



MANSFIELD SHIRE

High Country, Lakes and Rivers

COUNCIL MEETING

18 SEPTEMBER 2018

**Minutes of Meeting
held in the Council Chamber,
33 Highett Street, Mansfield**

Commencing at 5.00pm

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:

Jamieson Ward:	Cr Harry Westendorp (Acting Mayor)
Tolmie Ward:	Cr Marg Attley
Mansfield Ward:	Cr Peter Olver
Bonnie Doon Ward:	Cr Paul Sladdin
Mansfield Ward:	Cr Paul Volkering

Officers:

*Chief Executive Officer:
Development Services Manager:
Community Services Manager:
Finance Manager:
Human Resources Manager:
Infrastructure Manager:*

*Alex Green
Ben McKay
Melanie Hotton
Mandy Kynnersley
Sharon Scott
Neil Ogilvie*



MANSFIELD SHIRE COUNCIL

Order of Business

1. OPENING OF THE MEETING

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

2. STATEMENT OF COMMITMENT

The Council affirms its commitment to carry out its duties in the best interests of the community and that its conduct shall maintain the standards of the Code of Good Governance by the following statement:

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.

3. ACKNOWLEDGEMENT OF COUNTRY

The Council affirms its recognition of the Indigenous people being custodians of this area by the following statement:

Mansfield Shire Council recognises that indigenous people have been custodians of this area for generations. We acknowledge the living culture and unique role of Taungurung people in our region.

4. APOLOGIES

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

5. CONFIRMATION OF MINUTES

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

6. DISCLOSURE OF CONFLICT OF INTERESTS

In accordance with the *Local Government Act 1989*, a Councillor must declare any Conflict of Interest or Personal Interests pursuant to Sections 77A, 77B, 78, 79 and 79B of the Act in any items on this Agenda. (Note that Section 79(2)(a)(i) of the Act requires Councillors to disclose the nature of a Conflict of Interest or a Personal Interest immediately before the relevant consideration or discussion). Section 79B also requires that the Councillor declaring a Personal Interest must seek consent from Council to be exempt from voting on the item.

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

7. REPRESENTATIONS

Council receives or presents acknowledgements to the general public. 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.

8. 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.

9. MAYOR'S REPORT

The Mayor provides a report on his/her activities.

Mansfield Shire Council encourages its residents and ratepayers to participate in the local government of Mansfield. Accordingly, these notes have been developed to help residents and ratepayers better understand Council meetings. All meetings are conducted in accordance with Council's Local Legislation on Governance.

10. OFFICER REPORTS

10.1 Departmental Reports

Monthly Departmental reports will be presented to the Council as follows:

- Community Services
- Corporate and Organisational Development
- Development Services
- Infrastructure
- Executive Services
- Finance

10.2 Development Services

All planning and development applications will be considered by the Council. Reports also considered will be Building, Environment, Environmental Health and Local Laws. A Council position is adopted on the matters considered.

10.3 Community Services

Detailed reports prepared by the Community Services Department, including Tourism & Economic Development reports and are considered by Councillors. A Council position is adopted on the matters considered.

10.4 Executive Services including Finance, Corporate and Organisational Development and Governance and Strategy

Detailed reports prepared by officers from Executive Services, Finance Department, Corporate and Organisational Development Department and Governance and Strategy, including strategic planning items, will be considered by the Council. A Council position is adopted on the matters considered.

10.5 Infrastructure

Detailed reports prepared by officers from Infrastructure Department are considered by the Council. A Council position is adopted on the matters considered.

11. ASSEMBLIES OF COUNCILLORS

In accordance with section 80A of the *Local Government Act 1989*, Council must keep a written record of all assemblies of Councillors. An Assembly of Councillors is defined as a planned or scheduled meeting, comprising at least three Councillors and one member of Council staff, that consider matters that are intended or likely to be. All such meetings are recorded.

12. ADVISORY AND SPECIAL COMMITTEE REPORTS

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

13. 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.

14. PUBLIC QUESTION TIME

This is an opportunity (usually 30 minutes), for members of the Gallery to raise questions with Councillors. Question time generally takes place at around 6.30pm.

15. 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 1989* 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 leave the Council Chamber while the matter is being discussed.

16. CLOSE OF MEETING

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

Mansfield Shire Council encourages its residents and ratepayers to participate in the local government of Mansfield. Accordingly, these notes have been developed to help residents and ratepayers better understand Council meetings. All meetings are conducted in accordance with Council's Community Local Law (Meeting Procedures).



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MANSFIELD SHIRE

MANSFIELD SHIRE COUNCIL

Ordinary Meeting of Council

MINUTES

18 SEPTEMBER 2018
MANSFIELD SHIRE OFFICE
33 Highett Street, Mansfield
5.00PM

CONTENTS

1.	<i>OPENING OF THE MEETING</i>	3
2.	<i>STATEMENT OF COMMITMENT</i>	3
3.	<i>ACKNOWLEDGEMENT OF COUNTRY</i>	3
4.	<i>APOLOGIES</i>	3
5.	<i>CONFIRMATION OF MINUTES</i>	4
6.	<i>DISCLOSURE OF CONFLICT OF INTERESTS</i>	4
7.	<i>REPRESENTATIONS</i>	4
	7.1 <i>1st Mansfield Scout Group</i>	4
	7.1 <i>Deputations</i>	4
8.	<i>NOTICES OF MOTION</i>	5
	8.1 <i>Notice of Motion 2018/001 from Cr Paul Volkering: rate variation application for the Mansfield Shire Council 2019-20 budget</i>	5
	8.2 <i>Notice of Motion 2018/002 from Cr Paul Volkering: sale or lease of Lots 1,2,3,4,5,6,7,8,9 on Plan of Subdivision LP3868 and Lot 1 on Plan of Subdivision PS749844 at 166-176 to 1 Maroondah Hwy, Mansfield (old sale yards site)</i>	5
	8.3 <i>Notice of Motion 2018/003 from Cr Paul Sladdin: intention to sell Lot 2002 Kitchen Street, Mansfield</i>	5
9.	<i>MAYOR'S REPORT</i>	6
10.	<i>OFFICER REPORTS</i>	8
	10.1 <i>DEPARTMENTAL REPORTS</i>	8
	10.2 <i>DEVELOPMENT SERVICES</i>	9
	10.2.1 <i>Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield</i>	9
	10.2.2 <i>Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet</i>	45



10.3	COMMUNITY SERVICES.....	95
	<i>10.3.1 Special Charge Scheme Policy.....</i>	<i>95</i>
10.4	EXECUTIVE SERVICES.....	97
	<i>10.4.1 Audit and Risk Advisory Committee Charter.....</i>	<i>97</i>
	<i>10.4.2 Finance Report: 1 July 2018 to 31 August 2018</i>	<i>99</i>
	<i>10.4.3 Financial Report and Performance Statement 2018.....</i>	<i>103</i>
	<i>10.4.4 Appointment of Independent Members to the Audit and Risk Advisory Committee.....</i>	<i>108</i>
11.	ASSEMBLIES OF COUNCILLORS	112
12.	ADVISORY AND SPECIAL COMMITTEE REPORTS.....	115
13.	AUTHORISATION OF SEALING OF DOCUMENTS.....	116
14.	PUBLIC QUESTION TIME.....	116
15.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC.....	116
16.	CLOSE OF MEETING.....	117

MINUTES

18 SEPTEMBER 2018
MANSFIELD SHIRE OFFICE
33 Highett Street, Mansfield
5.00PM

1. OPENING OF THE MEETING

The Acting Mayor, Cr Harry Westendorp, opened the meeting at 5.00pm.

Councillors:	Peter Olver	<i>Mansfield Ward</i>
	Cr Paul Sladdin	<i>Bonnie Doon Ward</i>
	Paul Volkering	<i>Mansfield Ward</i>
	Harry Westendorp	<i>Jamieson Ward</i>

Chief Executive Officer:	Alex Green
Community Services Manager:	Melanie Hotton
Development Services Manager:	Ben McKay
Infrastructure Manager:	Neil Ogilvie
Finance Manager:	Mandy Kynnersley
Senior Civil Engineer:	Paul Valente (part meeting)
Statutory Planning Team Leader:	Grant Trenwith
Statutory Planner	Clare Wilkinson (part meeting)

2. STATEMENT OF COMMITMENT

The Councillors affirmed the following Statement of Commitment:

“We the Councillors of Mansfield Shire / declare that we will undertake on every occasion / to carry out our duties in the best interests of the community / and that our conduct shall maintain the standards of the Code of Good Governance / so that we may faithfully represent / and uphold the trust placed in this Council by the people of Mansfield Shire.”

3. ACKNOWLEDGEMENT OF COUNTRY

The Councillors affirmed the “Acknowledgement of Country” for the Mansfield Shire Council:

“Mansfield Shire Council recognises that indigenous people have been custodians of this area for generations. We acknowledge the living culture and unique role of Taungurung people in our region.”

4. APOLOGIES

Cr Marg Attley – Tolmie Ward



5. CONFIRMATION OF MINUTES

Councillors Sladdin/Olver:

That the Minutes of the Mansfield Shire Council meeting, held on 21 August 2018, be confirmed as an accurate record.

Carried

6. DISCLOSURE OF CONFLICT OF INTERESTS

Cr Paul Volkering disclosed an indirect interest in item 10.2.1 - Planning Permit Application P039/18 - Use and development of land for a medical centre, advertising signage, and a car parking reduction at 6 Curia Street, Mansfield.

7. REPRESENTATIONS

7.1 1st Mansfield Scout Group

Council received a Certificate of Appreciation by the First Mansfield Scout Group for its continued support during 2017-18.

7.1 Deputations

Council received deputations in relation to Planning Permit Application P039/18 - Use and development of land for a medical centre, advertising signage, and a car parking reduction at 6 Curia Street, Mansfield, as follows:

Objectors

- Jane Leonard
- Tom and Cheryl Apps
- Simon Aldous

Applicant

- Fiona Dundas



8. NOTICES OF MOTION

8.1 Notice of Motion 2018/001 from Cr Paul Volkering: rate variation application for the Mansfield Shire Council 2019-20 budget

Councillors Volkering/Sladdin:

That Council instructs the CEO to prepare the necessary processes and documentation for a rate variation application for the 2019-20 budget.

Carried

8.2 Notice of Motion 2018/002 from Cr Paul Volkering: sale or lease of Lots 1,2,3,4,5,6,7,8,9 on Plan of Subdivision LP3868 and Lot 1 on Plan of Subdivision PS749844 at 166-176 to 1 Maroondah Hwy, Mansfield (old sale yards site)

Councillors Volkering/Sladdin:

That Council instructs the CEO to give Notice of Intention to Sell or Lease Lots 1,2,3,4,5,6,7,8,9 on Plan of Subdivision LP3868 and Lot 1 on Plan of Subdivision PS749844 at 166-176 to 1 Maroondah Hwy, Mansfield (Old Sale Yards Site) under Section 189 and 190 of the *Local Government Act 1989*.

That the CEO engage a commercial Real Estate Agent to source interest and advice, from potential investors or users of the site, to the current Commercial value of the site and potential uses.

That the CEO publish a public notice seeking comment on the proposed Notice of Intention to sell or lease under Section 223 of the *Local Government Act 1989*.

Carried

5.29pm Senior Civil Engineer, Paul Valente, entered the Council Chamber to attend the meeting.

8.3 Notice of Motion 2018/003 from Cr Paul Sladdin: intention to sell Lot 2002 Kitchen Street, Mansfield

Councillors Sladdin/Olver:

That Council:

- (a) declare a Notice of Intention to Sell Lot 2002 Kitchen Street Mansfield;
- (b) Instruct the CEO that public notice be given and that a person has a right to make a submission under section 223 of the Local Government Act (1989); and
- (c) that Council fully consider all submissions before making a final decision on sale of Lot 2002 Kitchen Street Mansfield.

Carried

9. MAYOR'S REPORT

The Acting Mayor, Cr Harry Westendorp, presented the monthly Mayor's report to the Council as follows:

It's unfortunate that my move to the role of Acting Mayor comes at such great cost to Paul Volkering and his family. As a Council we offer Paul our sympathy and support, and our understanding of his wish to step down from the Mayoral position. I will seek to make the transition as smooth as possible and will do all I can to live up to the high standard set by Paul.

The official unveiling of the results of the Youth Photography workshop was a great time to share in the creative talents of our young people. The photographers demonstrated an excellent level of skill as reflected in the works that are now on display in Erril Street next to the mural. The event was also an opportunity for the young musicians of the FreeZa Adept program to demonstrate their capabilities. It's good to see their creativity also contributing to a very enjoyable afternoon.

The Community Energy program being driven locally by Up2Us Land Care group held its first public forum. This was attended by some 50 people from our Shire. We heard presentations of successful programs already in place in Yackandandah and South Gippsland, and we will learn much from their experience. Attendees were very enthusiastic about establishing a community energy framework in Mansfield shire that will have economic as well and communal benefits through returning savings back into the community.

The Mansfield Scout Group is going from strength to strength. The recent annual reports show that they now have more than 70 kids with around 14 leaders. This is a bigger troop than many towns larger than Mansfield. The success is a credit to those who established the momentum over recent years and to Peter Coffey and his team now.

Our economic development team ran a very successful Retail Reinvigorated forum that was well attended by businesses from Mansfield and regional centres from Alexandra to Yarrawonga. The formal evening presentation by Kevin Hennah was followed by consulting sessions with many local retailers over the days following.

Another group that demonstrates Mansfield's community spirit is our Legacy group that looks after the needs of the families of ex-servicemen. Mansfield is seen as being extremely well represented and active when compared to many other towns in our region. I had the pleasure of attending the recent launch of their 2019 recipe calendar – a fund-raising initiative to support their finances. I commend the members of Legacy for their work in our Shire, and encourage our residents and visitors to support the Legacy team in a very tangible way through the purchase of a calendar.



9. MAYOR’S REPORT CONT.

I shared in some of the driver education programs being delivered at Mansfield Secondary College by Fit2Drive. The more we can instill within our young drivers the right attitudes and expectations, the better this will be for them as individuals and for us as a community.

It was good to meet with counterpart Mayors and CEOs at the Hume Region Local Government Network. This is a useful forum for networking, sharing ideas, and exploring areas where we may find synergies through collaboration. It also allows North East Victoria councils to present a common face to other levels of government.

The Alpine Valleys Community Leadership Program is running again. This is a great initiative that provides leadership training for local people who do not have the advantage of large corporates with their structured development programs. This year we have the advantage of having our Library Manager Justine Shelton enrolled. We look forward to the participants putting their learnings to good use in their communities.

Jamieson had their annual Spring Ball which was well attended and which provided a great opportunity for strengthening their community. Congratulations to all responsible for arranging the night and thanks to all who attended and made it a vibrant event.

Our community was shocked and saddened by the sudden passing of Rowan Neely. Rowan has been an active, integral part of the Mansfield landscape for many decades and across many roles. He was a founding member of the local SES and an active volunteer CFA firefighter. He will be sorely missed by all and we offer our condolences to his loved ones.

Recommendation:

That the Acting Mayor’s report of September 2018 be received.

Carried



10. OFFICER REPORTS

10.1 DEPARTMENTAL REPORTS

File Number: E103
Responsible Officer: Chief Executive Officer, Alex Green

Introduction

Departmental reporting 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 will present the monthly Departmental reports to the Council, as follows:

- Infrastructure
- Development Services (statistics)
- Executive Services
- Finance

Attachments

- 1 Departmental Reports September 2018 - 12 pages

Councillors Olver/Volkering:

That the monthly department reports for September 2018 be received.

Carried



10.2 DEVELOPMENT SERVICES

10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield

5.38pm *Cr Paul Volkering departed the Council Chamber as a result of declaring a Conflict of Interest (refer item 6).*

File Number: DA492
Responsible Officer: Claire Wilkinson, Statutory Planner

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Introduction

The purpose of this report is to seek Council's determination of an application for a planning permit for use and development of land for a medical centre, advertising signage and a reduction of car parking required by Clause 52.06 at land described as Lot 1 PS 028394 and addressed as 6 Curia Street, Mansfield.

The application is being referred to Council as the subject site is owned by an existing employee of the Shire.

Application Details

<i>Application Details</i>	
Applicant	Fiona Dundas
Proposal	Use and development of land for a medical centre; advertising signage; and a reduction of car parking.
Application lodged	17 May 2018
Notice and Submissions	Notice sent to seventeen (17) owners/occupiers of surrounding properties Notice on site - Yes Three (3) objections received.
<i>Property Details</i>	
Property Address	6 Curia Street, Mansfield
Land Description	Lot 1 PS028394
Land Area	520 square metres
Existing Use	Residential Dwelling
Restrictive covenants	Nil



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Planning Provisions	
Zone	Clause 32.08 General Residential Zone (GRZ1)
Overlays	Nil
Planning Policy Framework	Clause 11 Settlement Clause 11.02-1S Supply of urban land Clause 11.03-1S Activity centres Clause 11.03-6S Regional and local places Clause 13.07-1S Land use compatibility Clause 15 Built Environment and heritage Clause 15.01-1S Urban Design Clause 15.01-5S Neighbourhood character Clause 17 Economic development Clause 17.02-1S Business
Planning Provisions Cont.	
Local Planning Policy Framework	Clause 21.03-1 Settlement pattern and growth Clause 21.04-2 Character Clause 21.07-1 Commercial, retail and industrial development Clause 21.09 Mansfield Township
Particular Provisions	Clause 52.05 Signs Clause 52.06 Car parking Clause 52.34 Bicycle facilities
General Provisions	Clause 65 Decision Guidelines Clause 66 Referral and notice provisions
Permit Triggers	
General Residential Zone	Clause 32.08-2 - A permit is required to use the land for a medical centre. Clause 32.08-8 – A permit is required to construct a building or carry out works for a use in Section 2 of Clause 32.08-2
Advertising Signs	Clause 52.05-13 – A permit is required for a business identification sign.
Car Parking	Clause 52.06-3 A permit is required to reduce the number of car parking spaces required.
Other	
Area of Aboriginal Cultural Heritage Sensitivity	Nil
DWMP Risk Rating	Low
Site Inspection	Yes - 19 June 2018

Executive Summary

The current proposal is for use and development of the land for a medical centre, advertising signage and a reduction of car parking required by Clause 52.06 of the planning scheme at land described as Lot 1 PS 028394 and addressed as 6 Curia Street, Mansfield. The key points of the proposal are;



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

- The subject site is within an existing residential area, on the south side of Curia Street approximately 115 metres west of the intersection with Highett Street. The site is situated within the Mansfield township and is a rectangular allotment with a 14.5 metre frontage and a 40.8 metre depth. High Street runs parallel to the north of Curia Street and is the main commercial and retail precinct, with the post office, court house, police station within 100 metres of the site. The Mansfield Ambulance station and the Mansfield Shire office are situated in the same block as the subject site. The Mansfield Recreational Reserve is adjoins the property directly to the rear. The lot is identified as Lot 1 has a total area of 520 square metres
- It is proposed that the existing dwelling on Curia Street be used as a medical centre. The business will provide allied health therapies such as counselling, remedial massage and similar services. The applicant contends that the existing residential dwelling on site will be well suited to the proposed use. A written supporting submission indicates that the new business will provide two (2) consulting practitioners and one (1) massage therapist who will utilize the existing premise.
- The new medical centre would maintain the existing vehicle access into the site as well as the existing two pedestrian access points (front yard gate to Curia Street and rear yard gate to Mansfield Recreation Reserve).

The main issues arising from the proposal include:

- The application must address the car parking requirements of the Mansfield Shire Planning Scheme. The number of required off street car parking stalls pursuant to Clause 52.06-5 is eleven (11) spaces. The applicant is seeking a dispensation for 6 spaces.
- Three objections have been received by local residents. Primary concerns are a perceived loss of residential amenity and concern about increased car parking congestion.
- The application must also address Planning Policy objectives to achieve outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties. Noise from extended operating hours and impacts on privacy for adjoining residents are a local concern.

10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

- The existing driveway is very close to the side yard property line and will be without landscape buffer between commercial and residential uses. The current development proposal must adopt high aesthetic standards and design elements in keeping with the surrounding streetscape. The proposal is characteristic of the surrounding residential area with single storey built form and well maintained cultivated garden.

Background

Subject Site and Locality

The subject site is described as Lot 1 PS 028394 and addressed as 6 Curia Street, Mansfield. The site is located in the General Residential Zone (Schedule 1). No other overlays affect the site. No listed covenants or encumbrances are registered on the title as affecting the land and the land is not within an area of Aboriginal cultural heritage sensitivity.

The site has an existing vehicle crossover located off Curia Street and a pedestrian access path into the property off both the front and rear boundaries. The topography is relatively flat and a single storey weather board dwelling with detached carport has been constructed on the allotment along the western and rear boundary. A site inspection has been completed and the photograph in Figure one depicts the frontage of the property showing the extent and character of existing development. The existing dwelling has an established cultivated garden and there are a number of mature trees and shrubs in proximity to the building footprint.

A site inspection has been completed and the photograph in Figure 1. (below) depicts the frontage of the property showing the extent and character of existing development. The existing dwelling has an established cultivated garden and there are a number of mature trees and shrubs in proximity to the building footprint.



Figure 1: Existing site context (Site inspection photo)

10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

The adjoining properties to the west and east are similar sized lots that have been developed and the predominant local dwelling vernacular consists of single storey dwellings. The aerial photo in figure two provides a contextual view of the property in relation to the existing area that is zoned for general residential use. No listed covenants or encumbrances are registered on the title as affecting the land and the land is not within an area of Aboriginal cultural heritage sensitivity.

Utility services such as electricity, water and telecommunications have been connected to the site. Reticulated sewerage has also been connected to the site.



Figure 2: Aerial image of the subject site and surrounding properties

10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.



Figure 3: Subject site, surrounding zoning provisions

Figure three provides the broader zoning context of the site. It depicts that neighbouring lots to the east and west are also zoned General Residential. The north side of Curia Street is zoned Commercial One. Seven of the ten lots across Curia Street to the north of subject site have dwellings constructed on the properties. The Mansfield Shire Council office is situated approximately 22 metres to the east of the site on land zoned Public Use Zone 6.

Permit/Site History

P97/0136 Use of the dwelling for home occupation (Homoeopathy) - Issued 15th August 1997

Proposal

The current proposal is for use and development of the land for a medical centre, advertising signage and a reduction of car parking required by Clause 52.06.

The applicant is proposing to use the existing residential dwelling on site at 6 Curia Street to for a Medical Centre that will consist of three consulting rooms, a waiting room, kitchen, bathroom and toilet. The proposed layout of the use is shown in Figure four. A new vehicle parking area is to be developed to the rear of the existing dwelling. The existing detached garage will be demolished to accommodate the new proposed on site car parking area.

Clause 73.03 of the Mansfield Planning Scheme defines medical centre as *'Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.'*

10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

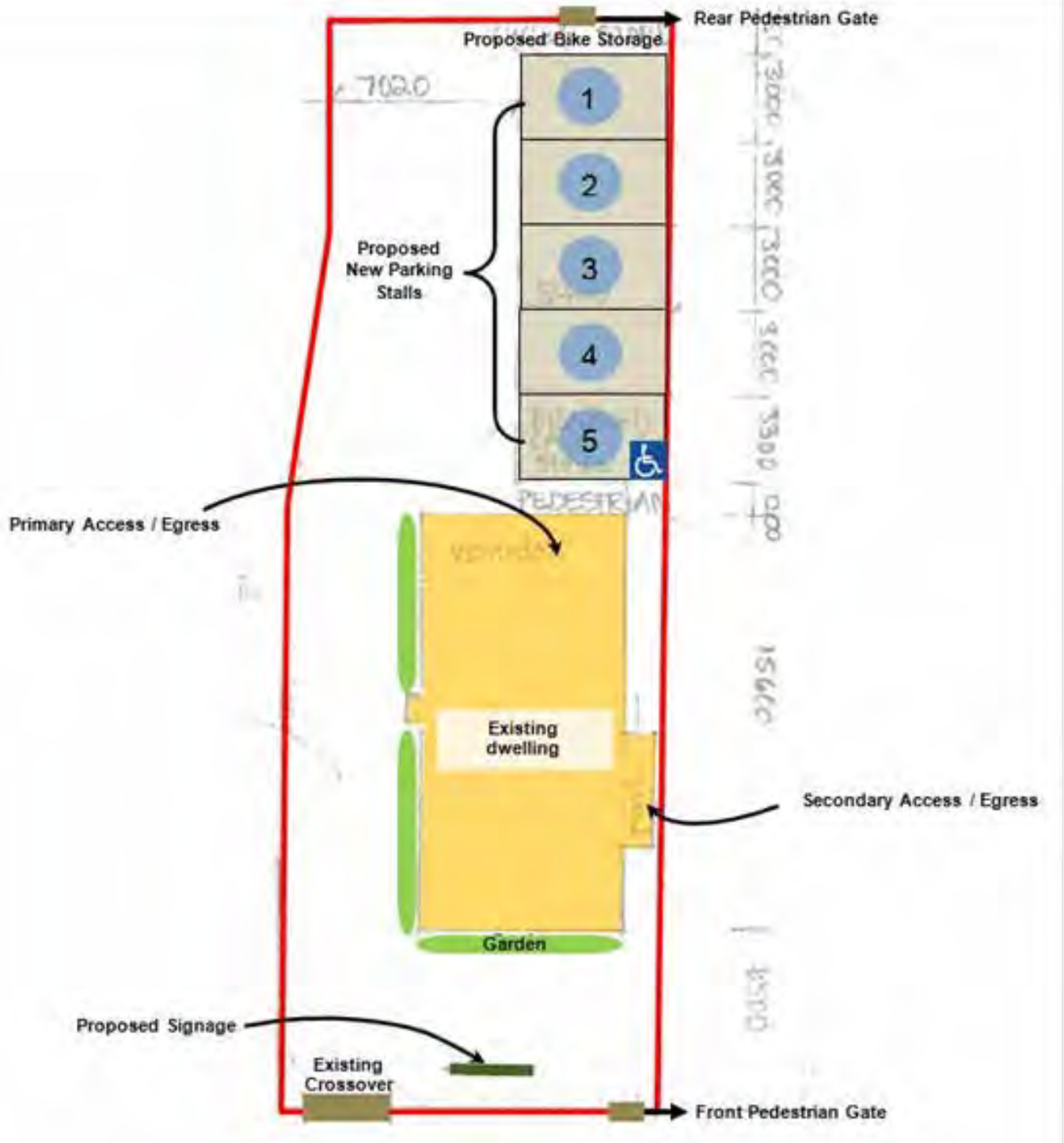


Figure 4: Site plan. Proposed use of site for medical centre



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

The applicant has provided a written submission with a description of the proposed business as part of the Planning Permit application. The following is a list of the proposed uses of the site:

Medical Centre

The business will consist of three consulting rooms and a waiting room and will make use of an existing kitchen, bathroom and toilet within the dwelling. The rear entry to the dwelling will be used as the primary entrance to the business. The existing front entry will serve as a secondary emergency entry/exit.

The applicant estimates that the initial use of the centre would accommodate approximately fifty (50) clients per week. This number could increase to approximately seventy (70) clients per week.

The setbacks and building footprint of the proposed new use will remain unchanged.

Business Proprietor and Staff on Site

The applicant is also the registered owner on title for the property. A description of the business indicates that there will be a total of three practitioners on site. Clients would only see one practitioner and not multiple practitioners during any one visit. All practitioners will provide hourly appointments with down time between appointments. No support staff (such as a receptionist) will be employed in conjunction with the proposed medical centre.

Hours of Operation

The proposed business will operate from 8.00am to 8.00pm Monday to Friday. Weekend hours will be Saturdays 9.00am to 4.00pm.

Car Parking Provisions

Currently there is provision for two parking spaces on site. The spaces are accommodated in the detached garage located to the rear of, and next to the existing dwelling on site.

The scope of proposed work includes the removal of the existing garage from the site. The demolition of the existing garage will facilitate increased room for new vehicle parking stalls and the necessary turning radius that will be required to allow vehicles to enter and exit the site in a forward direction. The applicant has indicated that the new proposed parking area will be constructed of a semi pervious surface.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

The car parking provisions of the planning scheme require a total of eleven parking spaces in relation to the number of practitioners on site. The applicant is seeking a dispensation of six (6) car parking spaces. It is proposed that there will be a total of five (5) car parking spaces provided to the rear of the existing dwelling, including one disabled park. Parking stalls will measure 3.3 metres wide and 5.4 metres long. The proposed parking on site will be for the exclusive use of the medical centre.

Nearby additional parking provisions include:

- There is an existing unrestricted on-street parking space directly in front of the subject site on Curia Street.
- There is a sixty-four (64) car space public parking lot that is situated 143 metres from the subject site in Highett Street.
- There is a nineteen (19) car space public parking lot at the rear of the property located at the Mansfield Recreation Reserve netball courts 92 metres from the subject properties rear access gate.

Potential Amenity Impacts

The applicant has indicated that the nature of the proposed medical centre will not result in the emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam or other particulates that may adversely affect the amenity of the surrounding residential neighbourhood.

Buildings and works are limited to the construction of the new car parking area. No further external development is proposed that will change the existing character of the residential dwelling on site. Further to this, the applicant has indicated that the existing garden will be retained and further enhanced to retain the well-established cottage garden aesthetic.

Solar or 12 volt garden lighting will be located at the front of the site to provide light to delineate the existing driveway that will serve to provide shared access/egress to the site for vehicles and pedestrians. The applicant has indicated that this lighting will be on a timer to minimize any potential light glare impacts to surrounding dwellings. The location of playing field flood lights at the Mansfield Recreation Reserve create some existing light spill and amenity impacts associated with into residences that adjoin the field.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Business Identification Signage

A free standing permanent sign is proposed on the south side of the current dwelling in the front yard setback. The post and frame on which the sign will hang is a simple design consisting of a 2.5 square metre sign area and two supporting posts. The text copy to appear on the sign will be the name of the clinic with the three practitioners and contact information listed below. The height of the sign frame will be 2.4 metres from natural ground level. The sign will have a rectangular sign blade with wood and painted text. The sign will be setback approximately 1.4 metres from the front property line. The colour and materials schedule that the applicant has submitted confirm that the proposed exterior materials will be of non-reflective finish.

In response to Council planning review, a request for further information as well as referral comments and a public consult with objectors was conducted in relation to this planning permit application. The applicant has provided a number of design amendments. Plan revisions and additional supporting information were submitted on June 15 and July 26 2018. Changes to the initial proposal can be summarized as follows:

- Internal parking access width changes and revised parking stall widths
- Additional landscaping areas (additional garden plantings to increase privacy for the neighbouring residential dwelling at 4 Curia Street)
- Preparation and submission of a supporting Car Parking Demand assessment
- Provision of bicycle parking on site
- Provision of disabled parking on site
- Clarification on the primary and secondary points of pedestrian access and entry/ egress to the dwelling

Plans showing the existing site, the proposed floor plan and the proposed site plan are contained in the **Attachment 1** to this report.

Mansfield Planning Scheme Context

Planning Policy Framework (PPF)

Victorian Planning Policy seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the Planning and Environment Act 1987) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

The following Planning Policies and Objectives (in italics) are relevant to this application:

Clause 11 Settlement

Clause 11.02-1S Supply of urban land

The objective of the Clause is;

To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Relevant strategies include to;

Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.

Planning for urban growth should consider:

- Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
- Neighbourhood character and landscape considerations.*
- The limits of land capability and natural hazards and environmental quality.*
- Service limitations and the costs of providing infrastructure.*

Officer analysis

The proposal addresses the broader framework for settlement and supply of land in that it seeks to promote the local economy with an additional small scale commercial development in a location currently serviced by power and water infrastructure with the availability of reticulated sewerage.

Clause 11.03-1S Activity centres

The objective of the Clause is;

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural development into activity centres that are highly accessible to the community.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Relevant strategies include to;

Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:

- *Is a focus for business, shopping, working, leisure and community facilities.*
- *Maximises choices in services, employment and social interaction.*

Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.

Officer analysis

The proposal provides an opportunity for a medical centre that provides counselling services within an existing residential area that has proximity to the central business area of Mansfield.

Clause 11.03-6S Regional and local places

The objective of the Clause is;

To facilitate integrated place-based planning.

Relevant strategies include to;

Integrate relevant planning consideration to provide specific direction for the planning of sites, places, neighbourhoods and towns.

Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.

Officer analysis

It is considered that the proposal is situated in an appropriate location within an area that has excellent proximity to other local community services providers.

Clause 13 Amenity

Clause 13.07-1S Land use compatibility

The objective of the Clause is;

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Relevant strategies include to;

Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:

- *Directing land uses to appropriate locations.*
- *Using a range of building design, urban design, operational and land use separation measures.*

Officer analysis

The subject site is located within close proximity to Mansfield's primary commercial area. The local area is also serviced by a well-established network of bicycle and pedestrian paths that provide existing local amenity.

Clause 15 Built Environment and Heritage

Clause 15.01-1S Urban design

The objective of the Clause is;

To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Relevant strategies include to;

Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Officer analysis

Planning must apply the provisions outlined in the Mansfield Planning Scheme when considering a proposed new use. It is considered that a sufficiently detailed design response has been provided to demonstrate that the proposal will not negatively impact the surrounding area.

Clause 15.01-5S Neighbourhood character

The objective of the Clause is;

To recognise, support and protect neighbourhood character, cultural identity, and sense of place.

Relevant strategies include to;

Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.

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 emphasizing the:

- *Pattern of local urban structure and subdivision.*
- *Underlying natural landscape character and significant vegetation.*
- *Heritage values and built form that reflect community identity.*

Officer analysis

It is considered that the proposed use of the existing weatherboard building will address the built environment, neighbourhood character and business objectives with an urban design outcome that maintains the existing residential character of the site.

Clause 17 Economic development

Clause 17.02-1S Business

The objective of the Clause is;

To encourage development that meets the communities' needs for retail, entertainment, office and other commercial services.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Relevant strategies include to;

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Officer analysis

It is considered that the proposed medical centre is situated in an appropriate location with proximity to other services such as other local medical centres, the Mansfield hospital, police, fire, ambulance. It is considered that the proposal is well suited to ensure commercial facilities in Mansfield are aggregated.

Local Planning Policy Framework (LPPF)

The following Local Planning Policies and objectives (in italics) are relevant to this application:

Clause 21.03 Settlement and Housing

Clause 21.03-1 Settlement pattern and growth

The overview states;

The 'Hume Regional Growth Plan 2014' considers Mansfield Township is a sub-regional moderate growth centre in the Central Hume sub-region that is serviced by larger regional towns further west and north.

The future growth of all towns will depend upon the provision of infrastructure, particularly reticulated sewerage.

A key issue is;

- *Maintaining Mansfield Township as the major town with growth potential.*



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Objectives to address this include;

- *To coordinate and manage the growth of Mansfield Township as focus of the majority of development.*

Officer analysis

It is considered that the proposed development is in keeping with the current objectives of the settlement pattern and growth policy to maintain Mansfield township as the major area of growth potential. This proposal will supply specialist counselling services within an existing established general residential area in proximity to town.

Clause 21.04 Heritage and Character

Clause 21.04-2 Character

The overview states that;

Mansfield Township's residential areas are characterised by wide streets with on street parking, large lots and street trees. Any residential intensification should maintain these key attributes. Medium density housing will grow as a proportion of the housing over time in response to the ageing of the community. This redevelopment should protect identified heritage buildings and the spacious garden setting of many of Mansfield Township's residential areas.

Key issues include;

- *Infill development in Mansfield Township will challenge the urban character of some areas.*

Objectives to address this include;

- *To ensure the urban character of the Mansfield Township and other towns is maintained.*

Officer analysis

The existing character of the streetscape along Curia Street provides generous front garden areas with mature canopy trees and cultivated gardens. It is considered that the proposal will maintain the existing building frontage that will be visible to the street and offer an adaptive re-use of an existing residential dwelling to maintain the current streetscape character.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Clause 21.07 Economic development

Clause 21.07-1 Commercial, retail and industrial development

The overview states that;

Retail expenditure per resident in Mansfield Shire is notably higher than regional Victorian averages.

Key issues include;

- *Reinforcing Mansfield as the main centre for retail and commercial opportunities.*

Officer analysis

It is considered that the proposed use addresses the objectives of the Local Planning Policy relating to Economic development. Specifically, the key issues of reinforcing Mansfield as the main centre for retail and commercial opportunities and facilitating residential and commercial redevelopment opportunities of key strategic sites.

Clause 21.09 Mansfield Township

The overview states that;

Mansfield Township is the only urban centre with significant growth potential and provides all major services and infrastructure for the community.

Key issues include;

- *Avoiding 'out of sequence' development and rezoning.*
- *Facilitating residential and commercial redevelopment opportunities of key strategic sites.*
- *Avoiding the fragmentation of the core retail uses.*

With respect to Economic Development and Employment, planning objectives include to:

- *Provide a sustainable business environment for retail and commercial businesses.*
- *Support viable industrial business opportunities in Mansfield Township.*
- *Continue to promote tourism based activities, accommodation and complementary land uses.*



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Officer analysis

It is considered that the proposed development is in keeping with the local planning policy relating to the Mansfield Township.

Zoning

The land is zoned General Residential 1 (GRZ1)

The relevant purpose of the Zone is:

- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Permit Triggers: Pursuant to Clauses 32.08-2 and 32.08-8, a permit is required to use and develop the land for a medical centre.

Officer analysis

It is considered that the proposed use and development of the land for a medical centre is in accordance with the purpose of the zone. It is considered that the proposal is well suited to fulfil a limited range of other non-residential uses to serve community needs.

Overlays

No overlays affect the subject site.

Particular Provisions

Clause 52.05 Signs

The purpose of this Clause relates to:

- *To regulate the display of signs and associated structures.*
- *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
- *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
- *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

The provisions contained within the General Residential Zone identify that the subject site has Category 3 requirements with respect to advertising signs (per Clause 52.05-13). This category has medium limitations and is associated with high amenity areas.

Clause 52.05-13 outlines the planning provisions and requirements in relation to Category 3 signage, with the purpose being:

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Permit Trigger: Pursuant to Clause 52.05-13 Category 3 signage (High amenity areas), stipulate that a permit is required for a business identification sign (Section 2). No conditions are stipulated regarding advertising area size or number of signs per property.

Officer analysis

In accordance with the signage provisions stipulated in Clause 52.05-13, it is considered that the applicant has acknowledged the requirements of Category 3 signs for high amenity areas. The proposal for a 2.4 square metre business identification sign to be located in the front yard setback is orderly, of good design and does not detract from the appearance of the surrounding area.

Clause 52.06 Car Parking

Car Parking must be considered for a new use, whereby the provision of car parking spaces is required before the new use commences.

The purpose of this being to:

- *ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *support sustainable transport alternatives to the motor car.*
- *promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *ensure that car parking does not adversely affect the amenity of the locality.*
- *ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Permit Trigger: A permit is required to reduce the number of car parking spaces required under Cause 52.06-3.

Officer analysis

The number of car parking spaces required under Table 1 at Clause 52.06-5 must be provided to the satisfaction of the Responsible Authority.

The use of land for a medical centre requires the provision of five (5) parking stalls to the first person providing health services plus three (3) to every other person providing health services. For the proposed use, the total requirement for car parking on site will be 11 stalls.

A detailed car parking plan showing the existing provisions for onsite parking at 6 Curia Street has been submitted. The plan indicates that the existing detached garage will be removed from the site and provision will be made for the development of five (5) angle parking stalls on site (refer figure four). The stalls measure 3 metres by 5.4 metres and have been allocated as ancillary to the use of the residence. The requirements of the Planning Scheme also stipulate that one disabled parking space be provided. A designated disabled parking space has been proposed directly adjoining the entrance to the medical centre.

Pursuant to the Planning Scheme, a parking dispensation for six (6) stalls will be required.

While a shortage of on-site parking stalls will exist for the proposed use, the applicant has submitted a car parking study to examine that the availability of nearby public car parking around the site. The supporting data assesses eight alternative public parking areas that are located with reasonable proximity to the subject site. The study examines a total of 165 parking spaces for public use. A supporting Carpark Demand Assessment provides an overview of nearby parking conditions and presents detailed survey results for an assessment of use between June 30 2018 and July 21 2018.

Based on the information provided, it is considered that surrounding public parking areas will reasonably accommodate any overflow parking demand. Further to this, it is considered that the current provisions are sufficient to ensure that car parking from the proposed uses will not adversely affect the amenity of the locality.

In accordance with Clause 52.06-6, the requirements and decision guidelines for applications to reduce the car parking requirements have been considered as follows:



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Car Parking Decision Guidelines:

	<i>Officer's Response</i>
Assessment of the car parking demand likely to be generated by the proposed new use	It is considered that the proposed development and use of land for a medical centre will generate increases in car parking demand over time as each practitioner builds their clientele.
The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use	The specialised nature of the proposed services are unlikely to result in multi-purpose trips to the land.
The variation of car parking demand likely to be generated by the proposed use over time.	The description of the proposed uses suggests that the car parking demand would be unlikely to experience large variations in demand.
The short-stay and long-stay car parking demand likely to be generated by the proposed use.	Five stalls will be available for public /customers (short stay)
The availability of public transport in the locality of the land.	No public transport available.
The convenience of pedestrian and cyclist access to the land.	The site has convenient access to the Mansfield central civic area.
The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.	The proposed number of practitioners will not trigger requirements for the provision of bicycle parking and end of trip facilities.
The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.	It is anticipated that a single vehicle will be used by the practitioners of the business.
The availability of alternative car parking in the locality of the land, including: <ul style="list-style-type: none"> · Efficiencies gained from the consolidation of shared car parking spaces. · Public car parks intended to serve the land. · On street parking in non residential zones. · Streets in residential zones specifically managed for non-residential parking. 	The total number of nearby public parking shown on the detailed car parking assessment is 165 stalls. Under the provisions of Clause 52.06, the total required parking for the medical centre on site is 11 stalls. It is considered that the total number of available public parking stalls would reasonably allow for the six (6) stall shortfall in parking, particularly given the availability of nearby public car parking areas where more parking stalls are provided. It is considered that sufficient provision for public car parking is available to reasonably address demand.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

	<i>Officer's Response</i>
On street parking in residential zones in the locality of the land that is intended to be for residential use.	It is considered that sufficient separation distance exists between on street parking in residential zones in the locality of the land. Furthermore, the density of nearby residential uses are unlikely to trigger requirements for on street parking given that existing residential lots are large enough to accommodate parking on site.
The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.	Car parking has been provided on the site. The dispensation being sought is specific to the provision of parking immediately adjacent to the proposed medical centre. The dispensation is not considered to have any negative correlation to the economic vitality of Mansfield.
Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.	
The future growth and development of any nearby activity centre.	No impact to future growth and development.
Any car parking deficiency associated with the existing use of the land.	A cursory review of the Car Parking Demand Assessment data shows that no existing car parking deficiency is associated with the existing use of the land
Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment	None applicable.
Local traffic management in the locality of the land.	The shortfall of six (6) parking stalls is unlikely to impact local traffic management and local amenity
The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.	
The need to create safe, functional and attractive parking areas.	Parking areas have already been established near to the site and have additional capacity for use.
Access to or provision of alternative transport modes to and from the land.	No alternative transport modes are available to and from the land.
The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.	It is considered that sufficient provision for car parking is available on the site to reasonably address demand and allow for the reduction of parking provided by six (6) stalls.
The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.	The proposed new parking stalls are located off street and to the rear of the existing residential dwelling. The urban design and character of the surrounding area would not be impacted.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

<i>Officer's Response</i>	
Any other matter specified in a schedule to the Parking Overlay	Not applicable.
Any other relevant consideration.	No further considerations.

It is considered that the car parking requirements have been addressed and that the proposed provisions are sufficient to ensure that car parking from will not adversely affect the amenity of the locality.

Clause 52.34 Bicycle Facilities

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land. Tables 1, 2 and 3 to Clause 52.34 of the Mansfield Planning Scheme set out the number and type of bicycle facilities required.

This serves a purpose to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Before deciding on an application, the responsible authority must consider the location of the proposed land use and the distance a cyclist would need to travel to reach the land.

The following provisions of Clause 52.34 apply to the use as proposed:

- *Medical Centre*
- 1 space to each 8 practitioners (employee/ resident)
- 1 space to each 4 practitioners (visitor/ shopper/ student)

Provisions for change rooms and showers are contained in Table 2 and 3 of Clause 52.34-3.

Officer analysis

In calculating the number of bicycle facilities for the use as proposed, the three (3) proposed practitioners is less than the minimum practitioners that would trigger the requirements for bicycle facilities. The applicant has indicated on the proposed site plan that an area of designated cycle storage will be provided to the rear of the property, alongside the proposed new parking spaces and rear boundary fence. The bicycle space can accommodate a minimum dimension of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width. It can reasonably be considered that the likely demand for bicycle parking in relation to the counselling service will be relatively low and that the provisions proposed will be suited to the size of the clinic proposed.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

It is considered that the central location of the subject site will mitigate the need for end of trip facilities for cyclists. The internal layout of the residence on site provides a bathroom with shower. These facilities are to be retained and are available for end of trip use, should this be required.

General Provisions

Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider the matters set out in the decision guidelines.

Officer analysis

<i>Officer's Response</i>	
<i>The matters set out in Section 60 of the Act.</i>	It is considered that the proposed use responds to (i) The Mansfield Shire Planning Scheme. (ii) The objectives of planning in Victoria. (iii) Any submissions received. (iv) Any decision and comments of a referral authority.
<i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i>	It is considered that the State and Local planning policy framework is considered in this report.
<i>The purpose of the zone, overlay or other provision.</i>	The proposal meets the purpose in that it allows for a non-residential use to serve local community needs in an existing general residential area with proximity to Mansfield's commercial core and commercially zoned lands.
<i>Any matter required to be considered in the zone, overlay or other provision.</i>	
<i>The orderly planning of the area.</i>	It is considered that the proposal will produce acceptable outcomes in keeping with the existing pattern of development.
<i>The effect on the amenity of the area.</i>	It is considered that the use will produce a compatible outcome and not aesthetically contrast the surrounding residential area. The design and scale of the existing dwelling will not be altered and the use of the site for a medical centre does not represent a change to the size of the general residential allotment.
<i>The proximity of the land to any public land.</i>	The site adjoins a public recreation reserve. It is considered that the proposed use will not have impact on the function of adjoining public land.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

<i>Officer's Response</i>	
<i>Factors likely to cause or contribute to land degradation, salinity or reduce water quality.</i>	It is considered that the proposed use and scope of works to establish parking on site will not result in land degradation or reduce water quality.
<i>Whether the proposed development is designed to maintain or improve the quality of storm water within and exiting the site.</i>	It is considered that the scope of the proposal will not result in any change to the quality of storm water within and exiting the site.
<i>The extent and character of native vegetation and the likelihood of its destruction.</i>	No native vegetation is situated on the subject lands.
<i>Whether native vegetation is to be or can be protected, planted or allowed to regenerate.</i>	Not applicable.
<i>The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.</i>	The location of the proposed use does not trigger the requirements to address and minimise fire hazard.

Consultation

Referral Responses

The application was referred to the following:

External

Authority	Response
Goulburn Valley Water	No comments provided.

Internal/Council Referral

Authority	Response
Environmental Health Officer	No objections.
Engineering	Design revisions that address the Australian standards for parking spaces and proposed parking bays at 90 degrees.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

The applicant was provided a request for further information as well as all responses from internal and external referral submissions, three weeks after submitting the initial Planning Permit application. An updated application and plan revisions were submitted on June 19 2018.

A second request for further information was sent on June 29 requiring an empirical assessment of car parking demand in the local area. The required supporting information was submitted on July 26 for Council consideration.

Advertising

The application was advertised by way of notices to seventeen (17) owners or occupiers of properties within the area (19 June until 6 July). The notices were provided to properties adjoining the subject site and all other allotments on Curia Street. A public notice was also placed on site. Three (3) submissions were received in response to advertising. Submissions were received from the owners of an adjoining property to the west at 8 Curia Street, and two adjacent properties at 9 and 7 Curia Street.

Consultative Meeting

A consultative meeting was held on July 20 2018.

The summary of concerns that the objectors raised are as follows:



Topic	Objection Comments	Officer Response
Parking	Parking is at a premium in Curia Street	<p>The applicant has submitted a detailed car parking study with supporting empirical data relating to the use of 165 public car spaces in proximity to the subject site. Based on the data presented, it is considered that the anticipated vehicle movements and parking from the change use of the site would not trigger a volume of vehicles threshold that will overwhelm the capacity of public parking near to the proposed business.</p> <p>It is considered that the installation of line marking on Curia Street between Highett Street and Apollo Streets would reduce any issues associated with public parking blocking existing residential driveways.</p> <p>It is considered that the applicant will be responsible to ensure that practitioners and clients park in an orderly fashion within the parameters of existing available parking areas.</p>
	Existing on street parking is so congested it will often block the access / egress to nearby driveways	
	Parking for practitioners doesn't also anticipate client parking requirements.	
	Car parking reduction is dramatic, unworkable and non-compliant	
	The proposed medical centre will significantly increase parking congestion.	
	Parking waiver will be inconsistent with other similar commercial premises and would set a precedent.	
	The proposed parking area does not provide sufficient space for parking movements. Not compliant with Australian standard codes.	
	There should only be three parking stalls to ensure that all vehicles could manoeuvre and exit the premises in a forward direction.	
	Proximity to Mansfield town already puts a strain on residential car parking.	
	Further clarification is required on how will parking of clients and practitioners will be managed and enforced.	
	No information has been provided regarding the safety precautions that have been taken to accommodate a shared pedestrian and vehicle drive aisle.	
	Use of the vacant police stables lot next to 7 Curia street is not an overflow parking area as the lot is unmaintained.	
Line marking is needed on Curia Street to clarify the number and location of parking spaces.		



Topic	Objection Comments	Officer Response
Loss of Amenity	Loss of privacy for neighbours	It is considered that the scope of proposed work that is required to use the existing dwelling for a three practitioner medical centre would not significantly alter the existing amenity of the nearby residential area. A trellis or similar will be required to be installed on top of the western boundary fence to prevent views to the adjoining property at 8 Curia Street. It is considered that the applicant can address the relevant provisions of the Mansfield Shire Planning Scheme to reduce potential impacts to local amenity.
	Would like further detail regarding fencing to alleviate overlooking/ noise issues	
	No detail in submission about noise attenuation in relation to vehicle movements.	
	Any future commercial air-conditioning plant could cause disruption.	
	Increased noise and excessive operating hours will cause disturbance to residents. Noise for 12 hours per day in close proximity to private living quarters.	
	The proposed positioning and number of solar lights may unreasonably pollute the neighbouring property with light during night.	
Change to commercial will impact the residential character and amenity of the street.		
Hours of Operation and function of business	The proposed operating times equate to 67 hours per week. Will cause disturbance to the neighbours outdoor living area which is located adjacent to the proposed car park area.	It is considered that the applicant has provided sufficient supporting detail to outline how the clinic will operate. The estimated number of clients is 50 to 70 clients per week and the total number of practitioners is commensurate to the three consulting rooms on site. The applicant has indicated that the extended operating hours are designed to allow times for clients that have a typical 9-5pm work week.
	The potential number of clients could be up to two hundred clients per week.	
	Council should place conditions to ensure that the business can not be expanded to accommodate many more additional practitioners	
Advertising Sign	Proposed size of sign is excessive and will change the existing character of the streetscape	It is considered that the applicant has provided for a size sign that is in keeping with the size parameters specified within existing planning scheme requirements for high amenity areas.
	Lighting of sign will further contribute to light pollution	It is considered that the applicant is not proposing lighting for the signage as none has been specified.
Property value	The use as a medical centre will result in a detrimental impact on the residential value of adjoining property.	The speculative nature of property values is not a planning consideration as determined by the Victorian Administrative Tribunal.



Topic	Objection Comments	Officer Response
Other	Will the fire rating of the building be increased to commercial standard.	A building permit will be required for the proposed business including the provision of disabled services and access.
	The wheel chair ramp may greatly impact the neighbours property because it will result in overlooking.	Following a site inspection of the existing dwelling entrance, it is not considered that the installation of a mobility ramp will cause overlooking issues to adjoining properties..
	No drainage plan has been submitted to demonstrate that excess storm water runoff will not impact neighbours property	It is considered that the applicant will need to demonstrate that the surfacing of the rear yard will not create excess stormwater run-off
	Does not meet the purpose of the zone as the site is not an appropriate location for a non-residential use.	It is considered that Curia Street has other examples of local non-residential service oriented uses such as the Shire office and the Ambulance service.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Officer Assessment

As outlined throughout this report, it is considered that the proposed use and development of the land for a medical centre, advertising signage and a reduction of car parking represents an acceptable planning outcome on two main grounds:

- (1) The proposal accords with the purpose of the zone and satisfactorily addresses the particular provisions of signage, car parking and bicycle facilities; and,
- (2) The proposal will result in the addition of a specialized local medical centre with counselling and massage therapy services in proximity to the town centre. The layout utilizes an existing building and infrastructure and the future practitioners of the new business will have a good level of local amenity. It is considered that the design outcomes of the proposal provide a suitable response to the local neighbourhood character and proximity to commercially zoned lands.

Traffic and parking

Concerns raised by the three objectors to the proposal have been discussed above and have been considered in assessing the proposal. A dispensation to the onsite parking requirements of the Planning Scheme is sought by the proposal. A detailed car parking demand assessment has been submitted in conjunction with the planning permit application and can be found at Attachment 1. Council's Engineering Department has provided required standards to ensure that the design of on-site parking allows vehicles enter Curia Street in a forward direction. Specifications also stipulate the requirements for adequate onsite turning areas.

Drainage

In relation to drainage, the Engineering Department have identified a number of permit conditions that would be appropriate to apply to the development should a permit be issued. The Infrastructure Design Manual and engineering standards require the volume of water post car-park development to be, at maximum, equal to that which exists at present. This means there can be no increase in the amount of stormwater entering the drainage system should the use be approved.

Amended plans

Should a permit be issued, amended plans would be required to ensure additional screening is provided between the proposed medical centre and the existing adjoining residential dwellings on Curia Street.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Conclusion

A planning permit for use of land for a medical centre, advertising signage; and a reduction of car parking required by Clause 52.06, given the compliance with the zone and the state and local planning policy framework, is supported under the provisions of the Mansfield Planning Scheme.

Attachments

- 1 Plans relating to application – 6 pages
- 2 Carparking Demand Assessment – 6 pages

Councillors Sladdin/Westendorp:

That Council, having considered all the matters required under Section 60 of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision in respect of the land at 6 Curia Street, Mansfield more particularly described as Lot 1 in PS 028394; for the use and development of the land for a medical centre; advertising signage; and a reduction of car parking, subject to the following conditions:

Amended Plans

1. **Before the development commences, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. The development 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. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies (or as specified) must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:**
 - a) **The existing landscaping along the eastern boundary with a notation that the landscaping is to be retained.**
 - b) **A notation on the site plan that details the requirements of Condition 9.**
 - c) **The landscaping plan required by Condition 17**

Endorsed Plans

2. **The development 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.**



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Engineering Conditions

Vehicle access

3. No additional vehicle crossings are permitted to be constructed unless approved in writing by the responsible authority.
4. The car parking area at the rear of the site must provide for adequate turning space to allow vehicles to exit onto Curia Street in a forward direction.

Drainage

5. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the Council as the responsible drainage authority so as to prevent the discharge of water from the subject land across any road or footpath or onto adjoining land.

Asset Protection

6. Any damage to Council managed assets such as roads and stormwater infrastructure must be repaired at the cost of the applicant to the satisfaction of the responsible authority.
7. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

*****END OF ENGINEERING CONDITIONS*****

Lighting

8. The outdoor lighting to the internal access must be designed, baffled and located to the satisfaction of the Responsible Authority such that no direct light is emitted outside the boundaries of the subject land.

Screening

9. Trellis or similar must be installed on top of the western boundary fence for a distance of not less than 20 metres, measured from the front wall of the existing building, to screen views and prevent overlooking from the proposed disabled ramp and porch to the property at 8 Curia Street.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Amenity

10. The amenity of the area must not be detrimentally affected by the use or development through the:

- a) transport of materials, goods and commodities to or from the land;
- b) appearance of any buildings, works or materials;
- c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil;
- d) presence of vermin

to the satisfaction of the Responsible Authority.

Residential amenity

11. The use shall at all times be conducted in a manner which ensures that the residential amenity of nearby residential properties is not detrimentally affected to the satisfaction of the Responsible Authority.

Onus for Noise Control

12. The occupier shall take all necessary steps to ensure that no noise or other disturbance emanates from the premises which would be likely to cause a nuisance to the adjoining occupiers or a detriment to the amenity of the neighborhood to the satisfaction of the Responsible Authority.

Rubbish screening

13. The storage of goods or materials in conjunction with the use or development shall to the satisfaction of the Responsible Authority:

- a) Be carried out in a manner so as to prevent the exposure to view from any adjacent premises or from any public place of any unsightly matter.
- b) Be stored so as to not become visually obtrusive on the site.

Neat and tidy

14. The subject land must be kept neat and tidy at all times and its appearance must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Hours of operation

15. Except with the further written consent of the Responsible Authority, the following hours of operation apply to the medical centre:

- Monday to Friday: 8am to 8pm; and
- Saturday: 9am to 4pm

Number of practitioners

16. No more than three (3) practitioners may operate from the premises at any one time except with the written consent of the Responsible Authority.

Landscape plan

17. Before the development starts a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and three copies must be provided. The plans must show:

- a) Existing landscaping within the site.
- b) The proposed design features such as paths, paving, lawn and finished surfaces.
- c) A schedule of all proposed vegetation (trees, shrubs and ground covers) which includes botanical names, common names, pot size, mature size and total quantities of each plant.

The landscaping in accordance with this approved plan and schedule shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority.

Advertising signs

Submission of plans

18. Prior to the use commencing, full details of signs to be provided on site, must be submitted for written approval by the Responsible Authority. Details must include dimensions, wording and colour scheme.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

No alterations to sign

19. The location and dimensions of the signs shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Sign maintenance

20. The sign approved by this permit must be constructed and maintained to a safe and tidy standard to the satisfaction of the Responsible Authority.

No external sign illumination

21. The sign permitted by this permit must not be floodlit or illuminated by external lights except with the prior written consent of the Responsible Authority.

Expiry date – signage

22. Permission for the display of the advertising sign expires 15 years from the date of the issue of this permit.

Car parking

Construction

23. Before the use of the land commences, areas shown on the endorsed plans as set aside for car parking and access lanes must be:
- a) Constructed.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced with crushed rock or gravel.
 - d) Drained.
 - e) Line-marked to indicate car parking spaces and access lanes in accordance with Council's standards and completed to the satisfaction of the Responsible Authority.

Car parking for disabled persons

24. A minimum of one (1) car space must be provided for the use of disabled persons. The car space must be provided as close as practicable to a suitable entrance of the building and must be clearly marked with a sign to indicate that the space must only be utilised by disabled persons. The minimum dimensions of the car space must be 3.2 metres wide by 4.9 metres long.



10.2.1 Planning Permit Application P039/18 - Use and Development of Land for a Medical Centre, Advertising Signage, and a Car Parking Reduction at 6 Curia Street, Mansfield Cont.

Direction signage

25. A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the rear of the site for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The area of the sign must not exceed 0.3 square metres.

Permit expiry

26. This permit will expire if one of the following circumstances applies:
- a) The use is not commenced within two years of the date of this permit.
 - b) If commenced within two years is then discontinued for a period of two years.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Carried

- 6.22pm - Cr Paul Volkering returned to the Council Chamber.**
- Statutory Planner, Clare Wilkinson departed the meeting.



10.2 DEVELOPMENT SERVICES CONT.

10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet

6.34pm *As a result of a verbal request, Ms Ellen Hogan addressed the Council in relation to the above report.*

File Number: DA3348
Responsible Officer: Team Leader Planning & Environment, Grant Trenwith

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Summary

The purpose of this report is to seek Council’s determination of an application for a planning permit for buildings and works (upgrades to camping and caravan park) at the Howqua Valley Resort located at 2740 Mansfield-Woods Point Road, Howqua Inlet.

The application is being referred to Council as ten objections to the proposal have been received and the value of the works is over 1 million dollars.

Application Details

Application Details	
Applicant	Mr Campbell Jennings of Jennings Group, C/- Ellen Hogan & Associates.
Proposal	Buildings and works (staged upgrades to camping and caravan park).
Application lodged	19 December 2017
Notice and Submissions	Notice to surrounding owners/occupiers: Yes Notice on site: Yes Notice in newspaper: No Objections: Ten
Property Details	
Property Address	2740 Mansfield-Woods Point Road, Howqua Inlet
Land Description	Lot 3 LP90328 and Lot 14 TP880042 (no address)
Land Area	11.524 hectares
Existing Use	Camping and Caravan Park
Restrictive covenants	There are no restrictions (covenants or section 173 Agreements) registered on title.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Planning Provisions	
Zone	Farming Zone (FZ)
Overlays	Environmental Significance Overlay – Schedule 1 (ESO1) Floodway Overlay (FO) Bushfire Management Overlay (BMO)
State Planning Policy Framework	Clause 11.03-5S Distinctive areas and landscapes Clause 12.01-2S Native vegetation management Clause 12.03-1S River corridors, waterways, lakes and wetlands. Clause 12.05-2S Landscapes Clause 13.02-1S Bushfire planning Clause 13.03-1S Floodplain management Clause 13.05-1S Noise abatement Clause 13.07-1S Land use compatibility Clause 14.02-1S Catchment planning and management Clause 14.02-2S Water quality Clause 17.01-1S Diversified economy Clause 17.04-1S Facilitating tourism Clause 17.04-1R Tourism – Hume Clause 18.02-4S Car parking Clause 19.03-4S Stormwater
Local Planning Policy Framework	Clause 21.05-1 Landscapes Clause 21.05-2 Flora and fauna Clause 21.05-3 Water catchment planning Clause 21.06-2 Flooding Clause 21.06-3 Bushfire Clause 21.07-3 Tourism Clause 22.02 Design and siting guidelines in rural areas and upon significant ridgelines. Clause 22.03 Floodplain management Clause 22.04 Managing Water Quality in Special Water Supply Catchments
Particular Provisions	Clause 52.06 Car Parking Clause 53.02 Bushfire planning
General Provisions	Clause 65.01 – Approval of an Application or Plan Clause 66 – Referral and notice provisions
Permit Triggers	
Farming Zone	Clause 35.07-4 – A permit is required to construct a building or works associated with a use in Section 2 of Clause 35.07-1. Clause 35.07-4 – A permit is required to construct a building within 100 metres of a designated flood plain.
Environmental Significance Overlay	Clause 42.01-2 – A permit is required to construct a building or construct or carry out works.
Floodway Overlay	Clause 44.03-2 – A permit is required to construct a building or to construct or carry out works.
Bushfire Management Overlay	Clause 44.06 – A permit is required to construct a building or to construct or carry out works associated with accommodation.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Other	
Area of Aboriginal Cultural Heritage Sensitivity	No
DWMP Risk Rating	High

Executive Summary

A planning permit application has been lodged to carry out buildings and works at the Howqua Valley Resort to construct cabins and camping sites, a toilet block, camp kitchen, shed, water tank, boat and trailer storage, waste storage area, a multi sports court and a games room.

The application has been assessed against relevant Mansfield Planning Scheme policies and objectives, the purpose of the Farming Zone, Environmental Significance Overlay, Floodway Overlay, and Bushfire Management Overlay and the general provisions of Clause 65.

The key findings of the assessment are:

- The proposal complies with planning policies, zone and overlay provisions and Clause 65 (Decision Guidelines) of the Mansfield Planning Scheme, subject to conditions on permit.
- The application has been referred to the Country Fire Authority, Goulburn Murray Water, the Goulburn Broken Catchment Management Authority, the Environment Protection Authority, VicRoads, and internally to Council's Environmental Health and Engineering Departments. No objections to the proposal have been received from the referral authorities subject to conditions on permit.
- The proposed development will not adversely impact water quality or the amenity of the area and will make a positive contribution to landscape amenity and the tourist accommodation sector.

Background

Subject site and locality

Howqua Valley Resort is located between the banks of Lake Eildon and Mansfield-Woods Point Road, approximately 27 kilometres from the Mansfield township in an area known as Howqua Inlet. Jamieson is located 14.2 kilometres to the south.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

It is a well-established accommodation facility with long-term caravan and annexed sites, short-term accommodation in the form of cabins, cottages, and caravan and camping sites. On-site facilities include a canteen, kitchen, toilet and shower facilities, entertainment areas and cabins. Other facilities and activities at the resort include:

- A lagoon pool.
- 9-hole mini-golf
- Tennis courts, bocce, volleyball and giant chess
- Kayak and paddle board
- Takeaway and café
- The Howqua Store
- A bottle shop
- Recreational/function room
- Children's playground
- BBQ
- Communal laundries
- Boat ramp (registered with Goulburn Murray Water)
- Fuel bowser
- Helipad

The park is registered under the *Residential Tenancies (Caravan Parks and Moveable Dwellings Registration Standards) Regulations, 2010*.

The surrounding land is woodland to the south/south-east, rural/residential properties and farmland.

An aerial image of the site and immediate surrounds is shown at Figure 1 and a planning map extract from the Mansfield Planning Scheme is shown at Figure 2. The planning map extract shows the subject land and land to the south in the Farming Zone (FZ),

Lake Eildon to the north and north-west in the Public Park and Recreation Zone (PPRZ) and Public Use Zone (PUZ1), and the Mansfield-Woods Point Road in the Road Zone Category 1 (RDZ1).

10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.



Figure 1 – Subject site and surrounds (aerial image missing from Council's GIS records at this scale for the area to the south-east of Mansfield-Woods Point Road)



Figure 2 – Planning map extract of the subject site



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Permit/Site History

The following planning permits have been previously approved for the land:

- Planning permit PD/02/00142 was approved on 7 May 2002 for the construction of a caravan annexe.
- Planning permit P0159/03 was approved on 24 June 2003 for extensions and alterations to existing caravans, annexes and on-site cabins used in conjunction with the camping and caravan park in accordance with the endorsed plans.
- Planning permit P046/14 was approved on 3 July 2014 for extensions to the existing shop and kitchen.
- Planning permit P146/17 was approved on 26 October 2017 for a retaining wall.

Proposal

It is proposed to upgrade some older facilities and expand the resort with new transportable cabins (UMD's), powered caravan sites and areas for basic camping. The effluent disposal system will also be upgraded. The stages of development are as follows:

Stage 1 – Transportable cabins (refer Attachment 2)

Development of six new 94.5² park operated cabins (UMD, transportable cabins) located on the old tennis court site. One annual site will also have a replacement UMD cabin.

The UMD's will be constructed on-site. The cabins will use muted colour tones for all building materials.

The existing road to the UMD sites will be upgraded and the sites will be provided with power and water.

Stage 2 – Work shed and water tank (refer Attachment 3)

Development of a 120m² work shed. The shed will be used to store equipment associated with the maintenance of the resort. It will have a steel subfloor, timber frame, and colorbond (woodland grey) wall and roof cladding. 3-phase power will be connected to the shed.

A 72,000-litre water tank will be constructed west of the shed.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Stage 3 – Major works program (refer Attachment 4)

This stage comprises the major works program as follows:

- Earthworks for the construction of the cabin and camping sites.
- Landscaping works including construction of a rock wall and tree planting.
- Installation of a fire hydrant and hose reel system for development and trenching services such as power and water etc.
- Two (2) short-term sites (C27-C28) and the relocated lodge building at Level 1.
- Five (5) short-term sites at Level 2 (C1–C5). The cabin design will be the same as for Stage 1.
- Boat and trailer storage at Level 3.
- A ‘Waste Control Point’ at Level 4. The waste will be fenced and used as a manageable waste area.
- Nine (9) caravan and camping sites at Level 4 (C18-C26).
- Twenty-two (22) caravan/camping sites at Level 5 (PS1-PS22) and a toilet/amenities block. Sixteen (16) of these sites will be located entirely within the Lake Eildon foreshore area requiring approval from Goulburn Murray Water.
- A replacement camp kitchen.
- Relocation of dwelling known as “Ritchies” to new site (R2 on the plans).

Stage 4 (refer Attachment 5)

This stage includes new sporting facilities, including:

- New tennis court/multi sports court; and
- A new games room.

All development except the Level 5 caravan/camping sites (not services) will be located within the boundaries of the subject land.

Goulburn Murray Water as the public land manager has consented to the application being lodged subject to the landowner entering into a formal occupation agreement of which the general and special conditions are yet to be agreed.

The applicant has requested an extended expiry date on the planning permit due to the extent of the works proposed.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

MANSFIELD PLANNING SCHEME CONTEXT

Planning Policy Framework (PPF)

The following planning policies and objectives (indented) are relevant to this application:

Clause 11.03-5S Distinctive areas and landscapes

To protect and enhance the valued attributes of identified distinctive areas and landscapes.

Consideration must be given to recognising the significant geographic and physical features of these areas and the important role these areas play in the state as tourist destinations. Development that enhances the valued characteristics of these areas should be supported.

Clause 12.03-1S River corridors, waterways, lakes and wetlands.

To protect and enhance river corridors, waterways, lakes and wetlands.

Environmental, cultural and landscape values of all water bodies must be protected, and development must be designed and sited to maintain and enhance environmental assets, significant views and landscapes adjacent to lakes.

Clause 12.05-2S Landscapes

To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

Development must not detract from the natural qualities of significant landscape areas and consideration must be given to improving landscape qualities, open space linkages and environmental performance in these areas.

Clause 13.02-1S Bushfire planning

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

The protection of human life must be prioritised over all other policy considerations and bushfire hazard must be identified and addressed.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Clause 13.03-1S Floodplain management

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

Intensifying the impact of flooding through inappropriate development must be considered and development that involves the storage of hazardous chemicals or wastes must prevent contact between floodwaters and such substances.

Clause 13.05-1S Noise abatement

To assist the control of noise effects on sensitive land uses.

Development must not prejudice or reduce community amenity by noise emissions.

Clause 13.07-1S Land use compatibility

To safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects.

The compatibility of development as appropriate to the land use functions and character of the area must be considered by using a range of building design, urban design, operational and land use separation measures.

Clause 14.02-1S Catchment planning and management

To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

The availability of clean, high-quality drinking water must continue by protecting water catchments and water supply facilities; measures to minimise stormwater runoff from developed areas must be considered; and appropriate measures must be applied to restrict sediment discharges from construction sites.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Clause 14.02-2S Water quality

To protect water quality.

Development that potentially discharges contaminated runoff or wastes to waterways must be sited and managed to minimise such discharges and to protect the quality of surface water and groundwater resources, rivers, and water bodies.

Clause 17.01-1S Diversified economy

To strengthen and diversify the economy.

Growth must be facilitated in the tourism industry based on the emerging and existing strengths of each region and support must be given to rural economies to grow and diversify.

Clause 17.04-1S Facilitating tourism

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

A range of well-designed and sited tourist facilities must be encouraged. Investment in tourism that meets demand and supports growth should be supported.

Clause 17.04-1R Tourism – Hume

Rural tourism activities such as accommodation should be supported.

Clause 18.02-4S Car parking

To ensure an adequate supply of car parking that is appropriately designed and located.

Land must be set aside for car parking subject to the existing and potential modes of access to protect the role and function of nearby roads.

Clause 19.03-4S Stormwater

To reduce the impact of stormwater on bays, water bodies and catchments.

Stormwater pollution from construction sites must be managed through a mix of on-site measures.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Local Planning Policy Framework (LPPF)

The Local Policy framework includes the Municipal Strategic Statement (MSS) and the Local Planning Policies (LPP). The LPP are tools used to implement the objectives and strategies of the MSS. The MSS is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives.

The following MSS and local policy objectives (indented) are relevant to this application.

Clause 21.05-1 Landscapes

To recognise and protect the environmental and landscape significance of the broader alpine approach areas.

Protecting the landscape character and managing development in significant landscapes is a key issue for the Shire. Significant landscapes must be protected.

Clause 21.05-2 Flora and fauna

To maintain biodiversity.

The need for conservation and enhancement of the municipality's biodiversity is a key issue for the Shire. The removal of native vegetation and its effect on the environment, scenic values and fauna must be considered.

Clause 21.05-3 Water catchment planning

To recognise and protect the environmental significance of the Special Water Supply Catchments.

Key issues for the Shire include the cumulative impacts of onsite wastewater treatment systems within declared water supply catchments and balancing the need for development with the need to protect water quality. Land development abutting Lake Eildon needs to be carefully assessed.

Relevant strategies under the Clause include preventing development in the catchment that is detrimental to water quality; discouraging further development in Special Water Supply Catchments particularly new rural residential estates on the lakes' shores; and providing a riparian buffer of at least 30 metres to development.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Clause 21.06-2 Flooding

To protect the floodplain from inappropriate development.

Development that could adversely inhibit the flow of flood waters should be discouraged and the function of floodplains to convey water in flood events must be considered.

Clause 21.06-3 Bushfire

To ensure that strategic and settlement planning decisions prioritise the protection of human life, over other policy considerations.

To strengthen community resilience to bushfire by ensuring that bushfire protection measures are considered and given effect to in large subdivisions outside of the Bushfire Management Overlay.

To ensure that in areas outside of the Bushfire Management Overlay bushfire protection measures are considered for development which may be occupied by potentially vulnerable people.

There are a number of strategies required to mitigate bushfire hazard including:

- The need to balance bushfire protection measures with environmental objectives;
- The cumulative impact of decisions that may intensify the permanent, seasonal or temporary population in areas of high bushfire risk; and
- The views of the Country Fire Authority.

Clause 21.07-3 Tourism

To attract high quality tourism development that is conducive to the environmental attributes of the area and is empathetic to the character of the Shire.

To minimise the negative impact that tourism can have on the built and natural environment.

A key issue for the Shire is maximising tourism visitation while maintaining the attributes that attracts tourists.

Relevant strategies include ensuring development is designed to be unobtrusive and sensitive to environmental and aesthetic values; avoiding tourism development in areas prone to high fire risk, flooding and erosion; locating tourism development in existing settlements; and encouraging the development of quality affordable short and long term accommodation for visitors.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Clause 22.02 Design and siting guidelines in rural areas and upon significant ridgelines.

This policy applies to all planning permit applications in all zones of the Shire where significant ridgelines or areas deemed to be of a high level visual amenity are proposed to be developed for the purpose of a building.

The objectives of the policy are:

To ensure that all buildings are designed and sited to minimise environmental and visual impacts.

To ensure that the siting of buildings does not threaten or reduce the rural capability of the land or introduce the potential for land use conflicts.

To ensure that access driveways and other earthworks are designed and sited to limit environmental impact and the impact on the visual amenity.

To ensure that all development is designed and located to minimise risks from natural hazards.

Relevant policies include:

Siting

- Buildings, particularly dwellings, should be located so as not to adversely impact on the rural activities conducted on the site and adjoining land and the long term viability of rural production in the area.
- Buildings should be unobtrusive in the landscape, be located along tree lines or topographically obscured to reduce their visual impact.
- Substantial landscaping should be used to reduce the visual impact of the buildings on the landscape.
- Buildings should not be sited on visually exposed ridgelines, unless the visual impact is minimised by using designs and colours that merge with, or compliment, the landscape.
- Building setbacks from property boundaries, government and private roads and waterways should be relevant to the scale of the building, the site circumstances, the potential environmental impact and the rural activities conducted on the site.
- Buildings can only be located less than 30 metres from streams or rivers, or less than 100 metres from state water storages, with the approval of the relevant authorities (Goulburn Broken Catchment Management Authority and Goulburn-Murray Water).



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Siting cont.

- Building and wastewater disposal field setbacks from waterways and other significant environmental features should be determined with reference to the *Guidelines for the Protection of Water Quality* (as amended).

Built form

- Buildings should be designed to respond to the topography of the land.
- Buildings, including sheds, should be constructed out of materials capable of blending in with the natural surrounding environment whether this be in natural form or via a tailored paint scheme.
- External finishes on buildings should:
 - Respond to, compliment and/or reflect the colours and textures evident in the natural environment;
 - Have a low reflectivity to minimise glare and visual impact.
 - Buildings located on or near a visually exposed ridgeline, should not exceed 1 storey or 6 metres in height from natural ground level.

Clause 22.03 Floodplain Management

This policy applies to land affected by the Floodway Overlay. The objectives include:

To minimise flood risk and promote sustainable use and development of the floodplain.

Require land use and development on the floodplain is compatible with flood risk.

Require, where permitted, development in the floodplain:

- Minimises flood damage;
- Will not cause any significant rise in flood level or flow velocity; and
- Will not cause any impact on adjacent property.

To avoid the intensification of land use and development in the floodplains of watercourses.

To recognise the natural flood carrying capacity of rivers, streams and wetlands and the flood storage function of floodplains.

To protect surface and ground water quality, and preserve important wetlands and areas of environmental significance.

To minimise risks associated with the overland flow of stormwater.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Relevant policies include:

- Facilitate new buildings and works to occur on land outside the UFZ, FO and LSIO.
- Avoid any new buildings and works, including earthworks, vegetation clearance and land filling, in Urban Floodway Zone and Floodway Overlay areas along water courses in the shire.
- Avoid landfill in all areas subject to flooding other than for building envelopes in flood fringe areas. Flood fringe areas are usually within the Land Subject to Inundation Overlay towards the limit of inundation extent.
- Discourage the use of levees, except to protect existing dwellings where floor levels are known to be below flood level or to protect areas in accordance with an approved scheme.
- Avoid earthworks that obstruct natural flow paths or drainage lines, such as cut and fill.
- Encourage the retention of natural drainage corridors with indigenous vegetation buffer areas along waterways to maintain the natural drainage function, stream habitat and wildlife corridor and landscape values. This will minimise erosion of stream banks and verges during large floods, reduce polluted surface runoff from adjacent land uses, and maintain the natural drainage function, stream habitat, wildlife corridor and landscape values.
- Facilitate new buildings to be situated in such a way that their longitudinal axis is parallel to the predicted direction of the flood flow.
- Facilitate new buildings and extensions to be designed so that flooding will cause minimal damage to the structure and its contents, including raising floor levels, using water resistant materials and raising electrical fittings and wiring above the nominal flood protection level.
- Avoid large building extensions that will be below the nominal flood protection level.
- Replacement dwellings should be sited on the highest available land unless the applicant can demonstrate to the satisfaction of the Responsible Authority that an alternative site is more suitable.
- Minimise the quantity and retard the flow of stormwater runoff from developed areas.

Council's GIS records show that part of the proposed campsites and associated landscape works are located within the Floodway Overlay.

Clause 22.04 Managing Water Quality in Special Water Supply Catchments

This policy applies to planning applications on land within a Special Water Supply Catchment Area listed under Schedule 5 of the Catchment and Land Protection Act 1994.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

The objectives of the Clause are:

To reduce the potential for domestic wastewater, particularly in unsewered areas, to cause cumulative impacts on public health, water quality and catchment health by implementing the recommendations of the Mansfield Shire Domestic Wastewater Management Plan 2014 (as amended).

To adopt a scientific, risk analysis based approach to management of development and subdivision within declared special water supply catchments.

To ensure cumulative benefits are achieved through incremental upgrades of existing onsite wastewater management systems to meet current day standards.

To maximise connections to reticulated sewerage infrastructure.

To provide clarity for the community by identifying planning permit application requirements and development capacity in high, medium and low risk areas.

To encourage the adoption of integrated water cycle management initiatives (such as those which minimise water consumption, recycle water and harvest rainwater) to achieve better domestic wastewater management and water quality outcomes, particularly in high risk townships.

It is policy to:

- Consider the risk for potential cumulative impacts on catchment health and water quality when assessing applications within declared special water supply catchments.
- Support new development where connection to reticulated sewerage infrastructure is proposed or there is scientific evidence demonstrating the proposal does not have a cumulative impact on nutrient and pathogen loads.
- Encourage integrated water cycle management features in developments to reduce overall wastewater volumes and level of nutrients, pathogens and pollutants entering the catchment.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Zoning

Farming Zone

The land is located in the Farming Zone (FZ). The purpose of the zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Pursuant to Clause 35.07-4, a permit is required to construct or carry out building or works associated with a use in Section 2 of Clause 35.07-1, and within 100 metres from a waterway.

Overlays

The following overlays apply to the subject land:

Clause 42.01-2 Environmental Significance Overlay

The purpose of the overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Pursuant to Clause 42.01-2, a permit is required to construct a building or construct or carry out works.

Schedule 1 to the Environmental Significance Overlay

The environmental objective to be achieved under the Schedule is:

To discourage development and works that potentially contributes to the degradation of water quality and quantity.

Pursuant to 3.0 of the Schedule, a permit is required for buildings and works that generate new wastewater, for works undertaken within 50 metres of Lake Eildon, and for discharges of effluent within 100 metres of a waterway.

Clause 44.03-1 Floodway Overlay

The purpose of the overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Pursuant to Clause 44.03-2, a permit is required to construct a building or to construct or carry out works. It is proposed to construct camping sites and associated landscaping within the Floodway Overlay.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Clause 44.06 Bushfire Management Overlay

The purpose of the overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Pursuant to Clause 44.06-2, a permit is required to construct a building or construct or carry out works associated with accommodation.

Pursuant to Clause 44.06-4, an application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

Particular Provisions

Clause 52.06 Car parking

The purpose of the particular provision is:

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Pursuant to Clause 52.06-6, before the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority for a camping and caravan park.

Clause 53.02 Bushfire Planning

The purpose of the particular provision is:

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

The proposal to undertake buildings and works for accommodation must satisfy the requirements at Clause 53.02-4 relating to bushfire protection objectives for landscape, siting and design objectives; defensible space and construction objective; and water supply and access objectives.

General Provisions

Clause 65 Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider the matters set out in the decision guidelines at Clause 65.01. The relevant matters have been considered and it has been determined that the proposal meets the relevant decision guidelines.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Consultation

Notification to surrounding properties

The application was advertised pursuant to section 52 of the *Planning and Environment Act*, 1987 by sending letters to neighbouring properties and by placing a notice at the front of the site for a period of 14 days. At the close of the advertising period fifteen objections had been received. The following is a summary of the grounds of objection:

- Increased sewerage and waste and potential impacts on water quality.
- Increase in boats, motorbikes and cars.
- Noise.
- Problems with turning into the caravan park.
- Location of the cabins in proximity to Lake Eildon.
- Increased number of residents within the caravan park.
- Trespass and privacy of private properties.
- Proximity of toilet block to crown land.
- Storage and parking of boats and trailers.
- Boat ramp and restricted access to local residents.
- Traffic impacts on the foreshore.
- Intensity of development and amenity concerns.
- Rubbish left on the foreshore.
- Anti-social behaviour.

A Consultative Meeting was held on the 10th of August 2018 attended by Councillors, the applicant, the objectors, and the assessing officer. Objectors made verbal submissions outlining their specific concerns to which the applicant responded.

There was no resolution at the meeting on the objections lodged however following the Consultative Meeting the plans were amended and five objections were withdrawn as a result.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Referral Responses

The application has been referred to relevant referral authorities and Council departments. The following table summarises the referral authority responses:

Referral Authority	Response
Goulburn Murray Water	<p>No objection to the proposal subject to conditions relating to sediment control, obtaining a Works Approval from the Environment Protection Authority, obtaining approval for the construction of works through a licence from GMW, and entering into an Agreement with GMW in relation to the tenure and structures on GMW owned/managed foreshore.</p> <p>Goulburn Murray Water as public land manager consented to the applicant making an application for the proposed building and works subject to the landowner entering into a formal occupation agreement of which the general and special conditions are yet to be agreed.</p>
Goulburn Broken Catchment Management Authority	No objection to the proposal subject to a condition requiring the siting of works above the full supply level of Lake Eildon.
Environment Protection Authority	No objection to the proposal on condition that application is made for a Works Approval from the EPA, or written confirmation that a Works Approval is not required.
Country Fire Authority	No objection to the proposal subject to the planning scheme mandatory condition and a condition requiring that the Bushfire Management Plan is endorsed to the planning permit.
VicRoads	No objection subject to a condition that driveways are kept in a fit and proper condition so that vehicles can enter and exit the site in a safe manner.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

The following table details the responses from Council departments:

Department	Response
Engineering	No objection to the proposal subject to conditions relating to property access, internal access, drainage, and asset protection.
Environmental Health	No objection to the proposal subject to conditions relating to registration under the Residential Tenancies Act, adequate fire-fighting in accordance with the caravan park guidelines, maintenance and improvements to the wastewater system, the need to apply for an EPA Works Approval, regular inspections of the wastewater system, a requirement for moveable cabins only, and a requirement for the moveable cabins to be registered under the Residential Tenancies Act.

DISCUSSION/ASSESSMENT

The following is an assessment against relevant policies, objectives, and strategies of the planning policy framework, the decision guidelines of the Farming Zone, the Environmental Significance Overlay (ESO1), Floodway Overlay (FO), Bushfire Management Overlay (BMO), and the particular provisions of Clauses 52.06 and 53.02.

Environmental impacts

Wastewater treatment and management

State planning policies at clauses 12.03-1S, 14.02-1S, 14.02-2S 19.03-4S; and local planning policies at clauses 21.05-3, 22.02 and 22.03 seek to protect water quality. The proposed buildings and works are situated close to the high water mark of Lake Eildon as shown on the site plan prepared by Taylor Consulting Engineers at Attachment 1 therefore potential impacts from wastewater must be considered.

The site is currently serviced by a series of septic tanks and storage tanks, pump wells, treatment ponds and surface spray irrigation as detailed in the 'Howqua Valley Resort Wastewater System Audit' report dated February 2018. It is proposed to upgrade the existing treatment system to replace the surface irrigation with pressure compensated subsurface irrigation and includes a system monitoring and maintenance programme.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

A Land Capability Assessment (LCA) report prepared by Paul Williams & Associates Pty Ltd in collaboration with Taylor Consulting Engineers has concluded that provided the proposed on-site system is adequately operated and maintained it will be a significant improvement on the existing (multiple) systems currently in operation at the site and the risk to ground waters and Lake Eildon surface waters is negligible, noting also that the proposed system represents a net environmental gain.

The LCA has been assessed by Goulburn Murray Water and Council's Environmental Health Department and it has been established that, subject to appropriate conditions on any permit that may issue, wastewater treatment is acceptable. It is therefore concluded that the relevant state and local policy objectives will be achieved.

Surface runoff from construction works

State planning policies at clauses 14.02-1S, 14.02-2S, 19.03-4S; and the local planning policy at clause 22.02 seek to minimise impacts from stormwater runoff. The applicant has submitted that by using sediment controls and by undertaking site works during the drier months of the year, impacts on water quality from site works will be minimal. Conditions of permit will require that sediment controls are put in place to prevent discharges to waterways and Lake Eildon and it is therefore considered that relevant state and local policy objectives can be achieved.

Groundwater

It is unlikely that groundwater will be intercepted during construction. However, a condition of permit will require that if groundwater is intercepted, work must cease immediately until such time as confirmation has been sought from Goulburn Murray Water as to whether approvals and/or licenses are required.

Impacts on flora and native vegetation

State planning policies at clauses 12.01-2S, 12.03-1S, and 12.05-2S require that consideration must be given to protecting and enhancing landscape amenity particularly near to water bodies and undertaking substantial landscaping to reduce the visual impact of buildings on the landscape.

A plan of "Foreshore Trees" has been provided which shows the existing trees in the area of the proposed building and works. The trees within the foreshore located west of the front camping sites and two of the spotted gums at the eastern end of the camping sites are to be retained. All other trees will be removed. An assessment of the trees to be removed undertaken by an arborist (Advanced Tree Care) has established that the trees are planted and are therefore exempt from a planning permit under Clauses 42.01-3 of the Environmental Significance Overlay and the particular provision of Clause 52.17 – Native Vegetation.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

A landscape concept plan has been submitted with the application which shows a rock mudstone wall and a screen hedge extending along the front of the foreshore camping sites. It also shows the trees to be retained and new plantings scattered throughout the development. Whilst some of the proposed buildings and works will be visible from adjoining land in the short term, in the medium to longer term the structures will be softened or screened by vegetation. The applicant amended the application to reduce the number of cabins on the site substantially reducing their visual dominance in this exposed location and thereby enabling more of the site to be planted. This is an appropriate design response in this location.

The landscape concept plan has been referred to the Country Fire Authority which has commented that the endorsement of the Bushfire Management Plan as required by Condition 29 may cause some issues with the proposed landscaping. The CFA require that the landscaping must be in accordance with Table 6 of Clause 53.02-5 (Bushfire Planning) of the planning scheme. This will be required by a condition on permit (Condition 18). It is noted that the CFA requirements will not substantially change the landscaping as proposed.

The landscaping, rock wall and fencing proposed in the foreshore land managed by Goulburn Murray Water will require consent from the corporation. The landscape concept plan has been referred to Goulburn Murray Water which has raised no objections to the proposed landscaping or rock wall.

A condition of permit will require that landscaping is provided in accordance with the landscape concept plan which achieves the policy objectives detailed above. This is an area of high visual amenity and it is important that landscape protection and enhancement is addressed. The landscaping, once installed, will need to be retained and maintained in perpetuity.

In view of the above it is considered that relevant state and local planning policies are met subject to conditions on permit.

Amenity impacts

Noise

The state planning policy at Clause 13.05-1S requires that development must not prejudice or reduce community amenity by noise emissions.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

No information has been provided which addresses potential noise impacts from the increase in users of the camp ground. A 'general amenity' condition of permit will require that the use and development does not cause a noise nuisance to surrounding residential properties, and a Noise and Amenity Plan will be required to be approved by Council prior to the commencement of works. A complaints register will also be required to log complaints and to be made available to Council officers upon request. A register will assist in establishing whether noise at the camp is an issue for neighbours, whether conditions of permit are being met, and whether follow-up enforcement action is required. Neighbours may also lodge their complaint directly with Council for follow-up action.

It is considered that subject to conditions on permit the state policy and objective requiring control of noise effects on sensitive land uses will be met.

Traffic Impacts

Access to the site will be from Mansfield-Woods Point Road and it is not proposed to alter this access or create a new access. The introduction of new accommodation units will generate more traffic to and within the site however it is unlikely that congestion at the site entrance will be an issue given the varied arrival and departure times of patrons. The site has a bell-mouth entrance 60 metres wide where it directly abuts Mansfield Woods Point Road meaning that cars can park safely near the site gates with good visibility prior to entering or after exiting Mansfield-Woods Point Road. The application has been referred to VicRoads which has not identified any road safety issues on Mansfield-Woods Point Road resulting from the development. VicRoads require a condition on permit that the driveways must be maintained in a fit and proper state.

Traffic within the site has the potential to generate noise that may impact the amenity of adjoining residential properties. Existing signs within the site will restrict traffic speed and it is not expected that internal traffic noise will be an issue.

Visual impacts from new buildings

It is proposed to construct a total of seventeen new single-storey buildings within the site which will be visible from various locations around the site and Lake Eildon. The state planning policy at Clauses 12.05-2S and the local policies at Clauses 21.05-1 and 22.02 require that new development is unobtrusive and obscured to reduce its visual impact in the landscape. The proposed landscaping and revegetation is a positive design response and the trees will provide shade and shelter to campers and locals and contribute to habitat for local fauna. It is therefore considered that the landscape amenity of the area will be enhanced. A condition of permit will require that the external walls of the buildings are constructed of materials coloured to blend in with the natural environment. As the land slopes down to Lake Eildon from Mansfield-Woods Point Road, the buildings within the resort are not visible from the main road apart from a small section on the north-east boundary.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

It is considered that the extensions to the resort are a logical outcome for that part of the site. Development is restricted in other parts of the site by existing cabins and infrastructure and the desire to preserve the vegetative buffer along the western boundary. The extension does not have the effect of alienating land in rural use as it builds upon an existing facility which the landowner and managers are attempting to enhance by improving the landscape quality through new plantings, improving environmental performance, and by eliminating nuisance impacts on adjoining land through effective on-site management.

It is considered that the objectives of relevant state and local policies are achieved subject to conditions on permit.

Waste

A Waste Control Point is proposed at Level 4. The waste area will be fenced and JJ Richards Waste Management will be engaged for waste collection and the supply of waste skips. A condition of permit will require that the area is graded and drained and screened from public view.

Natural hazards

Bushfire hazard

The subject land is covered by a Bushfire Management Overlay requiring that a bushfire hazard assessment and Bushfire Management Statement be provided. The bushfire hazard for the site is the forest to the west and the pine forest to the north-west. It is also possible that with drought conditions the lake bed could become grassland which must also be considered.

A Bushfire Management Statement has been submitted which addresses siting and design, defensible space, and water supply and access. The statement has been assessed by the Country Fire Authority which requires that conditions be placed on permit requiring that bushfire protection measures relating to construction standards, defensible space, water supply and access be maintained on a continuing basis. The Bushfire Management Plan prepared by Taylor Consulting is to the satisfaction of the CFA and must be endorsed to the permit.

As previously mentioned the landscape concept plan has been assessed by the CFA and consideration must be given to how the landscape treatment may need to be amended to address bushfire risk. This will be required by a condition on permit as will the CFA requirements.

In view of the above it is considered that the state and local policy objectives at clauses 13.02-1S and 21.06-3 to protect human life from bushfire can be achieved.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Flooding hazard

A Floodway Overlay covers a small section of the site in the north-west corner and Council mapping shows the camping and caravan sites and associated landscaping located are within the overlay. The state planning policy at Clause 13.03-1S and the local policy at Clause 22.03 require that development impacts on flood flows must be considered. The application has been referred to the Goulburn Broken Catchment Management Authority (GBCMA) which has no objection to the proposal subject to a condition that all works must be sited at least 300mm above the full supply level of the Eildon Weir at 289.8 metres AHD, or at a level deemed necessary by the responsible authority. The plans provided with the application show the works can be constructed above this level (this has been confirmed by Taylor Consulting Engineers) so it is therefore considered that the development will not present a flood hazard to the subject land or surrounding properties.

In view of the above it is considered that the relevant planning policies and the purpose of the Floodway Overlay can be met subject to the GBCMA condition on permit.

Tourism

The state planning policies at Clauses 17.04-1S and 17.04-1R require that investment that meets demand and supports growth in tourism should be encouraged, and the local policy at Clause 21.07-3 requires that tourism visitation should be maximised while maintaining the attributes that attract tourists.

As part of a submission by Council to the Environment and Natural Resources Committee “Inquiry into heritage tourism and ecotourism in Victoria” in 2014, it was stated:

“Heritage tourism and ecotourism are established sectors in Mansfield Shire’s considerable tourism industry. Micro and small to medium-sized businesses populate the industry sector that has a gross value of \$322 million to the local economy.

Around 1.2 million visitors spend an average of \$314 each, with some 80 per cent of them staying overnight. Over 50 per cent of our retail trade is attributed to our visitors. We are a vibrant and growing rural lifestyle shire that acts as a hub for nature-based tourism, being the gateway to Lake Eildon, Mount Buller and Mount Stirling and the Alpine National Park. A number of our businesses deliver world class heritage and eco or nature-based tourism experiences to the domestic and international visitor....”.

Tourism is important to the economy of the area and there is clear state and local policy support for improving access to nature-based tourism opportunities. However, development of such facilities must be carefully considered to ensure it does not degrade the natural environment and environmental attributes of the area that it benefits from.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

The resort is located within easy driving distance of the Mansfield Township and Jamieson and it is reasonably anticipated that the expansion of the resort will attract tourists to the area. This is an established camping and caravan park that is looking to expand the business. However, consideration must be given local policy strategies requiring that tourist development should be unobtrusive; should be avoided in areas prone to high fire risk, flooding and erosion; and should not consist of ribbon development along the foreshore of Lake Eildon unless located in existing settlements.

The proposed landscaping demonstrates a sensitivity to the local environment and whilst the extension is proposed in an area of bushfire risk, it is considered that the proximity to the lake, the 'Caravan Park Fire Safety' plan to be implemented (see Attachments) and the approval from the CFA make the development acceptable in this location. Flooding will not be an issue for this development as previously mentioned.

The development is an extension to an existing facility located on land between Lake Eildon and the Mansfield-Woods Point Road so it cannot be considered to be ribbon development, i.e. it does not form a single band along the foreshore. Ribbon development typically comprises a single row of buildings with minimal space between buildings that effectively blocks views of the background. The Howqua resort is built on sloping land so back views are possible and the proposed landscaping will integrate the new buildings into the landscape.

This development will provide affordable short and long-term tourist accommodation that is cognisant of the natural values of the local environment. It is considered therefore that the objectives under state and local policies are achieved.

Car parking

State planning policy 18.02-4S and Clause 52.06 of the planning scheme require that car parking must be considered for the site. Level 3 will provide for boat and trailer storage which will remove these vehicles from the foreshore. Cars will park within the site alongside cabins and within the camping sites. All parking is on-site and will be managed by the site manager. The construction of the wall within the foreshore will prevent unfettered vehicle access to the foreshore from the site which in the past has been an issue.

The camping sites located within the foreshore must operate under a lease agreement with Goulburn Murray Water. These camping sites will be set behind existing trees and the proposed vegetated wall and screen plantings so views of the camping sites from Lake Eildon will be reduced.

There are a number of design standards for car parking pursuant to Clause 52.06-9 of the planning scheme. Access to parking areas and car parking spaces is relatively unconstrained within the site, certainly to the extent that there will be minimal disruption to adjoining residential properties which are well set back from where vehicles will park. It is considered overall that car parking will generally meet with the purpose of Clause 52.06 in that car parking will not adversely affect the amenity of the locality.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Clause 65 Assessment

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this Clause.

Before deciding on an application or approval of a plan, the responsible authority must consider the matters detailed in the following table:

Decision Guideline	Officer Response
The matters set out in section 60 of the Act.	Relevant matters under Section 60 of the Act have been considered.
The Municipal Planning Strategy and the Planning Policy Framework.	The Municipal Planning Strategy and the Planning Policy Framework have been considered for this application. See 'Discussion/Assessment'.
The purpose of the zone, overlay or other provision.	<p>It is considered that the proposed extension to the campground meets with the purpose of the Farming Zone in that it implements the Municipal Planning Strategy and the Planning Policy Framework; it encourages the retention of employment and population; and it is a sustainable development of the land subject to appropriate conditions on any permit that may issue.</p> <p>The relevant overlays are the Environmental Significance Overlay – Schedule 1 (ESO1), the Floodway Overlay (FO), and the Bushfire Management Overlay (BMO). The assessment above has established that the proposed development can meet with the purpose of the overlays</p>
Any matter required to be considered in the zone, overlay or other provision.	The Decision Guidelines under the zone, overlay and particular provisions have been considered for this application.
The orderly planning of the area.	The proposal is an expansion of an existing camping and caravan park which will allow the business to become more sustainable, will bring tourists to the area, will contribute to the landscape amenity of the area, and will provide a net environmental benefit due to upgrades to the wastewater treatment system.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Decision Guideline	Officer Response
The effect on the amenity of the area.	It is considered that, subject to conditions on permit, the amenity of the area will not be adversely impacted as outlined in the officer assessment above.
The proximity of the land to any public land.	<p>The subject land abuts the Lake Eildon foreshore which is managed by Goulburn Murray Water. Goulburn Murray Water (GMW) has not objected to the proposal and under lease agreements between the landowner and GMW, all works must be approved by GMW.</p> <p>A parcel of crown land also abuts the southern end of the western boundary. The proposed development at the northern end of the site will not impact this crown land.</p>
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	A Land Capability Assessment report has been provided and assessed by Council and Goulburn Murray Water and the wastewater system will be upgraded. It is considered that, subject to compliance with permit approvals, water quality will not be adversely affected. It is not expected that the buildings and works on the land will degrade land.
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	The existing stormwater infrastructure within the site is not proposed to be altered and conditions of permit will require that stormwater must not discharge to adjoining properties or cause erosion that may result in sediment discharges.
The extent and character of native vegetation and the likelihood of its destruction.	It is proposed for native vegetation to be removed however an Arborist report has confirmed that the trees to be removed have been planted and are therefore exempt from a planning permit under planning scheme provisions. It is proposed to introduce new plantings to the site which will contribute positively to the landscape amenity of the area.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Decision Guideline	Officer Response
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	See above.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	There is a Floodway Overlay over part of the land and Council maps show caravan and camping sites to be constructed in close proximity to the overlay within the Lake Eildon foreshore. The application has been referred to the Goulburn Broken Catchment Management Authority which has no objection to the proposal subject to a condition requiring that all works be constructed 300mm above the full supply level of Eildon Weir.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Loading and unloading will take place within the site where there is ample space. There will be no impacts on traffic flow and road safety on Mansfield-Woods Point Road from the loading and unloading of vehicles.

Objections

The application was advertised pursuant to section 52 of the *Planning and Environment Act, 1987* by sending letters to surrounding properties and by placing a notice at the front of the site. At the end of the advertising period fifteen objections had been received.

Following the Consultative meeting on 10 August 2018, the application was amended to address concerns of the objectors. The amended application was forwarded to the objectors and as a result five objections were withdrawn.

The grounds of objection are detailed below followed by the assessing officer’s response:

Ground of objection	Officer Response
The additional cabins and caravans will affect the area aesthetically.	Howqua resort contains a number of existing cabins and other buildings and whilst seventeen new buildings are proposed, landscaping has been proposed which will soften and screen buildings when viewed from adjoining properties and the lake. Building materials and colours must be sensitive to the area and will be required to be muted by conditions on permit.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Ground of objection	Officer Response
Wastewater treatment and control will be a problem.	A Land Capability Assessment has been provided which demonstrates that wastewater can be appropriately treated and contained. The application has been assessed by Council's Environmental Health Department and Goulburn Murray Water which have consented to the wastewater treatment subject to conditions on permit.
Noise levels will affect the amenity of the area.	A Noise and Amenity Plan will be required to be approved by Council prior to the commencement of works and will be endorsed to the planning permit making it enforceable. Noise must be managed within the site so that adjoining properties are not adversely impacted. A complaints register must be kept and made available to Council officers upon request so that Council can monitor whether noise is a problem and take the appropriate enforcement action if necessary.
Increased noise from boats, jet skis, etc	Lake Eildon is used by many recreational boaties and jet skiers which can access the lake in a number of locations, not just the campground. Noise levels on the water are beyond the control of the camp ground owners.
Increased traffic on the water potentially impacting the safety of swimmers.	Lake Eildon is used by many recreational boaties and jet skiers which can access the lake in many locations, not just the campground. Increased traffic on Lake Eildon would be difficult to attribute to the expansion of the campground.
Vehicles will be able to access the foreshore and drive in front of our properties	The applicant has proposed a rock wall extending across the campground frontage to Lake Eildon which will substantially impede vehicle access to the foreshore from the campground. Vehicle access to the lake is an ongoing issue and the installation of the rock wall is an attempt by the owner to address the issue.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Ground of objection	Officer Response
<p>There is a lack of facilities for boats to park within the campground.</p>	<p>A boat storage area has been proposed within the campground. Whilst it is difficult to predict the number of boat owners that will stay at the campground, it is considered that the storage area is large enough to accommodate boats associated with the new accommodation.</p>
<p>Privacy of adjoining property owners will be affected by groups gathering on the foreshore.</p>	<p>The Noise and Amenity Plan will require consultation with neighbours. It is expected that issues around privacy impacts can be discussed at these meetings and a condition of permit will require that management and supervisors at the site take all necessary steps to ensure that patrons do not cause a nuisance to surrounding properties.</p>
<p>Rubbish will be left on the foreshore</p>	<p>It is proposed to construct a Waste Control Point and the Noise and Amenity Plan will require that details of waste management are provided to Council. The permit will also contain a 'general amenity' condition that the surrounding area must not be impacted by waste from the site.</p>
<p>Resident's properties will be used as 'drive throughs' to access the lake and anti-social behaviour is a concern.</p>	<p>A condition of permit will require that an appropriate number of responsible persons shall be present as supervisors to ensure that patrons conduct their activities in a manner that does not cause nuisance to neighbours, including accessing their properties.</p> <p>It is noted also that trespass is a civil wrong and trespassers can be sued by landowners i.e., it is against the law.</p>



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Ground of objection	Officer Response
Accommodation of this size has no place in the environs of the Howqua River or the valleys of the upper shire	This is an expansion of an existing camping and caravan park which local planning policy supports when it is developed in a way that is sensitive to the environment. These facilities attract tourists which contribute significantly to the economy of the area. It is also noted that other campgrounds (e.g., Camp Howqua) operate in the area. There is a place for camping and caravan parks in special landscapes.
Will a fence be constructed to prevent the public from walking along the foreshore?	No, it is important that access to the foreshore is maintained for all persons. This occurs at various locations around Lake Eildon. Behaviour of the general public around the lake is managed by Goulburn Murray Water including via information bulletins to the public and via the GMW website.
The camp managers will prevent the public from using their boat ramp.	The boat ramp is licensed by Goulburn Murray Water. The ramp is open to patrons of the park and to the public for a minimum fee. It is also supervised.
There will be an increase in traffic along the lake foreshore accessing Peacheys Road from the lake end and potentially entering private property.	As previously commented, persons cannot access private property without the landowner's consent. This is trespass. Lake Eildon is highly utilised and can be accessed from a number of locations (other than the Howqua campground) and it would be difficult to attribute trespass problems solely to the expansion of the campground.
Turning traffic from Mansfield-Woods Point Road into the campground presents a road safety hazard.	VicRoads have assessed the application and determined that, other than maintaining the site access to a standard fit for purpose, it has no particular requirements or concerns as a result of the development. VicRoads have determined that traffic safety on Mansfield-Woods Point Road will not be an issue.



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Ground of objection	Officer Response
<p>The lake bed will be damaged due to increased traffic.</p>	<p>Access to the lake foreshore and lake bed is subject to compliance with various agency by-laws. Of particular note are provisions which prohibit unauthorised vehicle access to areas other than roads and tracks. Use of the lake bed by vehicles has been an ongoing issue, particularly at times of low water. The <i>Lake Eildon Land and On-Water Management Plan 2012</i> provides a framework for the on-going management of the lake in this regard and work between agencies is continuing. Whilst the campground owners/management are taking steps to restrict access (construction of rock wall, etc), the use of the lake bed by vehicles is clearly an ongoing issue that is, for the most part, beyond the control of the camp owners.</p>
<p>The cabins and caravan sites within immediate proximity of the bank will mean the proposal is prominent in the landscape.</p>	<p>The applicant has amended the application to significantly reduce the number of buildings. Conditions of permit will require that building materials and colours are muted so as to be sensitive to the local environment.</p>
<p>The steep slopes within the site are not suited to further expansion. Development will cause erosion.</p>	<p>Council is not aware of any erosion issues with the site which has been extensively developed over the years. The land to be developed will be landscaped. This will assist with stabilisation and a condition of permit will require that an Environmental Management Plan is provided prior to the commencement of works to ensure that the stabilisation works occur.</p>
<p>The application has not provided an assessment against the requirements of Clause 52.17 – Native Vegetation of the planning scheme.</p>	<p>A letter from a qualified arborist (Advanced Tree Care) has confirmed that the trees to be removed have been planted and are therefore exempt from requiring a planning permit under Clause 52.17 of the planning scheme.</p>



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Ground of objection	Officer Response
Given the existing management concerns, it is likely that any increase in the size of the caravan park will bring with it further exacerbated issues.	The new management of the park has advised that clean-up of the campground is a priority and the site will be managed in a way that is sensitive to neighbouring properties and which provides a facility that is attractive to locals and tourists. It is considered that conditions requiring regular contact with neighbours on amenity impact matters and the preparedness of the owner to improve the environmental performance of the campground, is a positive outcome resulting from this proposal.

Conclusion

The assessment against the planning scheme provisions has established that the proposed development is consistent with policy objectives, and the purpose of the zone, overlays and particular provisions, or can be subject to conditions on permit.

Environmental impacts, particularly in respect of water quality, have been considered and resolved and the amenity of the area will not be adversely impacted with appropriate conditions on any permit that may issue. Natural hazards have been considered and addressed in respect of flooding and bushfire.

The campground is well established, and the owner has expressed a desire to make the facility more aesthetically attractive for residents and tourists. This is reassuring for a facility that makes a significant contribution to the tourist accommodation sector and the economy of the area generally.

Attachments

Plans relating to application – 12 pages

Landscape Plan – 1 page

Fire Safety Plan – 16 pages

Officer Recommendation:

That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* and under the provisions of the Mansfield Planning Scheme issue a Notice of Decision to Grant a Planning Permit for buildings and works (upgrades to camping and caravan park) in respect of the land described as 2740 Mansfield-Woods Point Road, Howqua Inlet being more particularly described as Lot 3 LP90328 and Lot 14 TP880042 (no address) in accordance with the endorsed plans, subject to the following conditions:



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Amended plans required

- 1. Before the development starts, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Details of the fencing (dimensions and materials) for the Waste Control Point.**
 - b) A material and colour schedule for new buildings and the water tank.**
 - c) The games room.****

Endorsed Plan – Development

- 2. The development 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.**

Engineering Conditions

Access

- 3. Access to the property must be via the existing access location. No additional vehicle access points are permitted to be constructed unless approved in writing by the responsible authority.**
- 4. Internal access roads must be of all-weather construction with dimensions suitable to accommodate emergency vehicles.**

Drainage

- 5. No concentrated stormwater other than natural watercourses may drain or be discharged from the land to adjoining properties, and stormwater must be directed and discharged in a manner which does not cause soil erosion or transport of sediment to waterbodies.**
- 6. Interrupted overland flow from the development must not be allowed to impact on the adjoining properties.**

Asset Protection

- 7. Any damage to Council managed assets such as roads and stormwater infrastructure must be repaired at the cost of the developer to the satisfaction of the responsible authority**



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

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

*****END OF ENGINEERING CONDITIONS*****

Environmental Health Conditions

9. The maintenance and improvements to the existing wastewater collection and treatment systems as detailed in the Wastewater System Audit Report prepared by Andrew Rickard must be implemented prior to, or in conjunction with the Stage 1 development. All works must be carried out to the satisfaction of the Environment Protection Authority and the Council.
10. The alterations to the wastewater disposal system must be in accordance with the Environment Protection Authority works approval or exemption whichever is applicable. The discharge of wastewater to land must not adversely affect the land or result in a surface discharge or off-site discharge.
11. An annual inspection of the wastewater system (collection, treatment, ponds and dispersal system) must be carried out and reported to the responsible authority. Any identified maintenance and improvement works are to be carried out to the satisfaction of the responsible authority.
12. The cabin and camping sites approved by this permit must not be used until a reticulated wastewater or greywater collection system servicing the sites has been designed and installed to the satisfaction of the responsible authority.
13. The moveable dwellings approved by this permit must provide for a reticulated wastewater/grey water system to the satisfaction of the responsible authority.
14. The moveable dwellings approved by this permit must be installed in compliance with the requirements of the *Residential Tenancies Act, 1997* and unregistered moveable dwellings, annexes and ancillary structures must be approved by the responsible authority prior to installation.

*****END OF ENVIRONMENTAL HEALTH CONDITIONS*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Environmental Management Conditions

Site Environmental Management Plan

15. Before the commencement of works, a Site Environmental Management Plan for the entire site must be approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be developed in accordance with EPA Victoria Publication 275 *Construction techniques for sediment pollution control*.

Landscaping

16. Before the use of the buildings and campsites in Stage 3 commences, landscaping works as shown on the endorsed Stage 3 – Landscape Plan prepared by Taylor Consulting Engineers, No. A101, must be completed to the satisfaction of the Responsible Authority.

Maintenance of landscaping

17. The landscaped areas shown on the endorsed plan must be maintained in a healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.

Vegetation management – bushfire management

18. The landscaped areas shown on the endorsed plan must be managed in accordance with the following requirements:
- a) Grass must be short cropped and maintained during the declared fire danger period.
 - b) All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - c) Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - d) Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
 - e) Shrubs must not be located under the canopy of trees.
 - f) Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
 - g) Trees must not overhang or touch any elements of the buildings.
 - h) The canopy of trees must be separated by at least 5 metres.
 - i) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

*****END OF ENVIRONMENTAL MANAGEMENT CONDITIONS*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Amenity Conditions

19. The amenity of the area must not be detrimentally affected by the use or development through the:-

- a) transport of materials, goods and commodities to or from the land;**
- b) appearance of any buildings, works or materials;**
- c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil; and**
- d) presence of vermin to the satisfaction of the Responsible Authority.**

Noise and Amenity Plan

20. Before the use of the development approved by this permit commences, a Noise and Amenity Plan to the satisfaction of the responsible authority must be submitted to and approved by the authority. When approved, the plan will be endorsed and will form part of the permit. All activities forming part of the use must comply with the endorsed plan. The plan must include, but not be limited to, the following:

- a) The identification of all noise sources associated with the campground (including but not limited to noise from outdoor activities and fixed noise sources).**
- b) The identification of noise sensitive areas including residential areas and accomodation in close proximity to the campground.**
- c) Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.**
- d) Details of staffing arrangements to control noise and other amenity impacts.**
- e) Standard procedures to be undertaken by staff in the event of complaints by a member of the public, the Victorian police, an authorised officer of the responsible authority, Goulburn Murray Water and/or the EPA.**
- f) Details of waste management including storage and hours of collection for general rubbish.**
- g) Details of measures to consult with neighbours or other residents in the immediate area to address complaints and general operation issues.**
- h) Any other measures to ensure minimal amenity impacts from the camp operation.**



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Complaints register

21. The operator under this permit must establish and maintain a Complaints Register which shall record any complaints received about the conduct of patrons. The register must record the nature of the complaint, the name of the person or persons making the complaint and what action (if any) was taken in response to the complaint. The Complaints Register must be available for inspection by authorised officers of the Responsible Authority.

Site supervision

22. At all times when campers are present an appropriate number of responsible persons shall be present to ensure that patrons conduct their activities in a manner that does not cause nuisance to neighbouring residents.

External Materials

23. The external materials of the buildings including the roof must be constructed in materials of muted colours. No materials having a highly reflective surface shall be used. For the purposes of this condition 'highly reflective' shall include unpainted aluminium, zinc or similar materials.

Rubbish Storage

24. The storage of goods or materials in conjunction with the use or development shall to the satisfaction of the Responsible Authority:
- a) Be carried out in a manner so as to prevent the exposure to view from any adjacent premises or from any public place of any unsightly matter.
 - b) Be stored so as to not become visually obtrusive on the site.
 - c) Be graded and drained.

Fire fighting

25. A system of fire hose reels and hydrants or static water supply must be installed to give full coverage to new campsites and built infrastructure to the satisfaction of the responsible authority and in accordance with CFA publication '*Caravan Park Fire Safety Guidelines*', 2012.

VicRoads Condition

26. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.

*****END OF VICROADS CONDITION*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Goulburn Broken Catchment Management Authority Condition

27. All works must be sited at land that is at least 300 millimetres above the full supply level of Eildon Weir of 289.5 metres AHD, i.e., 289.8 metres AHD, or a higher level deemed necessary by the responsible authority.

*****END OF GBCMA CONDITIONS*****

Country Fire Authority Conditions

28. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

29. The Bushfire Management Plan prepared by Taylor Consulting drawing no. A302, dated 13/12/2017 must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

*****END OF CFA CONDITIONS*****

Goulburn Murray Water Conditions

30. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
31. Prior to the commencement of works, the applicant must obtain an EPA Works Approval in accordance with the *Environment Protection Act, 1970*.
32. Prior to the commencement of works, the applicant must obtain approval for the construction of works through an application for a 'Construction and Use of Private Works Licence' and enter into an Agreement with Goulburn-Murray Water in relation to the tenure and structures on GMW owned/managed foreshore land. All works must be to the satisfaction of Goulburn-Murray Water.

*****END OF GOULBURN MURRAY WATER CONDITIONS*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Environment Protection Authority Condition

33. The applicant must apply for and be issued with a works approval from the Environment Protection Authority, or written confirmation that a works approval is not required with respect to A03 Sewerage Treatment prior to any works beginning.

*****END OF EPA CONDITIONS*****

Permit Expiry

34. The permit will expire if one of the following circumstances applies:

- a) The buildings and works for the development is not started within 2 years of the date of this permit;
- b) The development (all stages) is not completed within 10 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 section 69 of the *Planning and Environment Act, 1987*

*****END OF PERMIT CONDITIONS*****

PLANNING NOTES

Goulburn Murray Water Note

1. Applications for a 'Construction and Use of Private Works Licence' and an Agreement regarding the tenure and structures on GMW owned/managed foreshore land can be made by contacting Property Manager, Sharon Clement on 1800 013 357.

The following motion was ratified by the Council excluding conditions 21 and 22 of the officer recommendation.

Councillors Sladdin/Volkering:

That Council having considered all the matters required under Section 60 of the *Planning and Environment Act 1987* and under the provisions of the Mansfield Planning Scheme issue a Notice of Decision to Grant a Planning Permit for buildings and works (upgrades to camping and caravan park) in respect of the land described as 2740 Mansfield-Woods Point Road, Howqua Inlet being more particularly described as Lot 3 LP90328 and Lot 14 TP880042 (no address) in accordance with the endorsed plans, subject to the following conditions:



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Amended plans required

- 1. Before the development starts, amended plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Details of the fencing (dimensions and materials) for the Waste Control Point.**
 - b) A material and colour schedule for new buildings and the water tank.**
 - c) The games room.****

Endorsed Plan – Development

- 2. The development 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.**

Engineering Conditions

Access

- 3. Access to the property must be via the existing access location. No additional vehicle access points are permitted to be constructed unless approved in writing by the responsible authority.**
- 4. Internal access roads must be of all-weather construction with dimensions suitable to accommodate emergency vehicles.**

Drainage

- 5. No concentrated stormwater other than natural watercourses may drain or be discharged from the land to adjoining properties, and stormwater must be directed and discharged in a manner which does not cause soil erosion or transport of sediment to waterbodies.**
- 6. Interrupted overland flow from the development must not be allowed to impact on the adjoining properties.**

Asset Protection

- 7. Any damage to Council managed assets such as roads and stormwater infrastructure must be repaired at the cost of the developer to the satisfaction of the responsible authority**



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

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

*****END OF ENGINEERING CONDITIONS*****

Environmental Health Conditions

9. The maintenance and improvements to the existing wastewater collection and treatment systems as detailed in the Wastewater System Audit Report prepared by Andrew Rickard must be implemented prior to, or in conjunction with the Stage 1 development. All works must be carried out to the satisfaction of the Environment Protection Authority and the Council.
10. The alterations to the wastewater disposal system must be in accordance with the Environment Protection Authority works approval or exemption whichever is applicable. The discharge of wastewater to land must not adversely affect the land or result in a surface discharge or off-site discharge.
11. An annual inspection of the wastewater system (collection, treatment, ponds and dispersal system) must be carried out and reported to the responsible authority. Any identified maintenance and improvement works are to be carried out to the satisfaction of the responsible authority.
12. The cabin and camping sites approved by this permit must not be used until a reticulated wastewater or greywater collection system servicing the sites has been designed and installed to the satisfaction of the responsible authority.
13. The moveable dwellings approved by this permit must provide for a reticulated wastewater/grey water system to the satisfaction of the responsible authority.
14. The moveable dwellings approved by this permit must be installed in compliance with the requirements of the *Residential Tenancies Act, 1997* and unregistered moveable dwellings, annexes and ancillary structures must be approved by the responsible authority prior to installation.

*****END OF ENVIRONMENTAL HEALTH CONDITIONS*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Environmental Management Conditions

Site Environmental Management Plan

15. Before the commencement of works, a Site Environmental Management Plan for the entire site must be approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be developed in accordance with EPA Victoria Publication 275 *Construction techniques for sediment pollution control*.

Landscaping

16. Before the use of the buildings and campsites in Stage 3 commences, landscaping works as shown on the endorsed Stage 3 – Landscape Plan prepared by Taylor Consulting Engineers, No. A101, must be completed to the satisfaction of the Responsible Authority.

Maintenance of landscaping

17. The landscaped areas shown on the endorsed plan must be maintained in a healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.

Vegetation management – bushfire management

18. The landscaped areas shown on the endorsed plan must be managed in accordance with the following requirements:
- j) Grass must be short cropped and maintained during the declared fire danger period.
 - k) All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - l) Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
 - m) Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
 - n) Shrubs must not be located under the canopy of trees.
 - o) Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
 - p) Trees must not overhang or touch any elements of the buildings.
 - q) The canopy of trees must be separated by at least 5 metres.
 - r) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

*****END OF ENVIRONMENTAL MANAGEMENT CONDITIONS*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Amenity Conditions

19. The amenity of the area must not be detrimentally affected by the use or development through the:-
- e) transport of materials, goods and commodities to or from the land;
 - f) appearance of any buildings, works or materials;
 - g) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit or oil; and
 - h) presence of vermin to the satisfaction of the Responsible Authority.

Site supervision

20. At all times when campers are present an appropriate number of responsible persons shall be present to ensure that patrons conduct their activities in a manner that does not cause nuisance to neighbouring residents.

External Materials

21. The external materials of the buildings including the roof must be constructed in materials of muted colours. No materials having a highly reflective surface shall be used. For the purposes of this condition 'highly reflective' shall include unpainted aluminium, zinc or similar materials.

Rubbish Storage

22. The storage of goods or materials in conjunction with the use or development shall to the satisfaction of the Responsible Authority:
- d) Be carried out in a manner so as to prevent the exposure to view from any adjacent premises or from any public place of any unsightly matter.
 - e) Be stored so as to not become visually obtrusive on the site.
 - f) Be graded and drained.

Fire fighting

23. A system of fire hose reels and hydrants or static water supply must be installed to give full coverage to new campsites and built infrastructure to the satisfaction of the responsible authority and in accordance with CFA publication '*Caravan Park Fire Safety Guidelines*', 2012.

VicRoads Condition

24. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.

*****END OF VICROADS CONDITION*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Goulburn Broken Catchment Management Authority Condition

25. All works must be sited at land that is at least 300 millimetres above the full supply level of Eildon Weir of 289.5 metres AHD, i.e., 289.8 metres AHD, or a higher level deemed necessary by the responsible authority.

*****END OF GBCMA CONDITIONS*****

Country Fire Authority Conditions

26. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.
27. The Bushfire Management Plan prepared by Taylor Consulting drawing no. A302, dated 13/12/2017 must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

*****END OF CFA CONDITIONS*****

Goulburn Murray Water Conditions

28. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
29. Prior to the commencement of works, the applicant must obtain an EPA Works Approval in accordance with the *Environment Protection Act, 1970*.
30. Prior to the commencement of works, the applicant must obtain approval for the construction of works through an application for a 'Construction and Use of Private Works Licence' and enter into an Agreement with Goulburn-Murray Water in relation to the tenure and structures on GMW owned/managed foreshore land. All works must be to the satisfaction of Goulburn-Murray Water.

*****END OF GOULBURN MURRAY WATER CONDITIONS*****



10.2.2 Planning Permit Application P165/17 – Buildings and Works (Upgrades to Camping and Caravan Park) At 2740 Mansfield – Woods Point Road, Howqua Inlet Cont.

Environment Protection Authority Condition

31. The applicant must apply for and be issued with a works approval from the Environment Protection Authority, or written confirmation that a works approval is not required with respect to A03 Sewerage Treatment prior to any works beginning.

*****END OF EPA CONDITIONS*****

Permit Expiry

32. The permit will expire if one of the following circumstances applies:
- c) The buildings and works for the development is not started within 2 years of the date of this permit;
 - d) The development (all stages) is not completed within 10 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 section 69 of the *Planning and Environment Act, 1987*

*****END OF PERMIT CONDITIONS*****

PLANNING NOTES

Goulburn Murray Water Note

1. Applications for a 'Construction and Use of Private Works Licence' and an Agreement regarding the tenure and structures on GMW owned/managed foreshore land can be made by contacting Property Manager, Sharon Clement on 1800 013 357.

Carried



10.3 COMMUNITY SERVICES

10.3.1 Special Charge Scheme Policy

File Number: E1533
Responsible Officer: Community Services Manager, Mel Hotton

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Summary

This policy sets out the strategic framework for the raising of financial contributions from property owners who receive special benefit from infrastructure improvements in a fair, equitable, consultative and consistent manner.

Background

This policy details the circumstances and manner in which new or improved infrastructure works are undertaken with financial contribution from property owners based on principles of fairness and equity.

Statutory Requirements

The policy has been developed in line with the *Local Government Act 1989* and Ministerial Guidelines – Special Rates and Charges, September 2004.

Council Plan

N/A

Financial

N/A

Social

N/A

Environmental

N/A

Economic

N/A



10.3.1 Special Charge Scheme Policy cont.

Risk Management

N/A

Community Engagement

N/A

Officer's Comments

The implementation of the Special Rates and Charges Policy will establish a framework for Council officers when considering requests by the Community for new or improved infrastructure.

Attachments

- 1 Special Rates and Charges Policy – 2018.

Councillors Volkering/Olver:

That Council endorses the Special Rates and Charges Policy 2018.

Carried



10.4 EXECUTIVE SERVICES

10.4.1 Audit and Risk Advisory Committee Charter

File Number: E34
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Summary

The Audit and Risk Advisory Committee Charter is due for review and endorsement by Council.

Background

The Charter has been reviewed by Officers and is presented in the attachment for endorsement by Council.

There is only one significant change recommended by Officers.

The current Charter requires 3 independent members to be appointed to the Committee. Officers recommend amending the number of independent members to allow either 3 or 4 members to be appointed at Council's discretion.

Statutory Requirements

The Audit and Risk Advisory Committee is established in accordance with the requirements of s139 of the *Local Government Act 1989*.

The Charter of the Committee is endorsed by Council and dictates that Council shall carry out regular reviews of the Charter

Council Plan

Strategic Objective 5: Responsible Leadership

Financial

Each Committee member receives an annual stipend of \$900. The 2018-19 budget was formed on the expectation of 3 independent members, at a total cost of \$2,700. If a fourth independent member is appointed, this will incur an additional cost of \$900.

The stipend amount may be reviewed and amended by Councilors at any time during the year.



10.4.1 Audit and Risk Advisory Committee Charter cont.

Social

The appointment of independent members to the Audit and Risk Advisory Committee allows for community participation in providing advice to Council on financial and risk matters.

Environmental

There are no environmental impacts in relation to this matter.

Economic

There are no significant economic impacts in relation to this matter

Risk Management

The Audit and Risk Advisory Committee is a key control in Council's risk management strategy. The appointment of independent members with proven skills in risk management is essential to ensuring successful oversight of Council's risk management function.

Community Engagement

There has been no community engagement in relation to this matter.

Officer's Comments

Public interest in the independent member positions can vary from year to year. Implementing a variable number of independent members allows for retention of highly skilled members at times when interest is high.

Retention of highly skilled members allows the Committee to operate at its most effective, as a key risk management tool of Council.

Attachments

- 1 Audit and Risk Advisory Committee Charter 2018

Councillors Volkering/Sladdin:

That Council endorse the Audit and Advisory Committee Charter 2018.

Carried



10.4 EXECUTIVE SERVICES CONT.

10.4.2 Finance Report: 1 July 2018 to 31 August 2018

File Number: E24
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the Local Government Act 1989.

Summary

This finance report provides information on Council's operating and capital performance against the 2018-19 Budget. Favourable variances are reported as positive values, while unfavourable variances are negative values.

Background

Council, at its Special meeting of 26 June 2018, adopted the budget for the 2018-19 financial year. This report explains material variances between the actual financial results and the adopted 2018-19 budget.

Statutory Requirements

Under Section 138 of the Local Government Act 1989, at least quarterly a report comparing expenses and revenue to budget must be presented to the Council.

Council Plan

The financial report supports the Council Plan strategic direction of Responsible Leadership, specifically Strategic Objective 5.3 "our organisation transparently reports on its performance through a comprehensive reporting and audit framework".

Financial

The reports attached provide the opportunity for regular review of Council's financial position to ensure compliance with budgets.

Social

Nil.

Environmental

Nil.



10.4.2 Finance Report: 1 July 2018 to 31 August 2018 cont.

Economic

Nil.

Risk Management

Regular financial reporting is part of Council's financial risk management strategy to ensure budgets are complied with and ensure the short to medium term financial sustainability of Council.

Community Engagement

The report forms part of the Council meeting agenda and minutes which are public documents.

Officer's Comments

Operating Finance Report:

Operating Income & Expenditure: Actual against Budget

The year to date operating result as at 31 August 2018 is favourable against the 2018-19 Budget by \$217k (2%). Major variances are summarised below.

Favourable Variances

- \$47k Aged & Disability Services – Grant income over budget YTD in both HACC and Planned Activities.
- \$34k Family Services & Partnerships – Integrated Family Services and Maternal and Child Health are both slightly underspent YTD (timing only) and also over budget in grant income.
- \$47k Customer Services & Records – Timing only in relation to software expenditure.
- \$115k Information Technology – Timing only in relation to software support expenditure.
- \$36k Statutory Planning – Income over budget by \$14k YTD. Timing issue in relation to software expenditure \$10k.
- \$61k Waste Management – Timing only in relation to waste disposal invoices not yet received.
- \$27k Field Services – Wages and consultancy budgets under budget YTD.
- \$63k Parks & Gardens – wages (timing of leave taken) and plant hire (internal charge only) are under budget YTD.
- \$46k Corporate Services – Wages under budget \$24k due to staff leave. Fire Services Property Levy under budget \$9k.
- \$84k Revenue Services – Supplementary rate valuations processed.



10.4.2 Finance Report: 1 July 2018 to 31 August 2018 cont.

Unfavourable Variances

- \$99k Plant Operating – Plant hire income under budget \$86k (internal charge only).
- \$213k Financial Services – 50% of the Victorian Grants Commission payment was received early in June 2018.
- \$87k Salaries & Wages clearing - Timing issue. All leave accruals are updated at year end.

Capital Works:

Capital Income & Expenditure: Actual against Budget

The net year to date capital works variance (net of capital income) is \$21k unfavourable to the 2018-19 Budget. Major variances are summarised below.

Favourable Variances

- \$34k Bridges & Culverts - Howqua Track culvert replacement was completed in 2017-18, however income was received in 2018-19.

Unfavourable Variances

- \$60k Roads - Malcolm Street and Midland Hwy footpaths were completed in 2017-18 although funded by a VicRoads grant received in 2017-18.

Overall Position:

Operating Variance Favourable/(Unfavourable)	\$219,455
Capital Variance Favourable/(Unfavourable)	<u>(\$21,571)</u>
Total Variance Favourable/(Unfavourable)	\$197,884

Balance Sheet:

Current Assets:

Cash and investments total \$9.3m and includes \$7m general investments and \$277k for the Cemetery Trusts.

Net current receivables of \$13.4m, includes rates debt of \$13m, sundry debtors of \$312k, and loan debtors of \$37k. Loan debtors represent the principal not yet due for payment in relation to street schemes where residents have opted to repay over an agreed term and community group loans.

Debtors are being monitored and regular follow up action taken to minimise any write offs.

Council is generally owed money for the GST input tax credit and BASs are lodged monthly. All legislative requirements are being met.



10.4.2 Finance Report: 1 July 2018 to 31 August 2018 cont.

Current Liabilities:

Provisions of \$1.7m include \$1.6m employee benefits & \$195k landfill. Trust funds of \$853k include \$277k Cemetery Trust, \$379k Refundable Deposits and \$196k Fire Services Levy. Fire Services Property Levy collections are held in trust until forwarded to the State Revenue Office.

Current Ratio: 7.32 : 1

The high working capital ratio is reflective of the full year rates income being raised in August and reported as a current asset (debtors). The first instalment of rates is due 30 September 2018.

Non-Current Assets:

These include all infrastructure assets and for the purpose of this report the cost of the 2017-18 capital works has been treated as WIP and added to the balance sheet here.

Non-Current Liabilities:

Major items here include loan liability \$2.2m.

Attachments

The following attachments form part of this month's financial report:

- 1 Income and Expenditure Report
- 2 Operating Finance Report – Income and Expenditure
- 3 Capital Finance Report – Income and Expenditure
- 4 Balance Sheet
- 5 Statement of Cash Flows

Councillors Olver/Sladdin:

That Council receives the Finance Report for the period 1 July 2018 to 31 August 2018.

Carried



10.4 EXECUTIVE SERVICES CONT.

10.4.3 Financial Report and Performance Statement 2018

File Number: E3596
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Summary

Council is required to consider the draft Financial Report and Performance Statement for the year ended 30 June 2018, and adopt them in principle.

Two (2) Councillors must be nominated to certify as to their fairness and (if necessary) endorse any changes once they have been approved by the Victorian Auditor General.

Background

The Financial Report and Performance Statement for the year ended 30 June 2018 have been prepared by Officers and audited by the Victoria Auditor General's Office (VAGO).

Prior to consideration by Council both reports have been reviewed by the Audit and Risk Advisory Committee (ARAC) in conjunction with discussions with VAGO at the August ARAC meeting. At that meeting ARAC resolved to recommend the adoption of the Financial Report and Performance Statement to Council.

A copy of the Financial Report and Performance Statement are attached.

Statutory Requirements

In accordance with s131(2) of the Local Government Act 1989 (the Act) a Council must, in respect of each financial year, prepare an annual report containing:

- A report of its operations for the financial year
- Audited Performance Statement
- Audited Financial Report for the financial year
- A copy of the auditor's report on the Performance Statement, prepared under section 132
- A copy of the auditor's report on the Financial Report under Part 3 of the *Audit Act 1994*
- Any other matter required by the regulations.



10.4.3 Financial Report and Performance Statement 2018 cont.

In accordance with s131(4) and (5) of the Act, the Financial Report and Performance Statement included in the annual report must be prepared in accordance with the regulations.

The Financial Report and Performance Statements must:

- Be submitted in their finalised form to the auditor for auditing as soon as possible after the end of the financial year
- Present fairly the financial transactions of Council during the financial year to which they relate
- Present fairly the financial position of Council at the end of the financial year
- Be certified in the manner prescribed.

In accordance with the Act the annual report must be submitted to the Minister within three (3) months of the end of each financial year (by 30 September) or such longer period as the Minister may permit in a particular case.

The Council must authorise two (2) Councillors to certify the Financial Report and Performance Statement in their final form after any changes recommended, or agreed to by the auditor have been made.

The council must not submit the Financial Report to its auditor or to the Minister unless it has passed a resolution giving its approval “in-principle” to the Financial Report.

After the Annual Report has been submitted to the Minister, the Council must give public notice that the Annual Report has been prepared and can be inspected at the Council office.

Council Plan

Completion of Council’s Financial Report and Performance Statement, and their adoption by Council is in accordance with the Council Plan corporate strategies ensuring compliance with the Local Government Act and 2014 Regulations and relevant accounting standards.

Financial

There are no financial implications in relation to this matter

Social

There are no social implications in relation to this matter

Environmental

There are no environmental implications in relation to this matter



10.4.3 Financial Report and Performance Statement 2018 cont.

Economic

There are no economic implications in relation to this matter

Risk Management

There are no risks inherent in this matter

Community Engagement

The Financial Report and Performance Statement will form part of Council's Annual Report which is available to the Community in hard copy and on Council's website. Notice of the meeting at which the Annual Report is discussed is also advertised locally.

Officer's Comments

The Financial Report for the year ended 30 June 2018 has been prepared in accordance with Australian Accounting Standards and reviewed by the Victorian Auditor General's Office.

The following notable items are highlighted for Councillors information:

- 1) The format of the Financial Report is modified from previous years to improve readability by users. The key change is to integrate accounting policy information together with the financial data it relates to, where previously this was in a separate note.
- 2) The Comprehensive Income Statement shows a result of \$3.2m surplus compared to a budgeted deficit of \$0.2m. Key variances from budget are explained in note 1.1 on page 10 of the Financial Report. The most significant of those variances are:
 - a. \$0.7m in found assets. These are land assets previously unrecognised where ownership has been clarified through a titles office reconciliation project.
 - b. \$1.4m in Financial Assistance Grants from the 2017-18 allocation via the Victoria Grants Commission was received early, in June 2017. Accounting Standards require unconditional grant income to be recognised when received.
- 3) The Balance Sheet shows a \$21m increase in Property, Infrastructure, Plant and Equipment. Note 5.1 commencing on page 25 of the Financial Report provides details on the movements, the most significant of which are:
 - a. \$9.5m for the revaluation of land, land improvements, bridges and drainage assets. Accounting policy dictates that major asset classes will be revalued every 2 to 3 years.



10.4.3 Financial Report and Performance Statement 2018 cont.

- b. \$10.2m in relation to a change in accounting policy to recognise all land under roads. Previously Council only recognised land under roads acquired after 30 June 2008. This change in policy was made to follow guidance from Local Government Victoria.
- 4) The Statement of Cashflows shows a net decrease in cash of \$0.5m. Note that this does not include council's term deposits where terms to maturity exceed 3 months. Note 4.1(b) on page 18 of the Financial Report shows an increase in term deposits of \$2.0m.

The main driver for the overall increase in cash of \$1.5m is a reduction in capital works expenditure compared to budget (explained further in item (5) below).

- 5) Capital Works expenditure was \$1.6m less than budgeted. Key variances from budget are explained in note 1.2 on page 13 of the Financial Report. The most significant of those variances are:
- a. Delays in the Heavy Vehicle Bypass (\$615k)
 - b. Cancellation of the Alpine Ridge (\$567k) and Lochiel Road (\$206k) road reconstructions.
 - c. Early completion of the Deadhorse Lane Bridge renewal (\$250k spent in the previous financial year)
 - d. Delays in the implementation of the new planning software system (\$130k).

Approval In-Principle

In accordance with s12 of the Act, Council, after passing a resolution giving its approval in principle to the Performance Statement and Financial Report, must submit the Statement and Report to the auditor for reporting on the audit. The auditor must not sign a report until the Statement and Report have been certified.

Certification

In accordance with s132(5) of the Act, the Council must ensure that the Performance Statement and Financial Report, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by:

- a) 2 Councillors authorised by the Council; and
- b) Any other prescribed persons.

For the purposes of the Act, the Chief Executive Officer, Principal Accounting Officer and two (2) Councillors must certify the Financial Report and Performance Statement contained in the annual report in the required form.



10.4.3 Financial Report and Performance Statement 2018 cont.

Attachments

- 1 Financial Report for the year ended 30 June 2018
- 2 Performance Statement for the year ended 30 June 2018

Councillors Volkering/Sladdin:

That the Financial Report and Performance Statement of the Mansfield Shire Council for the year ended 30 June 2018 as presented and recommended by the Audit and Risk Advisory Committee be adopted in principle.

That Cr Westendorp and Cr Volkering be authorised to certify the Financial Report and Performance Statement of the Mansfield Shire Council for the year ended 30 June 2018, as adopted in principle by Council, subject to any changes required by the Victorian Auditor General's Office.

Carried



10.4 EXECUTIVE SERVICES CONT.

10.4.4 Appointment of Independent Members to the Audit and Risk Advisory Committee

File Number: E34
Responsible Officer: Finance Manager, Mandy Kynnersley

Disclosure of Conflicts of Interest

The author of this report and officers providing advice in relation to this report do not have a direct or indirect interest in this matter, as provided in accordance with the *Local Government Act 1989*.

Summary

A Council decision is required to appoint independent members to the Audit and Risk Advisory Committee.

Background

The Charter of Council's Audit and Risk Advisory Committee dictates that membership of the Committee should consist of:

- Two Councillors
- Three or four skill based representatives, being external independent persons with suitable expertise, knowledge and experience in financial matters, or matters relevant to the Charter

The Charter also dictates the term of appointment for independent members is 3 years on a rolling cycle so as to facilitate one new appointment each year.

Two independent member positions are currently vacant on the Committee:

- Janene Ridley: The incumbent chairperson of the Committee, Janene, has completed her 3 year term and her position is up for renewal. Janene has re-applied for a further term.
- Fourth independent member: This position remains vacant and Councillors may elect to either fill the position or retain the vacancy.

Council must appoint a minimum of one, and a maximum of two independent members.



10.4.4 Appointment of Independent Members to the Audit and Risk Advisory Committee cont.

Statutory Requirements

The Audit and Risk Advisory Committee is established in accordance with the requirements of s139 of the *Local Government Act 1989*.

The Charter of the Committee is endorsed by Council and dictates that:

- Council shall call for nominations for the appointment of skill based representatives to the Committee
- Council shall make the appointment by simple resolution
- Members of the Committee shall be eligible for re-appointment for a further term or terms of 3 years each

Council Plan

Strategic objective 5: Responsible leadership

Financial

Each Committee member receives an annual stipend of \$900. The 2018-19 budget was formed on the expectation of 3 independent members, at a total cost of \$2,700. If a fourth independent member is appointed, this will incur an additional cost of \$900.

The stipend amount may be reviewed and amended by Councillors at any time during the year.

Social

The appointment of independent members to the Audit and Risk Advisory Committee allows for community participation in providing advice to Council on financial and risk matters.

Environmental

There are no environmental impacts in relation to this matter.

Economic

There are no significant economic impacts in relation to this matter

Risk Management

The Audit and Risk Advisory Committee is a key control in Council's risk management strategy. The appointment of independent members with proven skills in risk management is essential to ensuring successful oversight of Council's risk management function.



10.4.4 Appointment of Independent Members to the Audit and Risk Advisory Committee cont.

Community Engagement

Advertisement for the available positions on the Audit and Risk Advisory Committee was issued on Council's website and in the local newspaper.

Officer's Comments

Officers received 6 applications for the vacant position/s on the Audit and Risk Advisory Committee. The CEO and Finance Manager shortlisted 3 applicants and conducted interviews.

Janene Ridley (re-applying)

- Incumbent Chair of the Audit and Risk Advisory Committee
- Work history includes CEO of the Mansfield District Hospital
- Board member for MACE and MDCE (Mansfield Community Bank)
- Graduate of the Australian Institute of Company Directors (AICD)
- Local resident

Liz McDermott

- Work history in Corporate Strategy and Transformational Change Management
- Currently working in corporate consulting
- Member of the AICD, Governance Institute, Procurement Institute of Australia
- Local resident

Vito Giudice

- Work history in risk advisory, financial services and insurance
- Current audit committee member of Horsham Rural City Council and South Gippsland Water
- Graduate of the AICD
- Local resident (holiday home)

Officers recommend that both Vito and Janene display the required skills in risk management that are most directly relevant to the context of local government.

Vito has existing audit committee experience in local government through his position at Horsham Rural Council, and extensive experience in the Insurance industry and risk management.

Janene has existing knowledge of the Mansfield Shire Council given her recent term as chair of the Audit and Risk Advisory Committee, and possesses local knowledge through connections with various local business and groups, and skills in risk management in government.

Officers recommend that Councillors appoint Vito for a 3 year term, and Janene for a 1 year term. This will create a 4 independent member model for the first time. The 1 year term will allow assessment of the success of this model within 12 months, with the option to revise the model when appointments are due next year if Councillors wish.



10.4.4 Appointment of Independent Members to the Audit and Risk Advisory Committee cont.

Attachments

Applicants CVs have been made available to Councillors under separate cover.

Councillors Olver/Sladdin:

That Council:

- 1. Appoint Vito Giudice to the Audit and Risk Advisory Committee for a term of 3 years commencing 19 September 2018; and**
- 2. Re-appoint Janene Ridley to the Audit and Risk Advisory Committee for a term of 1 year commencing 19 September 2018.**

Carried



11. ASSEMBLIES OF COUNCILLORS

File Number: E405
Responsible Officer: Chief Executive Officer, Alex Green

Introduction

Under section 76AA of the Local Government Act 1989 an assembly of councillors (however titled) is defined as a planned or scheduled meeting, comprising at least three councillors and one member of Council staff, that considers matters that are intended or likely to be:

- a. The subject of a decision of the Council; or
- b. Subject to the exercise of a function; duty or power of a Council that has been delegated to a person or committee [s.76AA].

An assembly of Councillors does not include a meeting of the Council, a special committee of the Council, or any club, association, peak body, political party of other organisation.

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 and the issues discussed.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
14 August 2018	<p>Councillors' Briefing Session</p> <p><i>Councillors:</i></p> <ul style="list-style-type: none"> · Cr Paul Volkering · Cr Marg Attley · Cr Harry Westendorp · Cr Peter Olver · Cr Paul Sladdin <p><i>Apologies:</i></p> <p><i>Officers:</i></p> <ul style="list-style-type: none"> · Chief Executive Officer, Alex Green · Community Services Manager, Melanie Hotton · Acting Development Services Manager, Dawn Bray · Team Leader Statutory Planning, Grant Trenwith 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> · Environment Strategy · Howqua Valley Holiday Park Planning Application · Recycling Contract · North East Waste and Recycling Group (NEWRRRC) · Dying to Know Project · Land clearing, 936 Buttercup Road · Star of the Glen Lodge compliance · Victorian Planning Authority, North West Precinct funding application · Mansfield Station Precinct · Lake Eildon Infrastructure Grant from Water Minister · Rating Strategy · Council use of Roundup · Grandview Drive Planning Compliance Issue · Resurfacing of Old Eildon Road · Centennial Mine Community Tours · Jamieson Caravan Park Road Reserve



11. ASSEMBLIES OF COUNCILLORS CONT.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
21 August 2018	<p>Councillors' Briefing Session</p> <p><i>Councillors:</i></p> <ul style="list-style-type: none"> · Cr Marg Attley · Cr Harry Westendorp · Cr Peter Olver · Cr Paul Sladdin <p><i>Apologies:</i></p> <ul style="list-style-type: none"> · Cr Paul Volkering <p><i>Officers:</i></p> <ul style="list-style-type: none"> · Chief Executive Officer, Alex Green · Community Services Manager, Melanie Hotton · Finance Manager, Mandy Kynnersley · Acting Development Services Manager, Dawn Bray 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> · Lot 2002 Kitchen Street · Dual Courts Indoor Sports Stadium · Ultimo Street Renumbering · Targa Update · 55 Grandview Drive VCAT Hearing in February · Update on Starglen Lodge · Establishment of Station Precinct Reference Group · Gonzaga Reserve Crossovers · SES Lease Agreement · Buttercup Road VCAT Appeal · New Street VCAT Appeal · Lake Eildon Economic Activation meeting · Hume Region Growth and Change Analysis · Rail Trail Seating · Update on Audit and Risk Advisory Committee Outcomes · Gadabah Edible Garden · Mansfield Performing Arts Committee Joint Use Agreement · Community Energy Forum Working Group
21 August 2018	<p>1st Mansfield Scouts Group Annual Report and Presentation</p> <p><i>Councillors:</i></p> <ul style="list-style-type: none"> · Cr Marg Attley · Cr Harry Westendorp · Cr Peter Olver <p><i>Officers:</i></p> <ul style="list-style-type: none"> · Environment Officer, Damien Gerrans · Community Health and Wellbeing Team Leader, Jenny Lovick 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> · Presentation of Certification of Appreciation for Council support.
28 August 2018	<p>Councillors' Briefing Session</p> <p><i>Councillors:</i></p> <ul style="list-style-type: none"> · Cr Marg Attley · Cr Harry Westendorp · Cr Peter Olver · Cr Paul Sladdin <p><i>Apologies:</i></p> <ul style="list-style-type: none"> · Cr Paul Volkering <p><i>Officers:</i></p> <ul style="list-style-type: none"> · Chief Executive Officer, Alex Green · Community Services Manager, Melanie Hotton · Finance Manager, Mandy Kynnersley · Corporate and Organisational Development Manager, Sharon Scott · Senior Strategic Planner, Kathy Richardson 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> · Organisational Structure · SES Facility · Tourism North East · Dual Court Stadium · Alternative Energy Forum · Lords Ground · Gadabah Funding for Edible Garden · Station Precinct Master Plan Update



11. ASSEMBLIES OF COUNCILLORS CONT.

DATE	TYPE OF ASSEMBLY	ISSUES DISCUSSED
4 September 2018	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> · Cr Marg Attley · Cr Harry Westendorp · Cr Peter Olver · Cr Paul Sladdin · Cr Paul Volkering <p>Apologies:</p> <p>Officers:</p> <ul style="list-style-type: none"> · Chief Executive Officer, Alex Green · Community Services Manager, Melanie Hotton · Finance Manager, Mandy Kynnersley 	<p><i>Conflicts of Interest:</i> NIL</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> · CEO Performance Review · Station Precinct · Mayor meeting with Carlo Inlese · IBAC Enquiry – Organisational Risk · Audit and Risk Advisory Committee · Early Years Compact · Radio Frequency Identification 'aka Library Technology' · Taungurung Clan · Waste Charge · Rowan Neely Memorial · Early Years Compact · Special Charge Scheme Update · Jamieson Island Memorandum of Understanding · Process Mapping of Infrastructure and Development Services Teams · Advisory Committees · Environment Strategy Update · Waste Strategy Update · Gadabah Edible Garden Update · Donovans Way Speed Issue · Red Cross AGM · Sunrise Breakfast Program
11 September 2018	<p>Councillors' Briefing Session</p> <p>Councillors:</p> <ul style="list-style-type: none"> · Cr Marg Attley · Cr Harry Westendorp · Cr Paul Sladdin · Cr Paul Volkering <p>Apologies:</p> <ul style="list-style-type: none"> · Cr Peter Olver · Cr Attley after 12.00 noon <p>Officers:</p> <ul style="list-style-type: none"> · Chief Executive Officer, Alex Green · Community Services Manager, Melanie Hotton · Finance Manager, Mandy Kynnersley · Development Services Manager, Ben McKay · Stratory Planning Co-Ordinator, Grant Trenwith · Statory Planner, Claire Wilkinson · Executive Assistant, Lisa Fricke 	<p><i>Conflicts of Interest:</i> Cr. Volkering declared a Direct Conflict of Interest in relation to the Curia Street Planning Application and departed the Chamber at 12.30 pm during discussions returning at 12.45 pm.</p> <p><i>Issues Discussed:</i></p> <ul style="list-style-type: none"> · Special Charge Scheme Policy · Long Term Financial Plan · Curia Street Planning Application · Howqua Caravan Park Planning Application · Australia Day · Harbourline Drive issue · Community Infrastructure Program Application for Additional Playing Fields · Bush Market in November · Meeting to Discuss Planning Issue at The Point · Ultimo Street Numbering · Bonnie Doon Hotel Signage · Station Precinct Planning Committee Dates · Flood Recovery Claim

This report is for information only

Councillors Sladdin/Volkering:

That the Council note the Assemblies of Councillors 14 August to 11 September 2018 as provided.

Carried



12. ADVISORY AND SPECIAL COMMITTEE REPORTS

The Minutes of the following Advisory Committee meetings are attached for the Council's information.

- Mansfield Shire Environment Advisory Committee Minutes of 29 June 2018
- Mansfield Shire Environment Advisory Committee Draft Minutes of 30 August 2018
- Mansfield Shire Audit and Risk Advisory Committee Minutes of 20 August 2018

Attachments

- 1 Mansfield Shire Environment Advisory Committee Minutes of 29 June 2018 – 8 pages
- 2 Mansfield Shire Environment Advisory Committee Draft Minutes of 30 August 2018 including Alpine Resort Visitor Statistics - 8 pages
- 3 Mansfield Shire Audit and Risk Advisory Committee Minutes of 20 August 2018 - 50 pages

Councillors Volkering/Olver:

That the Council receive the Minutes of the following Advisory Committee meetings:

- **Mansfield Shire Environment Advisory Committee Minutes of 29 June 2018**
- **Mansfield Shire Environment Advisory Committee Draft Minutes of 30 August 2018**
- **Mansfield Shire Audit and Risk Advisory Committee Minutes of 20 August 2018**

Carried



13. AUTHORISATION OF SEALING OF DOCUMENTS

Nil.

6.54pm SUSPENSION OF STANDING ORDERS

Councillors Olver/Volkering:

That Council suspend standing orders to facilitate public question time.

14. PUBLIC QUESTION TIME

There were no questions from the Gallery.

6.57pm RESUMPTION OF STANDING ORDERS

Councillors Olver/Volkering:

That Council resume standing orders.

Carried

15. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the Local Government Act 1989, the meeting be closed the public in order to consider:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

Councillors Volkering/Sladdin:

That the meeting be closed to members of the public under Section 89(2) of the *Local Government Act 1989*, specifically the following sub-section:

(d) contractual matters

Carried



Councillors Volkering/Sladdin:

That the meeting be reopened to members of the public.

Carried

16. CLOSE OF MEETING

There being no further business the meeting concluded at 7.20pm.

CONFIRMED this **Sixteenth** day of **October** 2018.

Mayor