



Mansfield Shire

Council Meeting

Tuesday 19 October 2021

Minutes

Our aspiration for our Shire and its community

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

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Agenda

1. Opening of the meeting

Mayor Mark Holcombe opened the meeting at 5.01 pm

2. Present

- ▶ Councillor Holcombe
- ▶ Councillor Rabie
- ▶ Councillor Tehan
- ▶ Councillor Webb

In Attendance:

- | | |
|--|---------------------|
| ▶ Chief Executive Officer: | Kaylene Conrick |
| ▶ General Manager Infrastructure & Planning: | Kirsten Alexander |
| ▶ General Manager Community & Corporate Services: | Kurt Heidecker |
| ▶ Manager Business and Performance: | Anthony Smith |
| ▶ Manager Operations and Capital Works: | Kristian Burchat |
| ▶ Manager Planning and Environment: | Melissa Crane |
| ▶ Senior Coordinator Field Services | Ari Croxford-Demasi |
| ▶ Senior Coordinator Community Health and Wellbeing: | Jenny Lovick |
| ▶ Coordinator Capital Works: | Tom Russell |
| ▶ Coordinator Statutory Planning: | Tim Berger |
| ▶ Coordinator Governance and Risk: | Moira Moss |
| ▶ Coordinator Community Development: | Clare Berghoffer |

3. Apologies

- ▶ Cr Sladdin.

4. Statement of commitment

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

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

5. Acknowledgement of Country

Deputy Mayor James Tehan recited Council’s Acknowledgement of Country:

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

6. Disclosure of conflicts of interest

Nil

7. Confirmation of minutes

Councillors Rabie/Tehan

THAT the Minutes of the Mansfield Shire Council meetings held on:

- ▶ 21 September 2021
- ▶ 28 September 2021

be confirmed as an accurate record.

Carried

8. Representations

Nil

9. Notices of motion

Nil

10. Mayor's report

Councillors Tehan/Webb

THAT Council receive the Mayor's report for the period 14 September 2021 to 8 October 2021.

Carried

11. Reports from Council Appointed Representatives

Councillors Webb/Rabie

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

Carried

12. Public question time

Nil.

13. Officer reports

13.1. Chief Executive Officer's report

Councillors Webb/Tehan

THAT Council receive and note the Chief Executive Officer's report for the period 8 September 2021 to 6 October 2021.

Carried

13.2. Infrastructure and Planning Directorate

13.2.1. Adoption of Planning Scheme Amendment C49, New Street Rezoning

Councillors Rabie Tehan

THAT Council:

1. Adopt Amendment C49 to the Mansfield Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987*.
2. Recommend to the Minister for Planning that Planning Permit No P014/21 be granted in accordance with Section 96G of the *Planning and Environment Act 1987*.
3. Submit Amendment C49 to the Mansfield Planning Scheme and Planning Permit No P014/21, together with the prescribed information, to the Minister for Planning in accordance with Section 31 of the *Planning and Environment Act 1987*.

Carried

13.2 Infrastructure and Planning Directorate cont.

13.2.2. P081/21 158 Malcolm Street Mansfield – Use and Development of Land for a Second Dwelling and Development of an Outbuilding ancillary to a Dwelling

Councillors Rabie/Tehan

THAT COUNCIL, having caused notice of Planning Application P081/21 to be given under Section 52 of the *Planning and Environment Act 1987*, and having considered all relevant matters under section 60 of the *Planning and Environment Act 1987*, determines to issue a Planning Permit for Planning Application [Abstract] for the Use and Development of land for second dwelling and development of an outbuilding ancillary to a dwelling on Lot 2 PS727882, commonly known as 158 Malcolm Street Mansfield, in accordance with the endorsed plans and subject to the following conditions:

Endorsed Plans

1. The use and 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.

Material and Colour

2. The external materials of the building(s), including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used.

For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

Outbuilding

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

Property Access Requirements

4. Access to the property must be via the existing driveway and crossing - no other access shall be allowed without prior written approval from Council.

Drainage

5. Prior to commencement of any building and civil works, application must be made to Council to obtain a **Legal Point of Stormwater Discharge**.
6. All stormwater is to be contained to the pre-development runoff equivalent using detention water tanks or similar and then must be discharged to the legal point of stormwater discharge to the satisfaction of the Responsible Authority.
7. Interrupted overland flow from this development must not be allowed to impact on the adjacent lots to the satisfaction of the Responsible Authority.

13.2 Infrastructure and Planning Directorate cont.

13.2.2 P081/21 158 Malcolm Street Mansfield – Use and Development of Land for a Second Dwelling and Development of an Outbuilding ancillary to a Dwelling cont.

Motion continued

Permit Expiry

8. This permit as it relates to development will expire if one of the following circumstances applies:
- (a) The development has not substantially commenced within two (2) years of the date of this permit.
 - (b) The development is not completed and the use commenced within four (4) years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Carried

13.2.3. MACE/Men's Shed Lease Issue

Councillors Rabie/Webb

THAT COUNCIL notes that a further report on this matter will be provided at the November Council Meeting 2021, and that no further action on the MACE-Council lease will be taken until Council receives the further report.

Carried

13.2.4. Township Reserves Maintenance Policy (Non Council Land)

Councillors Tehan/Webb

THAT COUNCIL endorse the updated Township Reserves Maintenance Policy (Non Council Land).

Carried

13.3. Community and Corporate Services Directorate

13.3.1. Outlying Community Infrastructure Fund

Councillors Webb/Tehan

It is recommended that the proposed changes to the guidelines for the 2021-22 Outlying Community Infrastructure Fund program be endorsed by Council.

Carried

13.3.2. Mansfield Community Vision 2040

Councillors Tehan/Rabie

THAT COUNCIL endorses the final Mansfield Shire Community Vision 2040.

Carried

13.3.3. Mansfield Emergency Services Precinct Funding and In Kind Budget Application - Final

Councillors Tehan/Rabie

THAT COUNCIL endorses the submission of a Black Summer Bushfire Recovery grant application for the Mansfield Emergency Services Precinct lodged on 6 October 2021.

Carried

13.3.4. Council Plan

Councillors Tehan/Rabie

THAT Council:

1. adopts the draft Council Plan 2021-2025;
2. endorses the publications Council Plan 2021-2025 Plan-on-a-Page, understanding that these are dynamic publications that will be developed ongoing fit for purpose (audience); and
3. authorises the Chief Executive Officer to make any editorial corrections as required to the draft Council Plan 2021-2025 and the Plan-on-a-Page publications.

Carried

13.3 Community and Corporate Services Directorate cont.

13.3.5. Mansfield Municipal Public Health and Wellbeing Action Plan

Councillors Webb/Tehan

That the Mansfield Municipal Public Health and Wellbeing Action plan 2021 - 2015 be endorsed by Council.

Carried

13.3.6. Financial Plan 2021-2031

Councillors Tehan/Rabie

THAT Council adopts the Financial Plan 2021 – 2031 at Attachment 1 to this report.

Carried

14. Assemblies of Councillors

Councillors Rabie/Tehan

THAT Council receive and note the Assembly of Councillors report for the period 16 September 2021 to 13 October 2021 with the amendment that the CEO and Cr Rabie were absent on 12 October 2021.

Carried

15. Council Resolutions Register

Councillors Webb/Rabie

THAT Council receive and note the Council Resolutions Register as at 28 September 2021.

Carried

16. Advisory and Special Committee reports

Nil Reports

17. Authorisation of sealing of documents

No documents to seal.

18. Closure of meeting to members of the public

Councillors Webb/Rabie

THAT the meeting be closed to members of the public under Section 66(2)(a) of the Local Government Act 2020 to consider confidential information, as defined by section 3(1) of the Local Government Act 2020 as:

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Carried

19. Presentation of Confidential Reports

19.1. Confidential: Award of Tender – Road Resheeting Program

Councillors Tehan/Rabie

THAT COUNCIL:

1. Awards a lump sum contract to Alpine Civil Pty Ltd in the amount of \$2,204,932 (excluding GST) for the 2021-22 Road Resheeting Program.
2. Approves an additional contract amount of up to \$87,408 (excluding GST) for polymer pavement enhancement treatment of selected high-traffic roads, as identified in this report.
3. Approves a 5% contract contingency amount of \$110,247 (excluding GST).
4. Notes that the 2021-22 Resheeting Program expenditure will be increased by \$580,000, funded by forecast cost reductions on other projects as detailed in this report.
5. Make this resolution public by including it within the public minutes of the Council meeting.

Carried

20. Reopen meeting to members of the public

Councillors Webb/Tehan

THAT Council reopen the meeting to members of the public.

Carried

21. Close of meeting

There being no further business the meeting concluded at 6.48pm.

CONFIRMED this **nineteenth** day of **November 2021**.

Mayor