



Mansfield Shire

Council Meeting

Tuesday 21 December 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.

Minutes Contents

1.	Opening of the meeting.....	4
2.	Present	4
3.	Apologies	4
4.	Statement of commitment	4
5.	Acknowledgement of Country	4
6.	Disclosure of conflicts of interest.....	4
7.	Confirmation of minutes	5
8.	Representations.....	5
9.	Notices of motion	5
10.	Mayor’s report.....	5
11.	Reports from Council Appointed Representatives	5
12.	Public question time.....	5
13.	Officer reports	6
13.1.	Chief Executive Officer’s report	6
13.2.	Infrastructure and Planning Directorate	6
13.2.1.	Planning Scheme Amendment C44 – Station Precinct Incorporated Plan	6
13.2.2.	Planning Scheme Amendment C50 – Development Plan Overlay Review Adoption.....	7
13.3.	Community and Corporate Services Directorate	7
13.3.1.	Business and Community Recovery Advisory Committee.....	7
13.3.2.	Scoping Study for the Mansfield Emergency Services Precinct	8
13.3.3.	Annual Report 2020-21	9
13.3.4.	Determination of Councillor Conduct Hearing	9
13.4.	Executive Services Directorate.....	9
13.4.1.	Complaint Handling Policy.....	9
13.4.2.	Gender Equality Policy	9
13.4.3.	Public Interest Disclosures Policy.....	9
14.	Assemblies of Councillors.....	9
15.	Council Resolutions Register.....	10
16.	Advisory and Special Committee Reports.....	10
16.1.	Mansfield Shire Audit and Risk Committee: Agenda & Minutes of Meeting.....	10
17.	Authorisation of sealing of documents	10
18.	Closure of meeting to members of the public.....	10
19.	Presentation of Confidential Reports	11
19.1.	Confidential: Articulated Motor Grader Purchase	11
19.2.	Confidential: HVAR Stage 1 Construction Tender Award.....	11

19.3. Confidential: Citizen Awards 2022 11

19.4. Confidential: Aged Care Service Review 11

20. Reopen meeting to members of the public 12

21. Close of meeting 12

Agenda

1. Opening of the meeting

Mayor James Tehan opened the meeting at 5.03pm.

2. Present

The Chair called on each Councillor and ask them to confirm verbally that they can see all Councillors and hear the proceedings:

- ▶ Councillor Holcombe
- ▶ Councillor Rabie
- ▶ Councillor Sladdin
- ▶ Councillor Webb

In Attendance:

- | | |
|---|---------------------|
| ▶ Chief Executive Officer: | Kaylene Conrick |
| ▶ General Manager Community & Corporate Services: | Kurt Heidecker |
| ▶ Manager Planning and Environment: | Melissa Crane |
| ▶ Coordinator Governance and Risk: | Moira Moss |
| ▶ Coordinator Community and Economic Development: | Saskia Van Bever |
| ▶ Manager Community Health and Wellbeing | Nola Bales |
| ▶ Senior Coordinator Field Services | Ari Croxford-Demasi |

3. Apologies

Nil

4. Statement of commitment

The Chair read the following 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 Mark Holcombe recited Council’s Acknowledgement of Country:

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

6. Disclosure of conflicts of interest

Nil

7. Confirmation of minutes

Councillors Webb/Holcombe

THAT the Minutes of the Mansfield Shire Council meetings held on Tuesday 16 November 2021 be confirmed as an accurate record.

CARRIED

8. Representations

Nil

9. Notices of motion

Nil

10. Mayor's report

Councillors Holcombe/Sladdin

THAT COUNCIL receive the Mayor's report for the period 16 November 2021 to 8 December 2021.

CARRIED

11. Reports from Council Appointed Representatives

Councillors Webb/Holcombe

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/Sladdin

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 16 November 2021 to 9 December 2021.

CARRIED

13.2. Infrastructure and Planning Directorate

13.2.1. Planning Scheme Amendment C44 – Station Precinct Incorporated Plan

Councillors Webb/Holcombe

THAT:

Having been authorised by the Minister for Planning to prepare Amendment C44 to the Mansfield Planning Scheme under section 8A(3) of the *Planning and Environment Act 1987* ('the Act');

Having prepared and exhibited Amendment C44 to the Mansfield Planning Scheme under section 19 of the Act;

Having in accordance with section 12 of the *Planning and Environment Act 1987* had regard to the Minister's directions and the Victoria Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects; and

Having considered all submissions to Amendment C44 under section 22 of the Act;
COUNCIL Resolves to:

- Adopt Amendment C44 to the Mansfield Planning Scheme, in accordance with section 29 of the *Planning and Environment Act 1987*, with the following changes, in accordance with the attached Amendment C44 package:
 - Amendment to the explanatory report per Department of Transport's request.
 - Amending proposed Clause 21.09, *Mansfield Township*, to add a new strategy to Objective 14 as follows:
 - Strategy 14.8: Manage transport movements and access interfaces with the surrounding transport network to improve access arrangement and navigation to and from the site for all transport modes.
 - Amend the Incorporated to plan to show bus zones and additional accesses as indicative only, add details about the heritage structures on the masterplan, and include reference to the Commercial 1 and General Residential 1 Zones on part of the land.

- Submit Amendment C44 to the Mansfield Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.

CARRIED

13.2.2. Planning Scheme Amendment C50 – Development Plan Overlay Review Adoption

Councillors Holcombe/Sladdin

THAT:

Having been authorised by the Minister for Planning to prepare Amendment C50 to the Mansfield Planning Scheme under section 8A(3) of the *Planning and Environment Act 1987* ('the Act');

Having prepared and exhibited Amendment C50 to the Mansfield Planning Scheme under section 19 of the Act;

Having in accordance with section 12 of the *Planning and Environment Act 1987* had regard to the Minister's directions and the Victoria Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects; and

Having considered all submissions to Amendment C50 under section 22 of the Act;

COUNCIL resolves to:

1. Adopt Amendment C50 to the Mansfield Planning Scheme, without changes, in accordance with section 29 of the Act, as per the attached Amendment C50 package.
2. Submit Amendment C50 to the Mansfield Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.

CARRIED

13.3. Community and Corporate Services Directorate

13.3.1. Business and Community Recovery Advisory Committee

Councillors Webb/Sladdin

THAT COUNCIL:

- Wind up the Council's Business and Community Recovery Advisory Committee
- Write to Committee Members to notify members of Council's decision and thank them for their contribution.

CARRIED

13.3.2. Scoping Study for the Mansfield Emergency Services Precinct

Councillors Holcombe/Rabie

THAT COUNCIL:

1. receives the Stage 1: Mansfield Emergency Services Precinct Scoping Study;
2. endorses the recommendations of Scoping Study report for the Mansfield Emergency Services Precinct (MESP); and
3. authorises the Chief Executive Officer to identify, explore, advocate for and accept opportunities to fund the Feasibility Study and, if possible, detailed design stage of the MESP.

Amendment

Councillors Sladdin/Webb

THAT COUNCIL:

4. receives the Stage 1: Mansfield Emergency Services Precinct Scoping Study;
5. notes the recommendations of Scoping Study report for the Mansfield Emergency Services Precinct (MESP); and
6. authorises the Chief Executive Officer to identify, explore, advocate for and accept opportunities to fund the Feasibility Study and, if possible, detailed design stage of the MESP.

DEFEATED

Substantive Motion

Councillors Holcombe/Rabie

THAT COUNCIL:

1. receives the Stage 1: Mansfield Emergency Services Precinct Scoping Study;
2. endorses the recommendations of Scoping Study report for the Mansfield Emergency Services Precinct (MESP); and
3. authorises the Chief Executive Officer to identify, explore, advocate for and accept opportunities to fund the Feasibility Study and, if possible, detailed design stage of the MESP.

CARRIED

13.3.3. Annual Report 2020-21

Councillors Webb/Holcombe

THAT COUNCIL receive and note the Annual Report 2020-2021

CARRIED

13.3.4. Determination of Councillor Conduct Hearing

Councillors Webb/Holcombe

THAT COUNCIL receive the report titled *Internal Arbitration Process- Mansfield Shire Council*.

CARRIED

13.4. Executive Services Directorate

13.4.1. Complaint Handling Policy

Councillors Rabie/Holcombe

THAT COUNCIL endorse the Mansfield Shire Council Complaints Handling Policy 2021

CARRIED

13.4.2. Gender Equality Policy

Councillors Webb/Holcombe

THAT COUNCIL endorses the new Gender Equality Policy (2021)

CARRIED

13.4.3. Public Interest Disclosures Policy

Councillors Rabie/Sladdin

THAT COUNCIL adopts the Mansfield Shire Public Interest Disclosures Policy 2021.

CARRIED

14. Assemblies of Councillors

Councillors Webb/Holcombe

THAT COUNCIL receive and note the Assembly of Councillors report for the period 16 November to 10 December 2021.

CARRIED

15. Council Resolutions Register

Councillors Rabie/Sladdin

THAT COUNCIL receive and note the Council Resolutions Register as at 9 December 2021.

CARRIED

16. Advisory and Special Committee Reports

16.1. Mansfield Shire Audit and Risk Committee: Agenda & Minutes of Meeting

Councillors Holcombe/Rabie

THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 15 November 2021.

CARRIED

17. Authorisation of sealing of documents

Nil

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: Articulated Motor Grader Purchase

Councillors Rabie/Sladdin

THAT COUNCIL:

1. Awards the tender for the supply and delivery of one Articulated Motor Grader to William Adams Caterpillar for the sum of \$477,400.00 (including GST).
2. Authorises the Chief Executive Officer to sign a contract with William Adams Caterpillar for the above amount.
3. Make this resolution public by including it within the public minutes of the Council meeting.

CARRIED

19.2. Confidential: HVAR Stage 1 Construction Tender Award

Councillors Holcombe/Rabie

THAT COUNCIL:

1. Awards a base lump sum contract for the HVAR Stage 1 Construction to North East Civil Construction Pty Ltd in the amount of \$1,648,770 (excl. GST).
2. Approves a 15% construction contingency amount of \$247,316 (excl. GST).
3. Includes in the contract Separable Portion 1 for Dead Horse Lane works in the amount of \$307,395 (excl. GST) as an option for a development contribution.
4. Includes in the contract Separable Portion 2 for Midland Highway intersection works in the amount of \$421,019 (excl. GST) as an option for potential development contribution.
5. Makes this resolution public by including it within the public minutes of the Council meeting.

CARRIED

19.3. Confidential: Citizen Awards 2022

Councillors Holcombe/Rabie

CARRIED

19.4. Confidential: Aged Care Service Review

Councillors Webb/Holcombe

CARRIED

20. Reopen meeting to members of the public

Councillors Rabie/Webb

THAT COUNCIL reopen the meeting to members of the public.

CARRIED

21. Close of meeting

There being no further business the meeting concluded at 7.39pm.

CONFIRMED this **fifteenth** day of **February 2022**



Mayor