



**Mansfield Shire**

# **MINUTES**

## **Council Meeting**

**Tuesday 28 November 2023**

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**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 Tehan
- Councillor Webb

In Attendance:

Chief Executive Officer:

Kirsten Alexander

General Manager Infrastructure & Planning:

Melissa Crane

General Manager Business & Economic Development:

Julie Williams

EA Mayor & CEO:

Chelsea Young

Interim Coordinator Governance & Risk:

Jane Carter

Coordinator Statutory Planning:

Nicole Embling

Manager Operations & Capital Works:

Nick Maple

Manager Field Services:

Ari Croxford-Demasi

Manager Planning & Environment:

Maya Balvonova

People & Culture Advisor:

Janique Snyder

Strategic Planning Officer:

Oscar Yencken

## 3. Apologies

Councillor Paul Sladdin and Nola Bales (Executive Manager Community Health & Wellbeing).

## 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

Kirsten Alexander, Chief Executive Officer, declared a conflict of interest in respect of item 23.3. 'CEO 12 Months Performance Review'.

## 7. Confirmation of minutes

**Councillor Rohan Webb/Councillor Steve Rabie:**

THAT the Minutes of the Mansfield Shire Council meeting held on 17 October 2023 and 31 October 2023 be confirmed as an accurate record.

**CARRIED**

## 8. Representations

Deputation from Karen Piere speaking to Item 18.2.2 'Mansfield Police Stables Lease Agreement Proposal'.

## 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 2023 to 22 November 2023

**CARRIED**

## 11. Reports from council appointed representatives

**Councillor Steve Rabie/Councillor Mark Holcombe:**

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

**CARRIED**

## 12. Acting 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 James Tehan:**

THAT COUNCIL determine that the Mayoral term will end at 6:00 am 24 October 2024.

**CARRIED**

## 15. Election of Mayor

**Councillor James Tehan/Councillor Mark Holcombe:**

THAT pursuant to the provisions of sections 25 and 26 of the *Local Government Act 2020*, THE COUNCIL appoints Cr Steve Rabie as Mayor of Mansfield Shire for a term ending at 6:00am 26 October 2024, no later than the scheduled meeting of 28 November 2023.

**CARRIED**

Mayor Cr Steve Rabie addressed Council.

*Thank you, fellow councillors, for putting your trust in me to lead the shire into 2024 as the mayor. It is indeed a privilege and an honour.*

*I would like to congratulate our two previous Mayors in the current Council, namely Cr Holcombe and Cr Tehan who have done an outstanding job. They have set the course for council prosperity very well indeed. I will continue to keep the Shire on its current course of being financially responsible in the management of our Ratepayers money.*

*Some of the challenges and projects I see ahead are:*

- *Continued support for the Historical Society to complete their museum.*
- *The completion of the alternative truck route*
- *Lobbying for our Mansfield emergency services hub.*
- *New Child care facilities to keep up with our growing population.*
- *Construction works on Highton Lane/Rifle butt's road/ and our new carpark in the High Street*
- *Continue to protect and preserve our rural amenity.*
- *Show that Mansfield is "Open for Business", AND -*
- *Continue to listen to our community.*

*I will be able to exert all my attention to the position of Mayor, with the ongoing and continued support from my wonderful wife Tamara, along with our family.*

*Again, thank you fellow councillors for your support for this coming year. And I look forward to working with you all, and our CEO, Kirsten Alexander and all the staff for the coming year, to make this Shire the best "Little Shire" in Victoria.*

## **16. Election of Deputy Mayor**

**Councillor James Tehan/Councillor Rohan Webb:**

THAT COUNCIL appoints Cr Mark Holcombe as Deputy Mayor of Mansfield Shire for a term ending at 6:00am 26 October 2024, no later than the scheduled meeting of 28 November 2023.

**CARRIED**

## **17. Public question time**

Nil

## **18. Officer reports**

### **18.1. Chief Executive Officer's report**

**Councillor Mark Holcombe/Councillor Rohan Webb:**

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 17 October 2023 to 15 November 2023.

**CARRIED**

## 18.2. Infrastructure and Planning Directorate

### 18.2.1. Planning Scheme Amendment C57mans Additional Resolution of Council

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL:

1. Request under Section 8A (2) and (3) of the *Planning and Environment Act* 1987 ('the Act') that the Minister for Planning authorise Mansfield Shire Council to prepare Amendment C57mans to the Mansfield Planning Scheme.
2. Notify the Minister for Planning that when it exhibits Amendment C57mans Mansfield Shire Council intends to give full notification of the amendment under Section 19 of the Act for a minimum statutory exhibition period of one month.
3. When authorised by the Minister for Planning, exhibit Amendment C57mans to the Mansfield Planning Scheme under Section 19 of the Act.

**CARRIED**

### 18.2.2. Mansfield Police Stables Lease Agreement Proposal

**Councillor Mark Holcombe/Councillor James Tehan:**

THAT COUNCIL:

1. Approve the proposed lease of the Mansfield Police Stables, located at 5 Curia Street, Mansfield, Lot 2 on Plan of Subdivision 339723, to Mansfield & District Potters Incorporated for a period of 5 Years with one (1) further term of 5 years for the permitted community use associated with the Mansfield & District Potters Incorporated.
2. Sets the annual lease payment at \$1 per annum, plus outgoings.
3. Provides public notification of the intention to enter a peppercorn lease agreement on the above-mentioned land.
4. Authorises the Chief Executive Officer to execute the lease agreement on completion of the public notification process.

**CARRIED**

### 18.2.3 Station Precinct Fertilizer Shed

**Councillor James Tehan/Councillor Mark Holcombe:**

THAT COUNCIL:

1. Approves the proposed 10-year lease of the Fertiliser Shed at Station Precinct, 173-175 High Street, Mansfield to the Mansfield Historical Society Incorporated for a period of 10 Years with one (1) further term of 10 years commencing 1 December 2023 for the permitted community use associated with the Mansfield Historical Society.
2. Sets the annual lease payment at \$1 per annum, plus outgoings.
3. Provides public notification of the intention to enter a peppercorn lease agreement on the above-mentioned land.
4. Authorises the Chief Executive Officer executing the lease agreement on completion of the public notification process.

**CARRIED**

### 18.2.4. Tree Management Plan and Street Tree Policy

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL endorse the updated Street Tree Policy and Tree Management Plan.

**CARRIED**

### **18.2.5. Emergency Resilience Policy Review**

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL revokes the Emergency Resilience Policy.

**CARRIED**

### **18.3. Community and Corporate Services Directorate**

#### **18.3.1. Carry Forwards from 2022-23**

**Councillor Mark Holcombe/Councillor James Tehan:**

THAT COUNCIL approve carry forward funds from 2022-23 to the 2023-24 budget for the completion of the projects listed in this report, totaling \$4,243,683 operating (\$928,028 net of unrecognised prepaid grant income) and \$377,448 in capital.

**CARRIED**

#### **18.3.2. Community Grants Policy**

**Councillor Mark Holcombe/Councillor James Tehan:**

THAT COUNCIL endorse the Community Grants Policy 2023.

**CARRIED**

#### **18.3.3. Risk Management Policy**

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL adopt the Risk Management Policy.

**CARRIED**

#### **18.3.4. Councillor Appointed Representation on Committees**

**Councillor James Tehan/Councillor Rohan Webb:**

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

1. Cr Rabie
2. Cr Holcombe

**CARRIED**

**Councillor Mark Holcombe/Councillor Rohan Webb:**

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

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

**CARRIED**

**Councillor James Tehan/Councillor Mark Holcombe:**

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

**CARRIED**

**Councillor Mark Holcombe/Councillor James Tehan:**

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

**CARRIED**



**Councillor Rohan Webb/Councillor Mark Holcombe:**

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

**CARRIED**

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL:

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

**CARRIED**

**Councillor Mark Holcombe/Councillor Rohan Webb:**

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

**CARRIED**

## **18.4. Executive Services Directorate**

### **18.4.1. Schedule of Meetings: Dec 2023 - Nov 2024**

**Councillor Rohan Webb/Councillor Mark Holcombe:**

THAT COUNCIL adopt the proposed meeting schedule for Mansfield Shire Council from December 2023 – November 2024.

**CARRIED**

## **19. Council Meeting Resolution Actions Status Register**

**Councillor Mark Holcombe/Councillor Rohan Webb:**

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 21 November 2023.

**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 23 below.

**CARRIED**

The Council Meeting Agenda 28 November 2023 was closed to the public at 6:33 pm.

## 23. Confidential Reports

### 23.1. Tender Award - Gooleys Bridge Barrier Installation

**Councillor Mark Holcombe/Councillor Rohan Webb:**

THAT COUNCIL:

1. Award a lump sum contract for the Gooleys Bridge Barrier Replacement to Waratah Construction Pty Ltd in the amount of \$294,320.00 (ex. GST).
2. Approve an additional provisional sum of \$41,741.00 (ex. GST) for the traffic management required to undertake the works.
3. Approve a 10% construction contingency amount of \$33,606.10 (ex. GST).
4. Authorises the Chief Executive Officer to execute the contract.
5. Make this resolution public by including it within the public minutes of the Council meeting.

**CARRIED**

### 23.2. Potential Land Acquisition

#### **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.

Kirsten Alexander, Melissa Crane, and Julie Williams left the meeting at 6.56pm.

### 23.3. CEO 12 Month Performance Review

#### **Confidential**

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs

## 24. Reopen meeting to members of the public

**Councillor James Tehan/Councillor Mark Holcombe:**

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

**CARRIED**

Council re-opened the meeting at 7:06 pm.

Kirsten Alexander, Melissa Crane, and Julie Williams rejoined the meeting at 7:07pm.

## 25. Close of meeting

The Council Meeting Agenda 28 November 2023 was closed at 7:09 pm.

CONFIRMED this **twelfth** day of **December 2023**

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**Mayor**