

OFFICIAL



Mansfield Shire

## MINUTES

# Council Meeting

Tuesday 16 April 2024

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Our aspiration for our Shire and its community

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

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# Agenda Contents

- 1. Opening of the meeting .....3
- 2. Present .....3
- 3. Apologies.....3
- 4. Statement of commitment .....3
- 5. Acknowledgement of Country .....3
- 6. Disclosure of conflicts of interest.....3
- 7. Confirmation of minutes .....3
- 8. Representations .....4
- 9. Notices of motion.....4
- 10. Mayor's report .....4
- 11. Reports from council appointed representatives .....4
- 12. Public question time .....4
- 13. Officer reports.....4
  - 13.1. Chief Executive Officer's report .....4
  - 13.2. Infrastructure and Planning Directorate .....4
    - 13.2.1. P030/23 - 152 Davies Road Merrijig .....4
    - 13.2.2. P019/24 - 160 Owens Creek Drive Mansfield .....4
    - 13.2.3. High Country Arena (Mansfield Zoo) MOU for Emergency Use.....7
  - 13.3. Business and Economic Development Directorate.....7
    - 13.3.1. Quarterly Finance Report .....7
    - 13.3.2. Gravel Cycling Program Update.....7
- 14. Council Meeting Resolution Actions Status Register .....8
- 15. Advisory and Special Committee reports .....8
- 16. Authorisation of sealing of documents .....8
- 17. Close of meeting .....8

## 1. Opening of the meeting

Mayor Steve Rabie opened the meeting at 5:00 pm.

## 2. Present

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

In Attendance:

Chief Executive Officer:

Kirsten Alexander

General Manager Infrastructure & Planning:

Melissa Crane

Governance Officer:

Chelsea Young

Coordinating Statutory Planning:

Nicole Embling

Senior Statutory Planning:

Claire Wilkinson

Financial Controller:

Michael McCormack

Emergency Management Officer:

Tamara Watson

## 3. Apologies

General Manager Business & Economic Development, Julie Williams.

## 4. Statement of commitment

Mayor Steve Rabie read Council's Statement and called on each Councillor to confirm their commitment:

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

## 5. Acknowledgement of Country

Councillor Mark Holcombe recited Council's Acknowledgement of Country:

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

## 6. Disclosure of conflicts of interest

Mayor Steve Rabie declared a conflict of interest in respect of item 13.2.2 'P1924 - 160 Owens Creek Drive, Mansfield'

## 7. Confirmation of minutes

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT the Minutes of the Mansfield Shire Council meeting held on 19 March 2024 be confirmed as an accurate record.

**CARRIED**

## 8. Representations

### 13.2.1 'P030/23 – 152 Davies Road Merrijig'

- Tony Roussos
- Ross Mackinnon
- Trudie Horsfall
- Rhonda Scott and Jaya Naidu (Written deputation spoken by Coordinator Statutory Planning, Nicole Embling)

### 13.2.2 'P019/24 – 160 Owens Creek Drive Mansfield'

- Ben Willick

## 9. Notices of motion

Nil

## 10. Mayor's report

**Councillor Mark Holcombe/Councillor Rohan Webb:**

THAT COUNCIL receive the Mayor's report for the period 20 March 2024 to 10 April 2024.

**CARRIED**

## 11. Reports from council appointed representatives

**Councillor Mark Holcombe/Councillor Paul Sladdin:**

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

**CARRIED**

## 12. Public question time

Nil

## 13. Officer reports

### 13.1. Chief Executive Officer's report

**Councillor Mark Holcombe/Councillor Rohan Webb:**

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 19 March 2024 to 10 April 2024.

**CARRIED**

### 13.2. Infrastructure and Planning Directorate

#### 13.2.1. P030/23 - 152 Davies Road Merrijig

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL refer the item back to officers for further assessment prior to being tabled at a future council meeting.

**CARRIED**

Mayor Steve Rabie left the meeting at 6:05 pm.

### **13.2.2. P019/24 - 160 Owens Creek Drive Mansfield**

#### **Councillor Paul Sladdin/Councillor Rohan Webb:**

THAT COUNCIL issue a Planning Permit for Planning Application P019/24 for Development of land for a dwelling and an outbuilding on Lot 32 on Plan of Subdivision 847761A, commonly addressed as 160 Owens Creek Drive, Mansfield in accordance with the endorsed plans and subject to the following conditions:-

#### **Endorsed Plans**

1. The use as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.

#### **External Materials**

2. The external materials of the buildings allowed under this permit, including the roof, must be constructed of materials that are of muted colours to the satisfaction of the Responsible Authority. No materials having a highly reflective surface must be used. For the purpose of the condition "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials. Cladding materials must be coloured or painted in muted colours.

#### **Outbuilding**

3. The outbuilding must not be used for human habitation at any time.

#### **Dwelling Infrastructure**

4. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
5. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
6. The dwelling approved by this permit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
7. The dwelling approved by this permit must be connected to a reticulated electricity supply or have an alternative energy source.

#### **Landscaping**

8. Within three (3) months of the completion of the dwelling, the landscaping as shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority, unless with the prior written consent of the Responsible Authority.
9. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

#### **Environmental Health**

10. Prior to commencement of the development, a 'Permit to Install Septic System' must be approved by the Environmental Health Department of Council.
11. The onsite wastewater disposal system must be developed in accordance with the Land Capability Assessment (Report No. A161002) prepared by Paul Williams & Association Pty Ltd, dated August 2017, to the satisfaction of the Responsible Authority.

#### **Engineering**

12. Appropriate measures must be implemented throughout the construction stage of development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land to the satisfaction of the Responsible Authority.

13. Any damage to Council managed assets (such as roads and stormwater infrastructure) as a result of the development must be repaired at the cost of the developer to the satisfaction of the Responsible Authority.
14. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991) to the satisfaction of the Responsible Authority.

#### **Site Cut and Fill Batters**

15. Prior to completion of the dwelling and outbuilding, the site cut and fill batters must be managed to the satisfaction of the Responsible Authority. These works must be one of the following:
  - a. Construct sediment traps and retaining walls to ensure no erosion occurs;  
OR
  - b. Construct a batter crest catch drain above the site cut to direct runoff water away from the face of the batter, to collect and divert water onto a gentler slope that releases onto rock, easing the erosive force of channelled water at release point. Cut and fill batters are to be stabilised using top soil no deeper than 150mm sown down with suitable vegetation and properly drained in order to minimise batter erosion and slumping.

#### **Erosion and Sediment Control**

16. Prior to the commencement of construction, silt fencing material such as straw hay bales (stacked and keyed into the ground surface) should be placed along drainage paths within the construction area to prevent sediment entering downstream drainage lines. Soil batters steeper than 2:1 (horizontal:vertical) should be stabilised with Environmat or an effective treatment, to the satisfaction of the Responsible Authority.
17. All works must be undertaken in a manner that minimises soil erosion to the greatest extent practicable, and any exposed areas of soil must be stabilised to prevent soil erosion, to the satisfaction of the responsible authority.
18. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into drains or watercourses.

#### **Stormwater**

19. All stormwater discharging from the site, buildings, vehicle access ways and works must be discharged to a water tank, soakwell or otherwise discharged so as not to cause erosion, flooding or nuisance to the subject or surrounding land to the satisfaction of the Responsible Authority. The water tank/s must be in muted, non reflective tones to the satisfaction of the Responsible Authority.

#### **Goulburn Murray Water**

20. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).
21. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a certificate of conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
22. The wastewater disposal area must be located generally in accordance with the Land Capability Assessment Report No. A161002, Drawing No. 5, dated August 2017, completed by Paul Williams & Associates, to the satisfaction of Council's Environmental Health Department.
23. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.
24. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy (based on full occupancy of the dwelling and shed), including an appropriately sized disposal area based on a full

water balance specific to the proposal and subject land in accordance with the requirements of the current EPA Code of Practice – Onsite Wastewater Management, to the satisfaction of Council’s Environmental Health Department.

25. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

#### **Permit Expiry**

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

- a. The development is not started within two (2) years of the date of this permit
- b. The development is not completed and use commenced within four (4) years of the date of this permit.

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

#### **NOTATIONS**

- 1) This permit does not authorise the commencement of any building construction works. Before any such development may commence, the permit holder must apply for and obtain appropriate building approval.
- 2) A site assessment for determining the bushfire attack level (BAL) in relation to the construction of a building has not been considered as part of this planning permit.
- 3) An application for works within a road reserve is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the Road Management Act 2004.

**CARRIED**

Mayor Steve Rabie returned to the meeting at 6:14 pm

### **13.2.3. High Country Arena (Mansfield Zoo) MOU for Emergency Use Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL:

1. Endorses the Memorandum of Understanding (MOU) with High Country Arena – Mansfield Zoo for the emergency use of the arena as an Emergency Relief Centre for livestock and pets.
2. Authorises the Chief Executive Officer to execute the MOU with the High Country Arena.
3. Authorises the Chief Executive Officer to execute future MOU’s for the emergency housing of livestock and pets at identified locations around Mansfield Shire.

**CARRIED**

### **13.3. Business and Economic Development Directorate**

#### **13.3.1. Quarterly Finance Report**

**Councillor Mark Holcombe/Councillor Rohan Webb:**

THAT COUNCIL receives the Budget Report for the period 1 July 2023 to 29 February 2024.

**CARRIED**

#### **13.3.2. Gravel Cycling Program Update**

**Councillor Rohan Webb/Councillor Paul Sladdin:**

THAT COUNCIL note the report and associated Memorandum of Understanding established with Tourism North East for the Activating Gravel Cycling Project.

**CARRIED**

## 14. Council Meeting Resolution Actions Status Register

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 5 April 2024.

**CARRIED**

## 15. Advisory and Special Committee reports

Nil

## 16. Authorisation of sealing of documents

Nil

## 17. Close of meeting

The Council Meeting Agenda 16 April 2024 was closed at 6:39 pm.

CONFIRMED this **twenty first** day of **May 2024**

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**Mayor**