

OFFICIAL



Mansfield Shire

MINUTES

Council Meeting

Tuesday 19 August 2025

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.

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.....	5
13.1. Chief Executive Officer's report	5
13.2. Investment and Planning	5
13.2.1. Planning Permit Application P016-25: 8-10 Chenery Street Mansfield	5
13.2.2. Planning Permit Application P149-22: 240 Malcolm Street Mansfield	5
13.2.3. Parking Infringement Penalties	15
13.3. People, Communications and Governance	15
13.3.1. Disposal or Sale of Council Assets Policy	15
13.4. Capital Works and Operations	16
13.4.1. Mansfield Learner Accessible Pool Scheme (LAPS) Funding	16
13.5. Executive Services Directorate	16
13.5.1. Council Plan Actions 2024-25	16
14. Council Meeting Resolution Actions Status Register	16
15. Advisory and Special Committee reports	16
16. Authorisation of sealing of documents	17
17. Closure of meeting to members of the public.....	17
18. Confidential Reports.....	17
18.1. Tender Award: Mansfield Heritage Museum	17
19. Reopen meeting to members of the public.....	17
20. Close of meeting	17

1. Opening of the meeting

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

2. Present

- Councillor Rabie
- Councillor Tehan
- Councillor Treasure
- Councillor Clark
- Councillor Berenyi

In Attendance:

Chief Executive Officer:

General Manager Investment & Planning:

Acting Executive Manager Operations & Capital Works:

Executive Manager Community Health & Wellbeing:

Governance & Risk Officer:

Senior Coordinator Planning:

Manager Development Services:

Manager Operations & Capital Works:

Kirsten Alexander

Melissa Crane

Justin Hotton

Janique Snyder

Chelsea Young

Nicole Embling

Maya Balvonova

Nick Maple

3. Apologies

Nil

4. Statement of commitment

Councillor 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 Model Code of Conduct. We will, at all times, faithfully represent and uphold the trust placed in us by the community."

5. Acknowledgement of Country

Councillor James Tehan recited Council's Acknowledgement of Country:

"Our meeting is being held on the traditional lands of the Taungurung people. We wish to acknowledge them as the traditional custodians and pay our respects to their Elders past and present. We extend that respect to all members of our community."

6. Disclosure of conflicts of interest

Councillor Tim Berenyi declared a conflict of interest in respect of item 18.1. 'Tender Award: Mansfield Heritage Museum'.

7. Confirmation of minutes

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT the Minutes of the Mansfield Shire Council meeting held on 15 July 2025 be confirmed as an accurate record.

CARRIED

8. Representations

13.2.1. 'Planning Permit Application P016-25: 8-10 Chenery Street Mansfield'

- Aimee Trew (Town Planning Associate – Gawk)

13.2.2. 'Planning Permit Application P149-22: 240 Malcolm Street Mansfield'

- Nick Vlahandreas

9. Notices of motion

Nil

10. Mayor's report

Councillor Tim Berenyi/Councillor Mandy Treasure:

THAT COUNCIL receive the Mayor's report for the period 16 July 2025 to 13 August 2025.

CARRIED

11. Reports from council appointed representatives

Councillor Mandy Treasure/Councillor Bonnie Clark:

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

CARRIED

12. Public question time

Question 1:

From Claire Greenwood:

Will more budget be allocated for Christmas Decorations for 2025? I noticed very minimal (if much) decorations in December 2024, the main ones for very small reindeer in the Highett/High Street roundabout added on 9 December. For a town that is growing with more young families, do you agree it is important to plan for, and provide an atmosphere of festivities and enjoyment? It also shows tourists we take pride in showcasing our town during this special time of year. I understand my sentiment has been felt broadly.

Response:

Thank you for your question. We appreciate your feedback and understand that festive displays play an important role in creating an atmosphere for both residents and visitors, particularly in a growing community like ours.

Each year, Council installs a large Christmas tree in the median strip on High Street. We also cover the public bins with Christmas-themed posters, as these are highly visible to pedestrian traffic. As noted, in 2024 we also purchased the reindeers for the Highett Street / High Street roundabout and wrapped tinsel around the umbrellas along the median strip.

Planning for Christmas 2025 is currently underway. We are hoping to partner with the community to enhance the festive aesthetic. We thank you for your interest.

13. Officer reports

13.1. Chief Executive Officer's report

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 July 2025 to 31 July 2025.

CARRIED

13.2. Investment and Planning

13.2.1. Planning Permit Application P016-25: 8-10 Chenery Street Mansfield

Councillor Tim Berenyi/Councillor Mandy Treasure:

THAT COUNCIL resolves to issue a **Notice of Decision to Refuse to Grant a Permit** for Planning Permit Application P016-25 for a Major Promotion Sign at Lot 2 on PS311622F, commonly known as 8-10 Chenery Street Mansfield, for the following reasons:

1. Proposal is inconsistent with the Mansfield Planning Strategy, 2022, as the inclusion of a major promotion sign contradicts the preferred character statements for Mansfield Township, in particular:
 - a. *To recognise, support and protect neighbourhood character, cultural identity and sense of place in Mansfield Shire.*
 - b. *To encourage new development to achieve architectural and urban design outcomes that positively contribute to local character.*
 - c. *Allow views to front gardens and dwellings.*
 - d. *Encourage development that respects the rhythm of street frontages and front setbacks to avoid transitioning to an urban suburban character.*
2. Proposal is inconsistent with the purpose of Clause 15.01-1L Urban design in Mansfield Township CBD;
 - a. *Site and design development to respond to the existing built form character of the centre.*
 - b. *Design signs to be proportionate to the building façade and directed to the verandah and below verandah.*
3. Proposal is inconsistent with the strategies of Clause 15.01-5S Neighbourhood Character;
 - a. *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
 - b. *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
 - i. *Neighbourhood character values and built form that reflect community identity.**
4. Proposal is inconsistent with the purpose of Clause 52.05 Signs;
 - a. *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
 - b. *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
 - c. *To ensure signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*

CARRIED

13.2.2. Planning Permit Application P149-22: 240 Malcolm Street Mansfield

Councillor Bonnie Clark/Councillor Tim Berenyi:

THAT COUNCIL issue a **Planning Permit** for a nine (9) lot staged subdivision at 240 Malcolm Street, Mansfield, subject to the following conditions:

Amended Plans

1. Prior to the commencement of works or certification of the plan of subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and be generally in accordance with those submitted with the application, but modified to show:
 - a. 30-metre-wide Building Exclusion Zone along Owens Creek.
 - b. Tree Protection Zones.
 - c. Building envelopes where the Tree Protection Zones are excluded.
 - d. New boundaries must be a minimum of 1-metre from the trunk of any native tree.
 - e. Footpath and crossover locations.
 - f. Landscape Plan is required in accordance with Condition 24.
 - g. Staging plan.

Endorsed Plans

2. The subdivision must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.
3. The Plan submitted for Certification must include the following, in accordance with the Endorsed Plans:
 - a. 30-metre-wide Building Exclusion Zone and native vegetation buffer for Owens Creek.
 - b. Building Envelopes.
 - c. Tree Protection Zones.

Section 173 Agreement

4. Prior to the issue of a Statement of Compliance, the permit holder must enter into an agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987, to the effect that:
 - a. No encroachment of buildings, works or associated infrastructure of more than 10% into any Tree Protection Zone.
 - b. Any dwelling constructed must provide a rainwater tank with a capacity not less than 25,000 litres (or by written consent of the Responsible Authority). The rainwater tanks must be installed and connected to the toilet cistern, laundry or garden taps.
 - c. Boundary fencing is to be open rural style of post and rail or post and wire.
 - d. CFA requirements, as detailed by Condition 59 of this permit.
 - e. All building floor levels to be constructed at least 300 millimetres above the natural surrounding ground level.
 - f. Buildings and works to be set back a minimum distance of 30 metres from designated waterways.
 - g. Effluent absorption fields for onsite wastewater treatment systems must be located a minimum distance of 60 metres from designated waterways.
 - h. The 30-metre-wide buffer area along Owens Creek is to be maintained with native vegetation and suitably fenced to exclude stock.
 - i. GMW requirements, as detailed by Condition 73 of this permit.

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

Cultural Heritage Management Plan

5. All works associated with the subdivision must be undertaken in accordance with the approved Cultural Heritage Management Plan.

Mandatory Subdivision Conditions

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

Prior to Certification

12. Prior to the commencement of works for certification of the plan of subdivision (whichever occurs first), the owner or developer must submit to the Responsible Authority a written report and photos of any existing/prior damage to public infrastructure. The report must detail the condition of kerb & channel, footpath, seal, streetlights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development.
13. Unless identified within the written report, any damage to infrastructure will be attributed to the development. The permit holder must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development permitted by this permit, prior to the issue of a Statement of Compliance or at a later time as may be agreed by the Responsible Authority.
14. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
15. Prior to the certification of the plan of subdivision, all design drawings must be submitted to Council for approval. All works must be designed in accordance with the Infrastructure Design Manual (IDM) and to the satisfaction of Council. All works constructed or carried out must be in accordance with these plans to the satisfaction of the Responsible

Authority.

16. Prior to the certification of the plan of subdivision, a Site Management Plan (SMP) is to be submitted and approved by Council. The SMP must contain at minimum:
 - a. Protection of significant native vegetation during the construction of roads, reticulated services and other infrastructure.
 - b. Prevention of adverse environmental impacts on existing waterways including through run-off and siltation.
 - c. Procedures to ensure access by construction vehicles during the construction does not impact the amenity of the surrounding neighbourhood.
 - d. Measures in accordance with EPA Victoria Publication *960 Doing it right on subdivisions: Temporary environmental protection measures for subdivision construction sites*.
17. Temporary barriers must be erected around the Tree Protection Zones of existing trees and maintained during construction to the satisfaction of the Responsible Authority.
18. Easements must be provided over all infrastructure services located within the boundaries of any lots.
19. Before the certification of the plan of subdivision, construction and drainage plans and computations to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. All works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.
20. Interrupted overland flow from this development must not be allowed to impact on the adjacent lots.
21. Altered overland flow paths must pass through the designed routes within reserves for municipal purposes or within easements. No overland flows shall be allowed to impact on the adjacent or downstream lots.

Native Vegetation

22. Works must not encroach more than 10% into the Tree Protection Zone of any Native Trees and new boundaries must not be within 1 metre of the trunk of any Native Tree.
23. Except with the written consent of the Responsible Authority, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
 - a. vehicular or pedestrian access;
 - b. trenching or soil excavation;
 - c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - d. construction of entry and exit pits for underground services; or
 - e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Landscaping

24. Prior to the certification of the plan of subdivision, a detailed landscape plan must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of the permit. The landscape plan must be drawn to scale with dimensions must be provided. The landscape plan must be consistent with the construction plans for the development and must show:
 - a. New planting, including their layout to be provided in any road reserves and municipal reserves;
 - b. Detailed planting schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant. The plant schedule should be based on the recommended planting schedule documented in the Revegetation Guide for the Goulburn Broken Catchment as published by the Goulburn Broken Catchment Management Authority;

- c. The removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds;
- d. All trees planted as part of the landscape works must have a minimum height of 2-metres at the time of planting unless otherwise agreed by the Responsible Authority;
- e. The supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve/s);
- f. Soil quality and planting techniques in median or verge tree planting zones along roads that will support full growth of medium to large trees;
- g. Mechanisms for the exclusion of vehicles;
- h. All proposed open space, streetscape embellishments such as installation of pathways, garden beds, seating, shelters, tree planting, signage, retaining walls, protective fencing (temporary and permanent); and
- i. Detailed designs for all stormwater treatment features such as bio-retention systems.

Environmental Health

25. Prior to the certification of the plan of subdivision, a detailed report on the functioning and serviceability of the existing onsite wastewater management system on proposed lot 1 must be submitted to the satisfaction of and approved by the Responsible Authority. Any existing wastewater system located on proposed Lot 1 that is not compliant with the requirements of the EPA Guidelines for Onsite Wastewater Management, must be decommissioned to the satisfaction of Councils Environmental Health Department.
26. Prior to the development of each individual allotment, a Permit to Install an on-site wastewater system is to be obtained from Council.
27. The system must meet the minimum standard as detailed within the *Land Capability Assessment, SJE Consulting dated January 2022*, and be to the satisfaction of Council. Any alternate design must be supported by an addendum or alternate LCA design and be to the satisfaction of Council.
28. A copy of this Permit and the Land Capability Assessment prepared by SJE Consulting, January 2022 must be provided to any prospective purchaser of the land or proposed Lots.

Road and Access

29. Prior to Certification of the Plan of Subdivision detailed construction plans must be prepared to the satisfaction of the Responsible Authority. All works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.
30. 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.

Earthworks

31. The extent and depth of all proposed lot filling is to be denoted on the design plan. Where depths of fill on allotments exceed 300mm, those areas are to be clearly differentiated from areas where the depths of fill are less than 300mm.
32. Where the depth of fill exceeds 300mm, the fill is to be compacted in accordance with the Compaction Requirements of VicRoads Technical Specification.

Prior to Statement of Compliance

33. Any damage to Council assets such as roads and stormwater infrastructure, must be repaired at the cost of the developer to the satisfaction of the Responsible Authority.
34. Prior to the issue of a Statement of Compliance, all nature strips must be seeded and fertilised and grass must be established to the satisfaction of the Responsible Authority.

35. Prior to the issue of Statement of Compliance of the final stage, or such later time as may be agreed in writing by the Responsible Authority, the permit holder must provide a Public Open Space Contribution of 5% of the total land area to the Responsible Authority, which must comprise:
 - a. A cash contribution equivalent to 5% of the site value of the land of all land in the subdivision; and
 - b. Any costs associated with valuation of the land including valuers fees.The permit holder must make a request to Council to commence the process involved with this condition.
36. Prior to the issue of Statement of Compliance and Practical Completion a Security Bond is to be paid to the Responsible Authority for 20% of the total documented cost of the landscaping works based on tender fees.
37. This bond will be released following a satisfactory inspection and completion of the 24-months maintenance period.
38. Altered overland flow paths must pass within easements to the satisfaction of the Responsible Authority.
39. Prior to the issue of a Statement of Compliance, the developer is required to pay to The Responsible Authority a cash contribution of:
 - a. 0.75% of the total actual documented cost of the engineering works for the checking of engineering plans associated with the development approved herewith.
 - b. 2.5% of the total actual documented cost of the engineering works for the supervision of works associated with the development approved herewith.
40. The Responsible Authority for plan checking and supervision must obtain, in writing, the name of the project coordinator appointed to oversee the works and notification of commencement date prior commencing works.
41. Following completion of all works, and prior to issuing of the Statement of Compliance, "as constructed" drawings relating to drainage assets and assets with the road reserve must be submitted to Council in AutoCAD format. In addition, as constructed measurements as digital data in a GIS ready format must be provided relating to drainage assets and assets with the road reserve in accordance with the current version of D-SPEC and R-SPEC.
42. Prior to the issue of a Statement of Compliance a 2.5-metre-wide sealed footpath must be constructed along one side of the road along the frontage of the land and along the new road, including around the court bowl.
43. All road, road related areas and public open spaces within the new subdivision shall be provided with public lighting in accordance with the minimum requirement for Category P lighting guidelines and light technical parameters in AS/NZS 1158.3.1 and as approved by the Responsible Authority. All public lighting must incorporate the use of energy efficient globes.
44. Prior to the issue of Statement of Compliance all roads and intersections are to be signed and line marked to be compliant with *VicRoads Traffic Engineering Manual Volume 2*.
45. Prior to the issue of Statement of Compliance sealed vehicle crossovers must be constructed (one per lot) for each lot in accordance with the Infrastructure Design Manual and to the satisfaction of the Responsible Authority.
46. Prior to the issue of a Statement of Compliance and Practical Completion a Security Bond is to be paid to the Responsible Authority for 5% of the total documented cost of the engineering works based on tender fees.
47. This bond will be released following a satisfactory inspection and after completion of the Defects Liability Period of 12-months. The Defects Liability Period will commence from the release of the new Titles where the road reserve is created and Council becomes the Road Manager, or as agreed to in writing by the Responsible Authority.

48. Prior to the issue of Statement of Compliance a rural-style fence must be constructed along the west side of Owens Creek to provide stock exclusion a minimum of 30-metres from the top of the bank.
49. The area between the new fence and the Creek, and 30-metres or to the east property boundary, whichever is lesser, on the east side of the Creek must be planted using native vegetation to the satisfaction of the Responsible Authority.

AusNet Electricity Services

50. Enter into an agreement with Ausnet Electricity Services Pty Ltd for supply of electricity to each lot on the endorsed plan.
51. Enter into an agreement with Ausnet Electricity Services Pty Ltd for the rearrangement of the existing electricity supply system.
52. Enter into an agreement with Ausnet Electricity Services Pty Ltd for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by Ausnet Electricity Services Pty Ltd.
53. Provide easements satisfactory to Ausnet Electricity Services Pty Ltd for the purpose of "Power Line" in the favour of "Ausnet Electricity Services Pty Ltd" pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing Ausnet Electricity Services Pty Ltd electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
54. Obtain for the use of Ausnet Electricity Services Pty Ltd any other easement required to service the lots.
55. Adjust the position of any existing Ausnet Electricity Services Pty Ltd easement to accord with the position of the electricity line(s) as determined by survey.
56. Set aside on the plan of subdivision Reserves for the use of Ausnet Electricity Services Pty Ltd for electric substations.
57. Given the existing 22kV feeder is a REFCL feeder, additional HV underground assets may trigger the need for a REFCL isolating substation. Should this be required, an additional reserve may be required on the plan of subdivision for the use of Ausnet Electricity Services Pty Ltd for electric substations.
58. Provide survey plans for any electric substations required by Ausnet Electricity Services Pty Ltd and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. Ausnet Electricity Services Pty Ltd requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.
59. Provide to Ausnet Electricity Services Pty Ltd a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.
60. Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by Ausnet Electricity Services Pty Ltd. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.
61. Ensure that all necessary auditing is completed to the satisfaction of Ausnet Electricity Services Pty Ltd to allow the new network assets to be safely connected to the distribution network.

Country Fire Authority (CFA)

62. Before the development starts, the Development Plan prepared by Mountain Planning Rev. A and dated 20 July 2022 must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.
63. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the

following requirements must be met to the satisfaction of the CFA:

- a. 10,000 litres of effective water supply for fire fighting purposes must be provided on each lot which meets the following requirements:
 - i. Is stored in an above ground water tank constructed of concrete or metal.
 - ii. Is located no greater than 60 metres and no less than 10 metres from the building.
 - iii. All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
 - iv. Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
 - v. The outlet/s of the water tank must be within 4m of the access way and be unobstructed.
 - vi. Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
 - vii. Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).
 - viii. A safe fire truck hard standing area of 10.3 m x 5.5 m clear of obstructions is provided at least 10 m from the building.

64. Roads must be constructed to the following requirements:

- a. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b. Curves must have a minimum inner radius of 10 metres.
- c. The trafficable width must be a minimum of 3.5 metres, be of all-weather construction and have a load limit of at least 15 tonnes.
- d. Where the distance to the nearest intersection exceeds 60 metres then a turning area for firefighting vehicles must be provided by one of the following:
 - a. A turning circle with a minimum radius of 8 metres.
 - b. The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre service vehicle.

Department of Energy, Environment and Climate Action (DEECA)

65. Before works start, a protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at a minimum of:

- a. 12 times the diameter of the tree trunk at 130 cm above ground level (to a maximum distance of 15 metres) but no less than 2 metres from the base of the trunk, and
- b. 2 metres from remnant patches of native vegetation.

The protection fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the Department of Environment, Land, Water and Planning. The protection fence must remain in place at least until all works are completed to the satisfaction of the department.

66. Except with the written consent of the department, within the area of native vegetation to be retained and any Tree Protection Zone (TPZ) associated with the permitted use and/or development, the following is prohibited:

- a. vehicular or pedestrian access;
- b. trenching or soil excavation;
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- d. construction of entry and exit pits for underground services; or
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

67. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites.

Goulburn Broken Catchment Management Authority (GBCMA)

68. All building floor levels to be constructed at least 300 millimetres above the natural surrounding ground level.

69. Buildings and works to be set back a minimum distance of 30 metres from designated waterways.

70. Effluent absorption fields must be located a minimum distance of 60 metres from designated waterways.

71. New access routes, or works, on designated waterways are subject to permit, from the Goulburn Broken Catchment Management Authority, under Bylaw No. 3.

72. All land within waterways is to be set aside for waterway protection.

Goulburn Murray Water (GMW)

73. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

74. Any Plan of Subdivision submitted for certification must show a 30m building exclusion zone along Owens Creek located on the eastern side of the subject land.

75. A 30 metre wide buffer strip of native vegetation must be established and maintained on both sides of Owens Creek. Stock must be prevented from having access to this area.

76. Prior to the Statement of Compliance being issued, the wastewater system servicing the existing dwelling on proposed Lot 1 must be upgraded if necessary to the satisfaction of council's Environmental Health Department.

77. The wastewater disposal area associated with any future development must be:

- a. All wastewater from the dwelling must be treated and disposed of using an approved system. 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.
- b. 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.
- c. must be appropriately sized to manage the potential volume of wastewater generated under full occupancy (based on a minimum number of bedrooms), based on a full water balance specific to the proposal and subject land in accordance with the EPA Code of Practice – Onsite Wastewater Management.
- d. located at least 100m from any waterways, 40m from any drainage lines, 60m from any dams, and 20m from any bores.
- e. *Where wastewater is treated to at least a secondary standard, the distance may be reduced in accordance with the current EPA Code of Practice – Onsite Wastewater Management. However where possible setback distances must be maximised.

78. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

Goulburn Valley Water (GVW)

79. Payment of new customer contribution charges for water supply to the development, such amount being determined by the Corporation at the time of payment.

80. Provision of a reticulated water supply and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley

Region Water Corporation; (The works may include, but not be limited to water main upgrade, construction of a water booster pumping station, storage or tanks and trunk mains).

81. Provision of one water tapping per lot and/or in Common Property with manifold meter assembly to service each Lot at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of the Goulburn Valley Region Water Corporation.
82. Any existing water service that crosses any of the proposed allotment boundaries within the proposed development must be disconnected and re-located at the developer's expense, to be wholly within one allotment only, including notification of the proposed lot to be serviced by the existing water meter, to the satisfaction of the Goulburn Valley Region Water Corporation.
83. Disconnection of private water service and directly connected to the newly constructed water main.
84. The land to be included in an extension of the Water Supply District and the owner agree to contribute to the actual cost to extend the District Boundary necessary to provide reticulated water to this development. Such amount being determined by the Corporation at the time of payment.
85. The operator under this permit shall be obliged to enter into an Agreement with Goulburn Valley Region Water Corporation relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Goulburn Valley Water. A copy of the format of the Agreement will be provided on request.
86. The plan of subdivision lodged for certification is to be referred to the Goulburn Valley Region Water Corporation pursuant to Section 8(1) of the Subdivision Act, 1988.

Permit Expiry

87. This permit will expire if one of the following circumstances applies:
 - a. The plan of subdivision for Stage 1 is not certified within three (3) years of the date of this permit.
 - b. Each stage of the subdivision is not completed within five (5) years of the date of the respective certification of the plan of subdivision.
 - c. Each consecutive stage is not certified within three (3) years of the previous stage having been completed and Statement of Compliance being issued.

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

Permit Notes

- 1) Further guidance on water supplies and access for subdivisions in rural zones are specified in 'Preferred Requirements: Water Supplies and Access for Subdivisions in Rural Zones' available under publications on the CFA web site (www.cfa.vic.gov.au).
- 2) Prospective purchasers of lots on this plan should contact AusNet Electricity Services to determine the availability of a supply of electricity. Financial contributions may be required.

CARRIED

13.2.3. Parking Infringement Penalties

Councillor Tim Berenyi/Councillor Bonnie Clark:

THAT COUNCIL:

1. Resolve in accordance with section 87(4) of the *Road Safety Act 1986* and any other power enabling it, to fix the infringement penalty specified in Column 5 of the Table below, for the prescribed parking infringement offences under the *Road Safety Road Rules 2017* listed in Column 4, effective from 1 September 2025.

Item No. (Column 1)	Code (Column 2)	Summary of Parking Infringement (Column 3)	Prescribed Parking Infringement Offences (Column 4)	Infringement penalty (Column 5)
1	0701	Parking for longer than indicated	RR 205	0.5 penalty unit
2	0702	Parked-fail to pay fee and obey instructions on sign, meter, ticket or ticket-vending machine	RR 207(2)	0.5 penalty unit
3	0704	Stopped on a bicycle parking area	RR 201	0.5 penalty unit
4	0705	Stopped on a motor bike parking area	RR202	0.5 penalty unit
5	0706	Parked contrary to requirement of parking area	RR 209(2)	0.5 penalty unit
6	0707	Parked-fail to comply with angle parking requirement	RR 210(1)	0.5 penalty unit
7	0708	Parked-fail to comply with 90° angle parking requirement	RR 210(1)	0.5 penalty unit
8	0711	Parked not completely within a parking bay	RR 211(2)	0.5 penalty unit
9	0712	Parked-long vehicle exceeding minimum number of bays	RR 211(3)	0.5 penalty unit
10	0713	Parked-wide vehicle exceeding minimum number of bays	RR 211(3)	0.5 penalty unit
11	0621	Stopped contrary to a no parking sign	RR 168(1)	0.5 penalty unit

CARRIED

13.3. People, Communications and Governance

13.3.1. Disposal or Sale of Council Assets Policy

Councillor Mandy Treasure:

THAT COUNCIL endorses the Disposal or Sale of Council Assets Policy 2025.

Councillor Bonnie Clark proposed an amendment to the resolution which was incorporated with approval from the mover.

Councillor Mandy Treasure/Councillor Bonnie Clark:

THAT COUNCIL endorses the Disposal or Sale of Council Assets Policy 2025 subject to 'Maintenance equipment to community groups maintaining open space' being updated as follows:

All community groups maintaining open space identified in Council's *Township Reserves Maintenance (Non Council Land) Policy* will be notified of surplus Council maintenance equipment prior to disposal or trade-in with either donation of the equipment through an Expressions of Interest (EOI) process or pricing negotiated based on market value or a recent appraisal.

CARRIED

13.4. Capital Works and Operations

13..1. Mansfield Learner Accessible Pool Scheme (LAPS) Funding

Councillor Tim Berenyi/Councillor Mandy Treasure:

THAT COUNCIL:

1. Approves an increased financial co-contribution amount of \$750,741 for the Learner Accessible Pool Scheme (LAPS) package at the Mansfield Aquatic Centre over three financial years:
 - a. 2025-26: \$385,000
 - b. 2026-27: \$345,741
 - c. 2027-28: \$50,000
2. Approves the execution of the funding agreement with the Department of Jobs, Skills, Industry, and Regions for the LAPS package at the Mansfield Aquatic Centre.

CARRIED

13.5. Executive Services Directorate

13.5.1. Council Plan Actions 2024-25

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT COUNCIL accepts the Council Plan 2021-2025 end of financial year report for 2024-25.

CARRIED

14. Council Meeting Resolution Actions Status Register

Councillor Bonnie Clark/Councillor Tim Berenyi:

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 12 August 2025.

CARRIED

15. Advisory and Special Committee reports

Nil

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

Councillor James Tehan/Councillor Mandy Treasure:

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

CARRIED

The Council Meeting Agenda - 19 August 2025 was closed to the public at 6:20 pm.

Councillor Tim Berenyi left the meeting at 6:20 pm.

18. Confidential Reports

18.1. Tender Award: Mansfield Heritage Museum

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(h) - confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);

19. Reopen meeting to members of the public

Councillor Bonnie Clark/Councillor Mandy Treasure:

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

CARRIED

Council re-opened the meeting at 6:43 pm.

Councillor Tim Berenyi re-joined the meeting at 6:43 pm.

20. Close of meeting

The Council Meeting Agenda - 19 August 2025 was closed at 6:44 pm.

CONFIRMED this **sixteenth** day of **September 2025**



Mayor