allotments less than 40 hectares in size, with referrals to water authorities required as part of the planning permit process for approval of developments with on-site wastewater management.

The Mansfield Shire DWMP was originally developed with funding provided by the State Government and the adoption and implementation of the plan satisfied the requirements of the water authorities in their role as a referral authority for Planning Permits.

The risk-based approach relating to site capability assessment for proposed developments within potable catchments remains unchanged in the updated OWMP. The requirements apply

whenever there is a proposed subdivision of land reliant upon on-site wastewater management, or a new development is proposed with reliance upon on-site wastewater management.

The OWMP outlines how onsite treatment and disposal of wastewater of less than 5,000 litres peak daily flow, whether from domestic, commercial, or industrial sites, is assessed. The proposed OWMP also incorporates the recent changes in the Environment Protection Act 2019, and the final draft is presented for Council endorsement following extensive engagement with key stakeholders.

As outlined in the Engagement Plan, stakeholder engagement has been principally undertaken with representatives of the two applicable water authorities – Goulburn Murray Water and Goulburn Valley Water. The Action Plan included in the earlier DWMP has been reviewed and updated, to reflect actions completed over the life of the earlier Plan. Stakeholder discussions have included reviewing the previously agreed approaches to development in the catchment and the actions included in the Plan to inspect existing ‘legacy’ wastewater systems.

Emerging risks and opportunities have been considered, and the resources required to implement the agreed actions in the OWMP have also been reviewed, to ensure existing on-site wastewater systems are reviewed and assessed based on the perceived risk to the community and the environment, and improvements sought where necessary.

In recent years, the COVID-19 pandemic, together with a significant increase in local population growth and new residential development around Mansfield, have impacted Council’s ability to engage consistently with the owners of existing ‘legacy’ systems. Property owners looking to implement system improvement works have also been impacted by the pandemic, however due to reduced attendance at holiday homes for extended periods, the level of offsite discharge has reduced.

Although the 200 per annum target for inspection of existing ‘legacy’ wastewater systems has not been met over the 7-year period of the current Plan, the stakeholder review has retained this target as being an appropriate level for the OWMP given the large number of existing legacy systems and the level of new development occurring. A new initiative was approved by Council as part of the 2022-23 Budget to increase the resources in the wastewater management team to meet the inspection target and improve the follow-up of remedial works with property owners.

Due to the technical nature of the OWMP document, engagement with the broader community has not been undertaken over the update and redrafting of the document. Following endorsement by Council, further implementation actions included in the project’s Engagement Plan include the notification of community stakeholders and raising awareness of the changes arising from the new EPA legislation, including responsibilities for property owners.

Recommendation

THAT COUNCIL:

- Adopts the updated On-site Wastewater Management Plan (OWMP) 2022.
- Notes the updated Action Plan included in Part 10 of the OWMP 2022.
- Provides a copy of the adopted OWMP 2022 to each of the Water Authorities and thanks them for their participation in the review process.
- Notes the further engagement proposed with community and identified stakeholders regarding ongoing responsibilities related to system monitoring and management.

Support Attachments

1. Final of Word Version On site Post GMW Update for Council [13.2.3.1 - 69 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Potential sustainability implications include the availability of land for subdivision and development that may be impacted in the absence of a current OWMP being in place. Improved environmental outcomes are expected to be delivered by implementing the agreed OWMP Action Plan and the risk-based requirements for assessment of land capability. Appropriate development opportunities and assessment will be supported, whilst improvements required to existing legacy systems will be managed so that poorly performing wastewater systems are identified and upgraded based on the perceived level of risk.

Council resources to undertake site assessments in accordance with the Action Plan have been reviewed, to enable better identification and tracking of system failures and remedial action, in addition to systems installed as part of new developments. Better monitoring and management of on-site wastewater systems will improve public health and environmental outcomes within catchment areas.

Community Engagement

Due to the technical nature of the OWMP document, engagement with the broader community has not been undertaken over the update and redrafting of the document.

Engagement has occurred with key stakeholders (as referenced below) during the development of the OWMP and their views and suggestions have been incorporated in the revised Plan.

The OWMP Engagement Plan also identified the need for ongoing community engagement activity, which will occur following endorsement of the updated document. This ongoing engagement activity will seek to inform residents, ratepayers and other stakeholders of the legislative changes and increased expectations regarding the monitoring and operation of on-site wastewater systems arising from the EPA amendments.

The requirements associated with the alteration or installation of new wastewater systems are generally well known by property developers and associated service providers such as consultants providing Land Capability Assessments (LCA's) and advice on subdivision or development potential.

The following key stakeholders have been involved in the OWMP engagement and provided with the opportunity to provide feedback on the updated document:

- Goulburn Murray Water
- Goulburn Valley Water
- Environmental Protection Authority
- Other Water Authorities
- Taungurung Land & Waters Council
- Department of Environment, Land, Water and Planning (DELWP)

The Engagement Plan also identified the following groups of project stakeholders to receive targeted communications as part of the ongoing engagement process following adoption of the updated OWMP document:

- Land Capability Assessors
- Real Estate Agents
- Mansfield District Business Association
- Property Owners
- Property Developers
- Building Contractors and Plumbers

Ongoing targeted communications to those groups referenced above will be undertaken in conjunction with the delivery of actions within the OWMP, for the life of the OWMP. An example of this was the recent rates notice insert/e-flyer delivered with the May 2022 quarter rates notice.

Following adoption, notification to the broader community will be provided via Mansfield Matters, media releases and social media content. Council's website will be updated to include links to a FAQ sheet and the adopted OWMP 2022 document.

Collaboration

The development of the OWMP has included extensive consultation with the relevant Water Authorities GMW and GVW. The implementation of the plan will also involve ongoing engagement with these partner agencies. The Action Plan requires ongoing engagement with project partners including quarterly meetings, 6 monthly reporting and the joint development and input to the Monitoring and Reporting component of the Plan.

Financial Impact

Provision has been made within the adopted 2022-23 Budget for additional resourcing to ensure the actions included in the Action Plan can be delivered, with the emphasis being on the inspection and review of existing on-site wastewater systems and subsequent engagement with property owners.

Legal and Risk Implications

Adoption of this Plan and the implementation of the agreed actions will help to address the identified environmental risks associated with poorly performing wastewater systems. The implementation process will also assist with providing consistent direction to property owners and developers.

Applicants seeking to develop properties with onsite wastewater management systems will need to comply with the requirements of the EPA Code of Practice "Onsite Wastewater Management" – Publication 891.4.

Progress on implementation of the OWMP Action Plan will be reported annually to Council and a formal Audit is also scheduled to occur 2 years after adoption.

Regional, State and National Plans and Policies

The following policy and legislative considerations apply to this matter:

- Council currently has an adopted DWMP that referenced a 5 yearly review. Adoption of this OWMP will update that earlier Plan.
- Recent legislative changes to the Environment Protection Act; the requirement for municipalities to have a plan that addresses on-site wastewater management has been 'preserved' under the legislative changes, and the Ministerial Guideline for "Planning Permit applications in open, potable water supply catchment areas" remains valid.
- The requirements of the Taungurung Recognition and Settlement Agreement - Land Use Activity Agreement, August 2020, provide for consultation over the Plan. This has occurred as part of the stakeholder engagement.
- The new EPA Act and Regulations 2020 focus on risk avoidance and the introduction of "General Environmental Duties" for Council and for property owners and occupiers including those with a wastewater system. The new legislation requires owners to identify and notify Council of wastewater system failures (applicable from 1 July 2021). This requirement has recently been communicated to all municipal landowners with land that is not serviced by the GMW reticulated sewer network.

Innovation and Continuous Improvement

Not Applicable.

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.

Theme 1: Connected and Healthy Community

Strategic Objective 2: Activities that promote connection and fitness of our people and visitors

Strategy 2.3 Enhance the social and economic value of tourism to Mansfield.

Theme 2: Vibrant Liveability

Strategic Objective 3 Future focused: Intelligent land use and infrastructure

Strategy 3.1 Protect natural vistas and farm lets

Strategy 3.2 Enhance township character

Strategy 3.3 Improve roads, drainage, and footpaths

Strategy 3.4 Plan for and encourage appropriate housing development

Strategic Objective 4 Clean and green: Waste and energy sustainability

Strategy 4.1 Minimise and re-use waste. Many wastewater systems are now able to incorporate reuse of wastewater into their lawn watering requirements.

Strategic Objective 5 Prosperous: Industries, businesses, and workforces of the future

Strategy 5.2 Enable land use and base infrastructure that stimulates commercial activity

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

Strategic Objective 7 Financial sustainability and value for money

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

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"

Strategy 8.2 Develop capacity and capability to advocate powerfully for the most important interests of the Mansfield 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. The Senior Coordinator Community Safety is a landholder with an on-site wastewater management system that will be subject to the requirements regarding review

13.2.4. Planning Scheme Amendment C51mans Part 2 - Adoption

File Number	E9777	Responsible Officer	Manager Planning & Environment, Melissa Crane
Purpose			

The purpose of this report is to advise Council of the results from the Planning Panel hearing on Planning Scheme Amendment C51mans Part 2, together with a recommendation for Council to adopt a varied version of the amendment in response to the recommendations of the Planning Panel.

Executive Summary

The *Mansfield Commercial and Industrial Land Use Strategy 2021* was prepared by consultants Charter Keck Cramer on behalf of Council to:

- Secure, strengthen and diversify the economic and employment base of Mansfield Shire.
- Provide long term, sustainable commercial and industrial growth in Mansfield Shire.

Council adopted the Strategy on 22 June 2021, also resolving to commence an amendment to implement the Strategy into the Mansfield Planning Scheme, which was prepared and exhibited as Planning Scheme Amendment C51mans. Eighteen (18) submissions were received to C51, two (2) from agencies, three (3) from community groups, twelve (12) from individuals and one (1) from consultants Ratio on behalf of the landowner of 2-4 and 8-10 Station Street, Mansfield.

At its meeting on 15 February 2022, Council resolved as follows:

That Council:

Having considered all submissions to Amendment C51 under Section 22 of the Act; resolves to:

- 1. Split Amendment C51 to the Mansfield Planning Scheme into two parts, Part 1 to include Industrial and Bonnie Doon aspects to be adopted without changes and Part 2 to include commercial aspects to be referred to an independent panel.*

In relation to Part 2, the following was resolved:

- 1. Under Section 23 of the Act, refer submissions to Amendment C51 (Part 2) to the Mansfield Planning Scheme to an independent panel appointed under Part 8 of the Act.*
- 2. The summary of submissions to Amendment C51 (Part 2) (Attachment 2) be adopted as Mansfield Shire Council's position on the submissions that will be presented to an independent panel.*
- 3. Each submitter to Amendment C51 (Part 2) be notified in writing of Mansfield Shire Council's position regarding their submission and informed of the forthcoming independent panel process.*

The panel hearing was conducted on the 24 and 25 May 2022, in front of Chair Lisa Kendall and Panel Member Alison McFarlane. The panel report was publicly released on 26 July 2022 and a copy can be found at Attachment 1.

The panel report for C51mans Part 2 made the following recommendation:

1. Mansfield Planning Scheme Amendment C51mans Part 2 be abandoned.

The panel recommendation was based on the following conclusions:

- The Amendment is not strategically justified and is premature.
- Further strategic work is required to properly anticipate and respond to future commercial and industrial needs of the Mansfield township.
- Rezoning of land in Curia Street is not strategically justified and not appropriate.
- Land at 2-4 Station Street should be retained in the existing Commercial 1 Zone.
- The proposed floor space cap for 'Shop' would undermine the proper operation of the Commercial 1 Zone in the Mansfield town centre.
- Rezoning land in Dead Horse Lane from Low Density Residential Zone to Mixed Use Zone is not strategically justified.
- Development guidelines for the Dead Horse Lane Industrial Precinct should be prepared consistent with recommendation of the Mansfield Township Strategic Framework Plan (Clause 11.01-1L-01).

Section 27 (1) of the Planning and Environment Act 1987 (the Act) requires that Council consider the panel's report before deciding on whether to adopt an amendment. The Act does not require Council to adopt the recommendation of the panel specifically, and Section 29 of the Act allows Council to adopt the amendment with or without changes.

An assessment of the panel report has been undertaken by Council officers, and it is recommended Council not abandon the amendment, but adopt Amendment C51mans Part 2 with changes for submission to the Minister for Planning, supported by clarifying information to support that alternative position, as detailed in this report and Attachment 2.

The position recommended by Council officers is to adopt a varied version of the exhibited amendment, with the rezoning on the residential precinct in Curia Street to be submitted to the Minister for Planning for approval.

Key Issues

Amendment C51 was exhibited to implement the adopted recommendations of the *Mansfield Commercial and Industrial Land Use Strategy 2021*. C51mans Part 1 was split from the main amendment and submitted to the Minister for Planning on 15 March 2022. Part 1 of the amendment proposed rezoning of land from Farming to Industrial 1 in Mansfield and some corrective rezoning in Bonnie Doon. Neither proposal was contested in the exhibition of the strategy or the amendment.

For C51mans Part 2, the elements referred to Planning Panel were as follows:

- Amend Clause 21.07, Economic Development to revise commercial and industrial issues, objectives and strategies.
- Amend Clause 21.09, Mansfield Township, to revise commercial and industrial objectives and strategies for the Mansfield township (three different precincts) and revise the Mansfield Township Framework Plan.
- Amend Clause 34.01, Commercial 1 Zone schedule to identify various land parcels in High, Curia, Nolan and Baldry Streets, Mansfield where a planning permit is required for a shop in all instances, i.e., above 0 square metres in area, discouraging retail use with a

preference 'for commercial office uses for single enterprises as well as health care, education and recreation uses'.

- Amend the Schedule to Clause 72.08, Background Documents to include the Mansfield Commercial and Industrial Land Use Strategy 2021 as a background document to the Mansfield Planning Scheme
- Rezone land in the Mansfield township area to reflect the predominant and preferred long-term use of the land, as follows:
 - Rezone 264 - 282 Dead Horse Lane from Low Density Residential to Mixed Use;
 - Rezone 5 – 17 Crosbys Lane from Mixed Use to Commercial 2;
 - Rezone 19 – 55 Curia Street and 2 – 4 and 8 – 10 Station Street from Commercial 1 to General Residential 1.

In July the Planning Panels Victoria report for the Mansfield Planning Scheme Amendment C51mans Part 2 was received, which has recommended that C51mans Part 2 be abandoned.

Issues raised for consideration by the panel in submissions against C51mans Part 2, primarily from 140 High Street Pty Ltd in relation to the rezoning proposed at Curia Street, were that the Amendment:

- Contains no rigorous empirical assessment of the longer-term commercial land supply and demand for the township, or any substantive analysis of the impact of removing C1Z land from the commercial land supply.
- Without this assessment, it does not properly consider the effect of the removal of commercially zoned land, in the longer term, in an adequate way.

This view was not supported by the multiple community submissions made to the panel in support of C51mans Part 2, who raised the following points:

- There is an acute shortage of housing in the township.
- Increased online commerce will impact on future commercial floorspace requirements.
- Land use in the town centre is dynamic and more sites are becoming available as service industries increasingly relocate to larger format retailing areas, like the Mt Buller Road precinct.
- There will be increased commercial opportunities in the Station Precinct.

Both the Strategy and the amendment were subject to extensive community engagement. Council's position at the panel hearing was in line with the adopted *Mansfield Commercial and Industrial Land Use Strategy 2021* and the above community submissions presented at the Panel hearing. Council's position on the Curia Street rezoning element of the amendment was presented at the panel hearing and included the following:

- Main road locations are preferred for all forms of retail use, strata titled office uses and all general commercial uses.
- Non-main road commercial land that is (a) exclusively residential and (b) remote from the township's core commercial area is not supported for future commercial uses. Specifically, the dwellings along the western section of Curia Street that are currently zoned for commercial purposes are not supported for future commercial uses based on their residential context and distance from the township's core commercial area (the land is more than 500 metres from the intersection of High and Highett Streets).
- Distinguishing preferred commercial uses in the township serves the dual purpose of:

- Helping direct future retail growth to the township’s main street locations including land west of Highett Street. These are locations that are best able to support the accessibility requirements and traffic impacts of retail uses.
- Providing a policy basis to both support and discourage new commercial uses in the township’s commercially zoned residential streets.

However, the panel commented that:

“The Commercial and Industrial Strategy is not based on a contemporary supply and demand analysis, which the Panel considers to be a significant flaw and one which impacts on the credibility of the Strategy.”

This appears to be the underlying reason for the panel recommendation to abandon the amendment, as they felt that the supply and demand figures used to inform the Strategy were not contemporary enough. The *Mansfield Commercial and Industrial Land Use Strategy 2021* relied on the supply and demand analysis contained in the *Mansfield Structure Plan 2015*. This projected that an additional 7400sqm of retail space would be needed over the period of 2013 to 2031. It is of concern that the panel recommendation to abandon all elements of this amendment, based predominantly on supply and demand figures, does not adequately represent Council or the community's position for the residential precinct in Curia Street.

Council officers have assessed the panel report recommendation and note that although the panel raised issues with the supply and demand figures, the original recommendation to rezone the land in Curia Street was not based on an identified need for commercial land, but on other factors, as follows:

1. To recognise the existing character of the area, being a residential precinct.
2. To help direct commercial and industrial development to main road frontages, in an effort to prevent inappropriate spread of commercial development.
3. There is a high demand for housing in Mansfield, above and beyond the demand for retail space.

In order to further establish this point, an analysis of the various documents has been undertaken to respond to the panel position that a contemporary supply and demand assessment was required, and this detailed assessment can be found at Attachment 2.

The *Mansfield Commercial and Industrial Land Use Strategy 2021* estimated a total existing retail floor space area of 17,000m², which is predominantly located within the Mansfield Township CBD. Based on the information provided from the 2021 Census (refer Attachment 2), the value added by retail related turnover for Mansfield Shire was \$47.2 Million in 2021.

Considering retail floorspace efficiency, the current market can support 15,857m² of commercial floor area across the shire. Given the current supply of retail floor space, it is evident that there is an oversupply of 1,142m². In addition, there is still capacity within the existing CBD area to provide additional retail floor space with development of vacant lots and redevelopment of underutilised allotments.

A comparison of the various figures in relation to retail floor space has been undertaken and is based on the figures contained in Attachment 2:

Item	Projected requirements	Actual experience	Difference
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Required retail floor space by 2031	23,810sqm (16,410 existing plus expected additional 7,400)	20,668 sqm (17,000 existing less current oversupply of 1,142 plus expected additional 5,400)	3,142sqm overestimated
Additional retail floor space to be provided	7,400sqm by 2031	5,400sqm by 2031	2,000sqm overestimated

The above table demonstrates that the projected requirements in the Mansfield Structure Plan overestimated nearly 30% more retail space was required in Mansfield by 2031 than will actually be required.

It was also confirmed through the 2021 Census that the population of Mansfield Shire was estimated at 10,178 persons. This high population growth has resulted in an increase of 3.48% per annum in comparison to the rest of regional Victoria’s average growth rate of 1.33%. It is this residential growth that has, in part, led to the natural conversion of the Curia Street precinct from commercial to residential.

It is the position of Council officers that:

1. A supply and demand assessment would not have supported the retention of this land in the Commercial 1 Zone.
2. The rezoning of this land recognises the residential nature of this area and the panel report has not given due consideration to this element.
3. The rezoning of this land will not undermine the commercial viability of the existing commercial operations.

Due to this, it is considered that the rezoning of the Curia Street precinct should be submitted to the Minister for Planning for approval, as it does not rely on the supply and demand figures, supports orderly planning and residential amenity, and responds to the identified need for residential development in close proximity to the centre of town.

It is also noted that the General Residential 1 Zone has the following purpose:

- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The third point, being allowing a limited range of non-residential uses, is of importance in this proposal. The following lists some of the non-residential uses that are able to be considered on these allotments:

1. No permit required:
 - a. Home based business
 - b. Medical centre up to 250sqm
 - c. Place of worship
2. Planning permit required:
 - a. Car park
 - b. Car wash
 - c. Convenience restaurant (must adjoin a road in the Transport Zone)
 - d. Convenience shop

- e. Food and drink premises Market
- f. Place of assembly
- g. Plant nursery
- h. Service Station (must adjoin a road in the Transport Zone and a commercial zone)

This demonstrates that while some uses are more restricted, the General Residential Zone will not prohibit a commercial operation. This rezoning will provide more recognition of the residential nature of this area. It is these considerations that have informed the officers' recommendation for Council to adopt the amendment with changes.

Recommendation
<p>THAT COUNCIL</p> <ol style="list-style-type: none"> 1. Having been authorised by the Minister for Planning to prepare Amendment C51mans to the Mansfield Planning Scheme under Section 8A (4) of the <i>Planning and Environment Act 1987</i> ('the Act'); 2. Having prepared and exhibited Amendment C51mans to the Mansfield Planning Scheme under Section 19 of the Act; 3. Having considered all submissions to Amendment C51mans under Section 22 of the Act and splitting the amendment into C51mans Part 1 and C51mans Part 2; 4. Having considered the report of the independent panel to consider submissions to Amendment C51mans Part 2 under Section 27 of the Act; <p>Mansfield Shire Council resolves to:</p> <ol style="list-style-type: none"> 1. Adopt Amendment C51mans Part 2 to the Mansfield Planning Scheme, in accordance with Section 29 of the Act, with changes to include recommendations of the independent panel, as follows: <ol style="list-style-type: none"> a. Rezone the land on the northern side of Curia Street, Mansfield, between Apollo and Elvins Street, known as 19 – 55 Curia Street, the rear of 2 – 4 Station Street and 8 – 10 Station Street as outlined in the attached Amendment C51mans Part 2 package. 2. Submit Amendment C51mans Part 2 to the Mansfield Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with Section 31 of the Act. 3. Advise all submitters to Amendment C51mans Part 2 of Mansfield Shire Council's adoption of the amendment.
Support Attachments
<ol style="list-style-type: none"> 1. Mansfield C 51 mans Part 2 Panel Report [13.2.4.1 - 41 pages] 2. C51mans Part 2 Assessment of Panel Report (1) [13.2.4.2 - 9 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Part 2 of this amendment, with the only element being recommended for adoption being the rezoning of land in Curia Street, recognises the existing use of the residential precinct in this area, and will assist in protecting the amenity of the residential properties.

Community Engagement

This amendment has been subject to an extensive community engagement process, with the following being undertaken:

For the *Mansfield Commercial and Industrial Strategy 2021*:

- Formal exhibition of the background Issues and Opportunities paper.
- Two rounds of formal exhibition of the draft Strategy to the community.
- Direct notification of the proposed Strategy to affected parties
- Changes to the Strategy to incorporate input from community and business owners.

For Planning Scheme Amendment C51mans:

- Formal notification of exhibition of the amendment was given to potentially affected agencies, groups and landowners under Section 19 of the Planning and Environment Act 1987.

Eighteen (18) submissions were received to the amendment, the majority of which relate to commercial issues. The unresolved commercial issues were referred to Planning Panels Victoria, and the results of this hearing are published in the panel report. This process allowed full and independent community input into the planning process.

Collaboration

Not Applicable

Financial Impact

Amendment C51 contained some resource and financial implications, as follows:

- Resource implications required some use of contract labour. Costs for the contract labour were \$20,812 and fell within the existing budget for contractors within the Strategic Planning program.
- Panel costs vary according to resources required; costs for a panel to hear up to 10 submissions is \$15,345.60, and for 10 to 20 submissions, the fee is \$30,661.20. While the final invoice has not yet been received, an interim invoice of \$15,852.63 has already been paid.
- Prescribed fees for the amendment, provided it proceeds, will be \$488.50 for adoption of the amendment. This will be incurred twice, as the amendment has been split into two parts.

All these costs will be funded from the current strategic planning budget and a grant that was obtained from the Victorian Planning Authority for \$53,250.

Legal and Risk Implications

There is no legal risk associated with this amendment. The planning panel provides a formal legal process to review the unresolved submissions under Part 2 of C51, as required by legislation.

Regional, State and National Plans and Policies

Upon approval by the Minister for Planning, the Mansfield Planning Scheme will be amended to include the provisions of Amendment C51mans.

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 3.4 Plan for and encourage appropriate housing

Theme 2: Vibrant Liveability Strategic Objective 5 Prosperous: Industries, businesses and workforces of the future

Strategy 5.1 Create conditions that enable local businesses

Strategy 5.2 Enable land use and base infrastructure that stimulates commercial activity

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.

13.2.5. DP001B/22 140 Highton Lane - Amendment to Development Plan

File Number	DP001B/22	Responsible Officer	Manager Planning & Environment, Melissa Crane
Purpose			

To seek council approval of an amendment to the Development Plan for 140 Highton Lane Mansfield.

Executive Summary

Council has received an application to amend the approved Development Plan for 140 Highton Lane, Mansfield. The proposed amended development plan can be found at Attachment 1. The current Development Plan was approved in 2020.

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

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

The following is a summary of the main changes proposed by the applicant from the current approved development plan:

- Increase in the number of lots allowed in the northern section from 6 to 14 (8 additional lots).
- Increase in the number of lots allowed in the southern section from 12 to 14 (2 additional lots).
- Change in how the short stay accommodation is provided on site, from being in the stables to being separate buildings at the rear of lots 1 to 4.
- Removal of the Bell Tower construction.
- Removal of the vineyard.
- Removing the construction of a new dam from the proposal.

The development plan that was originally approved in 2008 has been amended on 4 different occasions.

There have been six (6) objections to the current application, with the grounds of these objections discussed in detail in Attachment 4 of this report. While the objections raise a range

of issues, the application to amend the development plan can only be assessed against the changes proposed from the current approved plan.

It is noted that if the development plan was to remain as currently approved this property could be developed for a residential subdivision and the site could continue to be used for a function centre and short-term accommodation. The proposed amendment only changes how those elements are undertaken.

Key Issues

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

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

The Highton Manor Development Plan consists of 7 sections, as follows:

1. Introduction
2. Proposal
3. General Information
4. Development and Building Requirements
5. Development Guidelines
6. Building Guidelines for New Building on Highton Manor Title
7. Building Guidelines for New Building on all Other Titles

The amended development plan provides for changes to Section 5, 6 and 7 only, but due to the various changes over time, Council officers and the applicant have taken the opportunity to clean up and fix the document. Due to the various changes over time, a detailed analysis of these changes to the development plan itself has been done and can be found at Attachment 2. There were also a range of plans and proposed subdivisions in each version of the Development Plan, and an analysis of the changes to the plans can be found at Attachment 3.

There are six (6) objections to the amendment, with some issues raised in these objections about the proposed changes, and some issues raised that relate to the existing approved development plan. Council officers have limited capacity to require the applicant to make changes to the existing approval and need to direct the assessment to the specified proposed changes only. A detailed assessment of all grounds of objection can be found at Attachment 4.

The following changes have been made by the applicant to address the concerns raised by objectors:

- Reinstatement of a building exclusion zone at the rear of existing lots 5 and 6.

- Reinstatement and reduction in size of the building envelopes for lots 9 to 22. This includes increasing the setback from the rear boundary for lots 9 to 20 from 1 metre to 4 metres.
- Requirement for a Section 173 Agreement to prohibit further subdivision of the allotments.

In addition to the changes, Council officers have recommended that the following additional changes be made to the development prior to approval. These are included in the recommendation as conditions of approval:

- Wording changes to require the retention or relocation of part of the vineyard.
- Inclusion of specific reference to the Mansfield Urban Design Framework 2005, specifying a development contribution to works to be paid to Council.

The applicant has been advised that both of these changes are being recommended.

A summary of all the proposed changes from the existing approved plan is as follows:

Item	Proposed Change	Officer Assessment
5.1.1	Predominantly the same as originally approved, but with the removal of the reference to the vineyard only.	The applicant has advised that they would be either retaining the vineyard in part or relocating it elsewhere on the property. This is being included in the recommendation as a required change to the development plan.
5.1.2	Removed reference to a new dam as there is not an intention to put another dam into the site as part of the gardens.	Council officers have no objection to this element, as any stormwater management will be done in accordance with the Infrastructure Design Manual.
5.1.7	Slight change to allow some flexibility with living space windows facing east	Council officers have no objection to this element, as any dwelling will have to comply with ResCode provisions with address how light is provided to habitable rooms.
5.2.1	Change to reflect the new plans that are being considered.	This is a required change to provide better clarity in the development plan.
5.3.1	Change to reflect the existing access arrangements for the lots on Highton Lane, and to reflect the proposed construction method for internal roads.	This is a required change to provide better clarity in the development plan.
5.3.2	Change to remove the second element of the objective to allow some flexibility in location of internal driveway.	Council officers have no objection to this element.
5.3.3	Remove the word "reserve" from the objective.	This reflects that the internal driveway will be part of the development, and not become a council asset.
5.4.1	Remove the 6m wide landscaping for Highton Lane properties and change the landscaped reserve to be landscaped open space.	The first element being removed reflects the actual development that has been undertaken. This landscaping strip had been included to be between Highton Lane and the first stage of the development. This part of the development, now containing the dwellings that front Highton Lane, was originally anticipated to be accessed from within the development site. When it was

		<p>changed to have houses fronting Highton Lane, this requirement should have been removed at that point, but was left in the DP in error.</p> <p>The second change has been assessed and Council officers have no objection to this element as the land will not be a council reserve.</p>
5.5.1	Reinstating the original objectives for separation and a visual frame per the 2008 plan.	Council officers have no objection to this element.
5.5.2	Remove the 6m wide landscaping for Highton Lane properties, and the vineyard reference.	<p>The first element being removed reflects the actual development that has been undertaken. This landscaping strip had been included to be between Highton Lane and the first stage of the development. This part of the development, now containing the dwellings that front Highton Lane, was originally anticipated to be accessed from within the development site. When it was changed to have houses fronting Highton Lane, this requirement should have been removed at that point, but was left in the DP in error.</p> <p>The removal of the vineyard reference has been raised as of concern by the objectors. The applicant has advised that they would be either retaining the vineyard in part or relocating it elsewhere on the property. This is being included in the recommendation as a required change to the development plan.</p>
5.5.3	Removes reference to a new dam.	Council officers have no objection to this element, as any stormwater management will be done in accordance with the Infrastructure Design Manual.
5.5.4	Remove the vineyard reference.	The removal of the vineyard reference has been raised as of concern by the objectors. The applicant has advised that they would be either retaining the vineyard in part or relocating it elsewhere on the property. This is being included in the recommendation as a required change to the development plan.
5.5.5	Remove the 6m wide landscaping for Highton Lane properties.	This element being removed reflects the actual development that has been undertaken. This landscaping strip had been included to be between Highton Lane and the first stage of the development. This part of the development, now containing the dwellings that front Highton Lane, was originally anticipated to be accessed from within the development site. When it was changed to have houses fronting Highton Lane, this requirement should have been

		removed at that point, but was left in the DP in error.
5.5.7	Correcting the location of the hedge to be on the eastern side of the rear fences of properties fronting Highton Lane.	Council officers have no objection to this element, as it puts the requirement on Highton Manor, not the individual allotments.
5.6.2	Changes the fencing requirements to reflect the proposed fencing.	This is considered reasonable.
5.6.3	Deleting this element as covered in proposed 5.6.2.	This is considered reasonable.
5.6.4	Renumber and provide clarity for lots adjacent to Highton Lane.	This is considered reasonable.
5.7.1	Remove reference to MATV.	Council officers have no objection to this element, as it refers to redundant technology.
5.8.1	Removes reference to new dam.	Council officers have no objection to this element, as any stormwater management will be done in accordance with the Infrastructure Design Manual.
5.8.1	Change reference to reticulating water for landscaped areas.	Council officers have no objection to this element, as it reflects how the land will be managed.
5.10.1	Puts a limitation on further subdivision back into the plan.	This provides certainty for all on how many lots will be allowed.
6.1	Changes the provisions to require that the works respect the heritage character of the site.	Council officers have no objection to this element.
6.2	To be deleted.	Council officers have no objection to this element, as the bell tower and conservatory are not being constructed.
6.3	Renumber and change to remove reference to the demolition of the shed.	Council officers have no objection to this element.
7.1	Puts parameters back into the Development Plan about setbacks, building envelopes and a tree protection zone.	This provides certainty for all on how the lots can be developed.
7.2.2	Changes the provision to reflect the manner in which buildings around heritage buildings should be constructed.	Council officers have no objection to this element.

When considering the changes to the actual plan of subdivision, the plan below is the existing approved plan. Attachment 3 details the changes to plans approved over time. Note the absence of building envelopes and tree protection areas on the existing approved plan:



The plan below is the plan currently being considered for approval. Note the additional lots, the application of building envelopes and protection zones and changes to the location of short stay accommodation (now located at the rear of lots 1 to 4):



Recommendation

THAT COUNCIL approve the amended Highton Manor Development Plan, applying to the land known as 140 Highton Lane, Mansfield, Lots 2, 3 and 4 on Plan of Subdivision 749853R, general in accordance with the Development Plan attached to this report, but with the following changes:

1. In Section 4, the development plan must be amended to direction that
 - a. “The developer must provide contributions to Council in accordance with Clause 13 of the Mansfield Urban Design Framework 2005 to the satisfaction of the Responsible Authority. Such contributions may be cash or works in kind to the satisfaction of the Responsible Authority”.
2. At point 5.1.1, amended wording to reflect the retention of a vineyard on site to the satisfaction of the Responsible Authority.
3. At points 5.5.1, 5.5.2 and 5.5.4 include wording to require retention or relocation of part of the vineyard, to the satisfaction of the Responsible Authority.

Support Attachments

1. Amended Highton Manor Development Plan- Rev A.3-2022.07.14 140 Highton Lane Mansfield [13.2.5.1 - 43 pages]
2. Assessment of Highton Manor Development Plans [13.2.5.2 - 13 pages]
3. Highton Manor Development Plan - Plan assessment [13.2.5.3 - 4 pages]
4. Highton Manor Development Plan Assessment of Objections (1) [13.2.5.4 - 11 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

The amendment to the Development Plan has been subject to notification to nearby and adjoining owners, by way of a sign on site and a public notice in the Mansfield Courier. As part of this process 6 objections were received. An assessment of the objections, the responses from the applicant and officer consideration of each objection has been undertaken. This detailed assessment can be found at Attachment 4.

It is noted that the objections do raise issues that go beyond what the applicant is requesting be amended, and as such, Council officers have been required to limit their assessment of the proposal to elements that are proposed to be changed in the new development plan. There have been some changes made to the plan that have been at the request of the objectors in order to address some of the concerns raised with the current application. These changes include:

- Reinstatement of a building exclusion zone at the rear of existing lots 5 and 6
- Reinstatement and reduction in size of the building envelopes for lots 9 to 22. This includes increasing the setback from the rear boundary for lots 9 to 20 from 1 metre to 4 metres.
- Requirement for a Section 173 Agreement to prohibit further subdivision of the allotments.

Collaboration

Not Applicable

Financial Impact

Not Applicable

Legal and Risk Implications

This amendment to the Development Plan is being undertaken in accordance with the requirements of the Planning and Environment Act 1987.

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 3.1 Protect natural vistas and farmlets

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.

13.3. Community and Corporate Services Directorate

13.3.1. Beolite Village Refund

File Number	E8152	Responsible Officer	Manager Business & Performance, Tony Cooper
Purpose			

Within the ratings framework, Beolite Village is treated over four components. These are:

1. Parent Assessment – original purchase of undeveloped land in 2009
2. Residential Assessments – these are the individual houses that have been built on sections of the parent assessment
3. Community Centre
4. Vacant Land - additional land purchased in 2015

In February 2022, Council received a request from Beolite Retirement Village to have their properties classified as non-rateable on the grounds that the Village was run for charitable purposes.

In July 2022, Council received further communications from Beolite Village stating that the residential premises should be classified as non-rateable.

Executive Summary

Council sought legal advice with respect to the initial February request. The legal advice indicated that the Community Centre met the threshold for being classified as non-rateable and council have responded accordingly, whilst the parent, residential and vacant land assessments were all rateable.

The Community Centre has been re-classified as non-rateable and Council are being asked to approve a refund of \$4,254.49, being the value of the rates, municipal and community waste charges that have been paid since the Community Centre was separated from the parent assessment in 2019. Council believes that this is an appropriate purpose for a refund.

Council has the power under the Local Government Act to offer a rebate or concession in relation to the three other assessments. Beolite have sought legal advice in relation to their request which has indicated that the parent and residential assessment's all meet the threshold for being non-rateable. This is contrary to Council's legal advice.

Key Issues

Council has received legal advice that the Community Centre be classified as non-rateable, and are being asked to approve a refund of rates collected since 2019.

Legal Advice provided to Council and Beolite contradict each other in relation to the rateability of the parent and residential assessments.

Council notes that:

- Since 2015, Council have waived \$9,390 of planning fees in favour of Beolite;
- The undeveloped land of the parent assessment receives a discounted differential of 92% of the general rate due to its classification as rural residential property; and
- In 2013 Council adopted a rebate of \$352 to Beolite Village on the basis that the Community Centre served a purpose for the community in general. This rebate continued until the 2021-22 financial year. No rebate has been adopted in the 2022/23 Budget. Council is not seeking reimbursement of this rebate as it relates to the refund of the Community Centre rates for the last three years.

Recommendation

THAT COUNCIL:

1. Refund rates and municipal and community waste charges remitted since the Community Centre became a separate assessable property in 2019 and therefore considered non-rateable, i.e., three years of rates being the sum of \$4,254.49.

Support Attachments

Nil

Considerations and Implications of Recommendation

Sustainability Implications

Not Applicable

Community Engagement

Not Applicable

Collaboration

Not Applicable

Financial Impact

As the Community Centre is deemed non-rateable rates, bin levy and community waste charge of approximately \$1,500 will not be collected from Beolite in 2022-23.

Any refunds will result in a reduction in Council's net position in the 2022-23 financial year

Legal and Risk Implications

Beolite Village have indicated that they may take legal action against the council to achieve the aim of having the entire Beolite Village made non-rateable.

Council's legal advice indicates that Beolite Village, except the Community Centre meet the legal requirements of being rateable.

Regional, State and National Plans and Policies

Not Applicable

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council

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

Strategy 8.2: Increase community trust in Council to make informed decisions with “no surprises”

Governance - Disclosure of Conflicts of Interest

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

13.3.2. Mansfield Shire Governance Rules 2022

File Number	E6994	Responsible Officer	Coordinator Governance & Risk, Moira Moss
Purpose			

The Mansfield Shire Council Governance Rules 2022 are presented here for Council adoption.

Executive Summary

During the pandemic, Part 12 (COVID-19 temporary measures) of the *Local Government Act 2020 (LGA 2020)* allowed Councillors and Members of Delegated Committees to participate in meetings remotely by electronic means of communication. These temporary measures, cease on 1 September 2022.

The State Government has now passed the Regulatory Legislation Amendment (Reform) Act 2022 which amends the *LGA 2020* to provide for attendance and participation in online Council meetings and delegated committees. The language used in the amendment is “by electronic means of communication”. These changes replace the existing temporary emergency provisions and will commence on 2nd September.

By this date Council’s Governance Rules will need to make express provision for requesting and approval of attendance at Council and Delegated Committee meetings by electronic means of communication.

The Governance Department with assistance from Maddocks has reviewed the Governance Rules to comply with the legislative amendments, and propose changes put forward to Council to adopt.

Section 60(4) of the *LGA 2020* requires that a process of community engagement is followed when amending Governance Rules. The updated Mansfield Shire Council Governance Rules 2022 (Rules) have undergone a community engagement process in line with Section 56 of the *LGA 2020*, Community Engagement Principles and Mansfield Shire’s Community Engagement Policy 2021.

Key Issues

The changes to the Governance Rules are as follows:

1. Chapter 2 Rule 72 - **Mode of Attendance** to include wholly in person, wholly electronic or hybrid. It also includes conditions that must be met for remote attendance
 - a. Substitution of 'in attendance' for 'present' throughout. 'In attendance' allows for meeting participation by electronic or in person means;
2. Rule 6 - **Election of the Mayor** - clarification of use of the lot system to obtain an absolute majority in line with Section 25 of the Local Government Act 2020 (the Act);
3. Deletion of the Chapter 6 Rule 1 requirement of **reporting of Informal Meetings of Councillors** (Assembly of Councillors) at the next Council meeting. This is no longer required under the Act, so Council has the discretion to delete this reporting requirement;
4. Chapter 2 Rule 74 **Criticism of members of Council Staff** has been included

5. Clarification of Chapter 2 Rule 12 **Notice of meeting to the Public**
6. **Method of voting** in all sections to include any visual or audible means as the CEO determines, as well as a show of hands;
7. Clarification of **conflict of interest** notification needing to include whether general or material throughout;
8. Use of **Gender-neutral language** throughout

Council has the option to accept all or part of the proposed amendments or reject them and return to the pre-COVID meeting protocols from 2 September 2022.

Items one and two relate specifically to the enablement of Council meetings via electronic participation. The amendments allow Council to determine whether to hold meetings wholly online or in person and how each meeting should be conducted on a case-by-case basis. The Governance Rules also allow for a hybrid model (both in person and online). Whilst the Council may not currently have the technology to do so it is prudent to allow this to occur should the Council decide to hold hybrid meetings in the future.

Item three is no longer a requirement of the *LGA 2020* and has been deleted. It was previously included pursuant to requirements under the *Local Government Act 1989*. Acceptance of this amendment will reduce unnecessary administrative work for Council.

Item four allows the Chief Executive Officer to respond to any criticism of Council Staff at a Council meeting, immediately after the criticism is made.

Item five clarifies the provision of Notice to the Public by various means including publication on the internet, via social media, publication in the newspaper and by notice at the Municipal Office.

Amendments to items six and seven are not substantive, being clarification in the Governance Rules of existing requirements.

Item eight reflects a move to gender-neutral language, which addresses inclusion in the community and is considered best practice. Further, a Gender Impact Assessment has been completed pursuant to the Victorian *Gender Equality Act 2020*.

Recommendation
THAT COUNCIL adopt the Mansfield Shire Council Governance Rules 2022
Support Attachments
1. Governance Rules 2022 [13.3.2.1 - 48 pages]

Considerations and Implications of Recommendation

Sustainability Implications

Electronic participation reduces the environmental footprint of attendance at meetings by reducing the use of printing out paper, and fuel for transport to attend in person. It is also socially sustainable as it allows for attendance by members of the community including non-resident ratepayers living outside of Mansfield.

Community Engagement

The updated Mansfield Shire Council Governance Rules 2022 (Rules) have undergone a community engagement process in line with Section 56 of the *LGA 2020*, Community Engagement Principles and Mansfield Shire's Community Engagement Policy 2021.

The proposed Governance Rules have been made available for public comment and feedback both online at the Engage Mansfield website, and two drop-in sessions at Council's Municipal Office. There were no attendees at these consultation sessions.

17 parties viewed the Engage site, three downloaded copies of the documents, and one left feedback. This feedback was 100% positive, seeing this change to the rules as "environmentally positive saving 100 km of emissions to travel to Mansfield."

Highlights

Total Visits	17
Max Visitors Per Day	6
New Registrations	0
Engaged Visitors	1
Informed Visitors	4
Aware Visitors	17

Gender Impact Assessment

A Gender Impact Assessment has been completed in relation to these Governance Rules pursuant to the Victorian *Gender Equality Act 2020*.

Human Rights

The Governance Rules have been assessed against the Victorian *Charter of Human Rights and Responsibilities (the Charter)* which contains 20 rights that reflect four basic principles of Freedom, Respect, Equality and Dignity, and is compliant with obligations and objectives of the Charter.

Collaboration

Not Applicable

Financial Impact

The Governance Rules have been developed using the Maddocks Governance Rules Template (\$990) as a guide. There are no other financial implications associated with these Governance Rules.

Legal and Risk Implications

There is a regulatory risk of not complying with the legislation should Council not update the Governance Rules and continues with electronic participation after the 2 September 2022 in meetings of Council and Delegated Committees.

Failure to comply with the legislation, would damage the reputation of Council. Council affirming its position on electronic participation by way of adopting the Governance Rules 2022 negates these risks.

Regional, State and National Plans and Policies

This initiative is in accordance with the Victorian State Policy which allows Local Government to include electronic participation in all meetings.

Innovation and Continuous Improvement

Review of the Governance Rules in line with community expectations and changes in social acceptance of electronic means of communication and participation is evidence of Council continuously improving and innovating as required by the *LGA 2020*.

Alignment to Council Plan

Theme 3: A Trusted, Effective and Efficient Council

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

Strategy 6.1: 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. Assembly of Councillors

An assembly of Councillors is referred to in Council’s Governance Rules as a “meeting conducted under the auspices of Council”, meaning a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name);

A written record of each assembly is held by Council and is available for public inspection.

The following is a list for the past month of assemblies held, the issues discussed and any conflicts of interest declared.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
2 August 2022	<p>Councillors’ Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb • Cr James Tehan <p>External Attendees:</p> <ul style="list-style-type: none"> • Mark Bailey, Goulburn Murray Water • Steve Hall, Goulburn Murray Water • Regan Flanagan, Goulburn Valley Water <p>Officers:</p> <ul style="list-style-type: none"> • Interim CEO, Bill Millard • GM Infrastructure and Planning, Kirsten Alexander • GM Community and Corporate Services, Dena Vlekkert • Manager Planning and Environment, Melissa Crane • Strategic Planner, Oscar Yencken • Manager Business & Performance, Tony Cooper • Economic Development Officer – Tourism & Events, Gareth MacDonald 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Mansfield Open Space Strategy • Planning Scheme Amendment C51mans Part 2 - Panel Report Discussion • 2021/22 Adjustment of Council’s Waste Management Reserve • Beolite Rate Rebate/Discount Request • Domestic Animal Management Plan • The Great ARTdoors Project Information • Governance Rules Engagement • Mansfield Emergency Services Precinct • Goulburn Murray Water • Goulburn Valley Water
2 August 2022	<p>Additional Meeting of Council</p> <p>Councillors:</p> <ul style="list-style-type: none"> • Cr Mark Holcombe • Cr Steve Rabie • Cr Paul Sladdin • Cr Rohan Webb • Cr James Tehan <p>Officers:</p> <ul style="list-style-type: none"> • Interim CEO, Bill Millard • GM Community and Corporate Services, Dena Vlekkert 	<p><i>Conflicts of Interest:</i> Nil</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> • Appointment of Mansfield Shire Council Chief Executive Officer

Recommendation

THAT COUNCIL receive and note the Assembly of Councillors report for the period 19 July 2022 to 2 August 2022.

15. Council Meeting Resolution Actions Status Register

This report presents to Council a schedule of outstanding actions and those recently completed from Council meetings held from 1 July 2021 to 2 August 2022.

Since the 19 July 2022 meeting two of four actions assigned by Council have been completed: Awarding of the HVAR tender and Appointment of the new Chief Executive Officer.

Since 1 July 2021, there are now only ten incomplete items on the Register, of which seven are in progress and three are awaiting external response.

Recommendation

THAT COUNCIL receive and note the Council Resolutions Register as at 10 August 2022 2022.

Support Attachments

1. Council Resolution Action Register for Meeting 16 August 2022 (1) [15.1.1 - 9 pages]

16. Advisory and Special Committee reports

Nil

17. Authorisation of sealing of documents

Nil

18. 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 19 below.

19. Confidential Reports

19.1 Prospective Purchase of Land for Road Access Purposes

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(a) – Council business information, being information that would prejudice the Council’s position in commercial negotiations if prematurely released.

20. Reopen meeting to members of the public

Recommendation

THAT COUNCIL reopen the meeting to members of the public.

21. Close of meeting