



Mansfield Shire

MINUTES

Council Meeting

Tuesday 22 November 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 5:08 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

General Manager Community & Corporate Services:

Dena Vlekkert

EA Mayor & CEO:

Chelsea Young

Coordinator Community Development:

Clare Berghofer

Economic Development Officer - Tourism & Events:

Gareth MacDonald

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 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

Councillor Steve Rabie/Councillor Mark Holcombe:

THAT the Minutes of the Mansfield Shire Council meeting held on Tuesday 18 October 2022 be confirmed noting that resolution 13.3.4. Carry Forward Projects in relation to the operating carry forward funds was incorrect and the amount was \$1,443,313 in operating (net of income).

CARRIED

8. Representations

Deputation from Michael and Carol Lowden speaking to item 18.2.1.

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 18 October 2022 to 15 November 2022.

CARRIED

11. Reports from council appointed representatives

Councillor Mark Holcombe/Councillor Paul Sladdin:

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

CARRIED

12. Interim Chairperson

CEO, Kirsten Alexander, announced the position of Mayor as vacant and thanked Councillor Tehan for his term as Mayor.

13. Outgoing Mayor Speech

Councillor Tehan addressed Council.

14. Determination of Mayoral Term

Councillor Mark Holcombe/Councillor Steve Rabie:

THAT COUNCIL:

1. Determines the length of the Mayoral term to be a period of 1 year.
2. Determines the next Mayoral election be held at the scheduled meeting of Council on 28 November 2023.

CARRIED

Councillor Holcombe and Councillor Rabie addressed Council and thanked Councillor Tehan for his term as Mayor.

15. Election of Mayor

Councillor Steve Rabie/Councillor Mark Holcombe:

THAT pursuant to the provisions of sections 25 and 26 of the *Local Government Act 2020*, THE COUNCIL appoints Cr Tehan as Mayor of Mansfield Shire for a term of 1 year, no later than the scheduled meeting of 22 November 2022.

CARRIED

CEO, Kirsten Alexander, stepped down as Chair. Mayor Cr Tehan took over the position as Chair.

Mayor Cr Tehan addressed Councillors thanking them for his appointment as Mayor for the next term.

16. Election of Deputy Mayor

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL appoints Cr Rabie as Deputy Mayor of Mansfield Shire for a term of 1 year, no later than the scheduled meeting on 22 November 2022.

CARRIED

17. Public question time

The Mayor reinforced that under the Governance Rules each person can only submit two questions.

Question 1

Peter Brodley

"I would like to know what community consultation was undertaken to propose to lower the speed limit on Old Tolmie Road to 80 kph? When was this conducted? How were affected residents notified of this proposal? What justification is there for this reduction? Why are all other subsidiary roads connected to Old Tolmie Road of lesser design, width, and in some cases dirt construction a default speed limit of 100kph? Who proposed this reduction and why? I am unaware of any fatal collision on this road in the past decade, yet know of many on roads still posted at 100kph"

Answer:

Council received several requests from residents of Old Tolmie Road requesting for the speed limit to be reduced from 100kph to 80kph between Broken River and Whitfield Road. These residents expressed concern for their safety when accessing Old Tolmie Road via their property driveways.

As part of the consultation in relation to the speed reduction, Council officers sent letters to over 100 residents along the road itself. In response to these letters, Council received 18 in favour and 2 against the decrease in speed, which demonstrated 90% support for the proposal. Victoria Police also supported the change.

Note that the speed changes are governed by Department of Transport (DoT) and Council can only submit the application to DoT if the requested change is based on Speed Zoning Guidelines. The final decision is made by DoT and an application will not be approved if the road does not warrant a speed change.

18. Officer reports

18.1. Chief Executive Officer's report

Councillor Paul Sladdin/Councillor Rohan Webb:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 18 October 2022 to 15 November 2022.

CARRIED

18.2. Infrastructure and Planning Directorate

18.2.1. DP001/20 100 Highton Lane Development Plan

Councillor Paul Sladdin/Councillor Steve Rabie:

THAT COUNCIL approve the 100 Highton Lane Development Plan, applying to the land known as 100 Highton Lane, Mansfield, Lot 33 on Plan of Subdivision 135575, Certificate of Title Volume 09436 Folio 619; Lot 34 on Plan of Subdivision 135575, Certificate of Title Volume 09436 Folio 620, general in accordance with the Development Plan attached to this report.

CARRIED

18.2.2. Planning Scheme Review

Councillor Steve Rabie/Councillor Paul Sladdin:

THAT COUNCIL:

1. Adopt the *Mansfield Planning Scheme Review*, 2022 pursuant to section 12B (1) of the *Planning and Environment Act*, 1987;
2. Submit the *Mansfield Planning Scheme Review*, 2022 to the Minister for Planning as required by section 12B (5) of the *Planning & Environment Act*, 1987; and
3. Prepare a planning scheme amendment to implement the Mansfield Planning Scheme Review, 2022.

CARRIED

18.3. Community and Corporate Services Directorate

18.3.1. Outlying Community Infrastructure Fund: Assessment Panel Recommendations

Councillor Paul Sladdin/Councillor Steve Rabie:

THAT COUNCIL:

1. Receives the assessment panel report for the Outlying Communities Infrastructure Fund 2022-2023.
2. Endorse the Outlying Communities Infrastructure Fund assessment panel recommendation to:
 - a. Fund the Bonnie Doon Community Group Incorporated for \$20,000 to the Billy's House project.
 - b. Fund the Jamieson Art & Gardens (JAGs) under the auspice of the Jamieson & District Historical Society Incorporated for \$10,000 to the Relocation of Jamieson Art & Gardens to St. Peter's, Jamieson Anglican Church.
 - c. Fund the Merton Community Planning Committee under the auspice of the Merton Recreation & Memorial Hall Reserves Incorporated for \$20,000 to Merton Community Skate Park.

CARRIED

18.3.2. TARGA Permit

Councillor Paul Sladdin/Councillor Rohan Webb:

THAT COUNCIL issue a conditional permit for Targa High Country, subject to Targa obtaining permits from both Motorsport Australia and Regional Roads Victoria, for an event to be held in Mansfield Shire on 10-12 February 2023 with an amended event format that does not include a street stage.

CARRIED

18.3.3. Councillor Appointed Representation on Committees

Councillor Rabie/Councillor Webb

THAT COUNCIL nominates the following Councillors to the Mansfield Shire Audit and Risk Committee:

1. Cr Tehan
2. Cr Holcombe

CARRIED

Councillor Rabie/Councillor Holcombe

THAT COUNCIL nominates the following Councillors to Chief Executive Officer Employment Matters Committee:

1. Mayor Cr Tehan
2. Cr Holcombe
3. Cr Rabie

CARRIED

Councillor Holcombe/Councillor Webb

THAT COUNCIL nominates Mayor Cr Tehan and Crs Holcombe and Rabie to the Australia Day Awards Committee.

CARRIED

Councillor Rabie/Councillor Sladdin

THAT COUNCIL nominates Cr Webb to the Goulburn Murray Climate Alliance (GMCA).

CARRIED

Councillor Sladdin/Councillor Webb

THAT COUNCIL nominates Mayor Cr Tehan to the Hume Regional Local Government Network (HRLGN).

CARRIED

Councillor Holcombe/Councillor Webb

THAT COUNCIL:

1. Appoints Mayor Cr Tehan to the Municipal Association of Victoria (MAV).
2. Appoints Deputy Mayor Cr Rabie as substitute Council representative to the MAV.

CARRIED

Councillor Rabie/Councillor Webb

THAT COUNCIL nominates Mayor Cr Tehan or Cr Sladdin to Rural Councils Victoria (RCV).

CARRIED

18.4. Executive Services Directorate

18.4.1. Schedule of Meetings: Dec 2022 - Nov 2023

Councillor Steve Rabie/Councillor Mark Holcombe:

THAT COUNCIL adopt the proposed meeting schedule for Mansfield Shire Council from December 2022 – November 2023.

LOST

Councillor Paul Sladdin proposed an amendment to the recommendation/Councillor Rohan Webb:

THAT COUNCIL adopt the proposed meeting schedule for Mansfield Shire Council from December 2022 – November 2023 and investigate the possibility of hybrid meetings.

For: Councillor Paul Sladdin, Councillor Rohan Webb and Mayor James Tehan

Against: Councillor Mark Holcombe

Abstained: Councillor Steve Rabie

CARRIED

18.4.2. Council Christmas Function – Early Office Closure

Councillor Mark Holcombe/Councillor Steve Rabie:

THAT COUNCIL endorse the closure of its offices including community services, youth and family services, visitor information centre, library and field services for the period between 12.30 pm and 5.00 pm on Friday 2 December 2022.

CARRIED

19. Council Meeting Resolution Actions Status Register

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 14 November 2022.

CARRIED

20. Advisory and Special Committee reports

Nil

21. Authorisation of sealing of documents

Nil

22. Closure of meeting to members of the public

Councillor Rohan Webb/Councillor Mark Holcombe:

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 19 below.

CARRIED

The Council Meeting Agenda 22 November 2022 was closed to the public at 6:48 pm.

23. Confidential Reports

23.1. 2022-2023 Resealing and Crack Sealing Program

Confidential

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

24. Reopen meeting to members of the public

Councillor Steve Rabie/Councillor Rohan Webb:

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

CARRIED

Council re-opened the meeting at 6:58 pm.

During the Confidential Meeting, in relation to item 23.1, Council resolved to make the following resolution public by including it within the public minutes of the Council meeting.

23.1. 2022-2023 Resealing and Crack Sealing Program

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL:

1. Awards a lump sum contract to Boral in the amount of \$579,885.23 (excluding GST) for the 2022-23 Resealing and Crack Sealing Program.

CARRIED

25. Close of meeting

The Council Meeting Agenda 22 November 2022 was closed at 7:00 pm.