



Mansfield Shire

MINUTES

Council Meeting

Tuesday 13 December 2022

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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1. Opening of the meeting

Mayor James Tehan opened the meeting at 5:00 pm.

2. Present

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

In Attendance:

Chief Executive Officer:	Kirsten Alexander
Acting General Manager Infrastructure & Planning:	Melissa Crane
Acting General Manager Community & Corporate Services:	Nola Bales
EA Mayor & CEO:	Chelsea Young
Manager Business & Performance:	Tony Cooper

3. Apologies

Nil

4. Statement of commitment

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

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

5. Acknowledgement of Country

Councillor Steve Rabie 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

Councillor Steve Rabie declared a conflict of interest in respect of item 18.2 Bank Contract Re-tender.

7. Confirmation of minutes

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT the Minutes of the Mansfield Shire Council meeting held on 22 November 2022 be confirmed as an accurate record.

CARRIED

8. Representations

Deputation from Ed Adamson, Carolyn Suggate and Dean Belle speaking to item 8.1 'Petition – Housing & Accommodation Crisis in Mansfield Shire'.

Deputation from David Foster speaking to item 13.2.2 'Memorandum of Understanding with Venilale'.

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT COUNCIL:

1. Receive and note the petition from Edwin Adamson to amend the housing scheme to allow second/additional dwellings to assist with the urgent labour and housing crisis across the Mansfield Shire, and
2. Refer the petition to the Chief Executive Officer for consideration and a response to be tabled at a future Council meeting.

CARRIED

9. Notices of motion

Nil

10. Mayor's report

Councillor Steve Rabie/Councillor Mark Holcombe:

THAT COUNCIL receive the Mayor's report for the period 22 November 2022 to 8 December 2022.

CARRIED

11. Reports from council appointed representatives

Councillor Steve Rabie/Councillor Paul Sladdin:

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

CARRIED

12. Public question time

Nil

13. Officer reports

13.1. Chief Executive Officer's report

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 22 November 2022 to 7 December 2022.

CARRIED

13.2. Infrastructure and Planning Directorate

13.2.1. C54mans - Rezoning at 104 Dead Horse Lane, Mansfield

Acting General Manager Infrastructure & Planning, Melissa Crane, proposed an amendment to the recommendation

Councillor Paul Sladdin/Councillor Steve Rabie:

THAT COUNCIL:

1. Having prepared and exhibited Amendment C54 to the Mansfield Planning Scheme under Section 19 of the Planning and Environment Act 1987 ('the Act'); and
 - a. Having considered all submissions to Amendment C54 under Section 22 of the Act; resolves to:
 - b. Adopt Amendment C54 to the Mansfield Planning Scheme in accordance with Section 29 of the Act, adopting the amendment with changes as requested to the Explanatory Report by the Environment Protection Authority.
 - c. Submit Amendment C54 to the Mansfield Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with Section 31 of the Act.

For: Councillor Mark Holcombe, Councillor Paul Sladdin, Councillor Rohan Webb, Councillor Steve Rabie and Mayor James Tehan

Against: Nil

13.3. Community and Corporate Services Directorate

13.3.1. Regional Tourism Memorandum of Understanding

Councillor Steve Rabie/Councillor Rohan Webb:

THAT COUNCIL receives and endorses the Regional Tourism Memorandum of Understanding between Tourism North East and Mansfield Shire Council and authorises execution of the document by the Chief Executive Officer.

CARRIED

Councillor Mark Holcombe left the meeting at 6:10 pm due to internet connection issues.

13.3.2. Memorandum of Understanding with Venilale

Councillor Steve Rabie/Councillor Paul Sladdin:

THAT COUNCIL receive and endorse the Memorandum of Understanding between Mansfield Shire Council and the Sub-District Administration of Venilale.

CARRIED

14. Council Meeting Resolution Actions Status Register

Councillor Rohan Webb/Councillor Steve Rabie:

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 7 December 2022.

CARRIED

15. Advisory and Special Committee reports

15.1. Audit & Risk Committee Meeting Agenda & Minutes

Councillor Rohan Webb/Councillor Steve Rabie:

THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 21 November 2022.

CARRIED

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

Councillor Rohan Webb/Councillor Paul Sladdin:

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

CARRIED

The Council Meeting Agenda 13 December 2022 was closed to the public at 6:16 pm.

18. Confidential Reports

18.1. Citizen Awards 2023

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Councillor Steve Rabie left the meeting at 6:32 pm.

Councillor Mark Holcombe returned to the meeting at 6:34 pm.

18.2. Bank Contract Re-tender

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

19. Reopen meeting to members of the public

Councillor Paul Sladdin/Councillor Rohan Webb:

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

CARRIED

Council re-opened the meeting at 6:38 pm.

Councillor Steve Rabie returned to the meeting at 6:39 pm.

20. Close of meeting

Council Meeting Agenda 13 December 2022 was closed at 6:40 pm.

CONFIRMED this **twenty first** day of **February 2023**

Mayor