



Mansfield Shire

## Additional Council Meeting 31 October 2023

Notice and Agenda of meeting livestreamed via the  
[Mansfield Shire Council website](#)  
Commencing at 11am

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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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#### **Councillors**

Cr James Tehan (Mayor)  
Cr Steve Rabie (Deputy Mayor)  
Cr Mark Holcombe  
Cr Paul Sladdin  
Cr Rohan Webb

#### **Officers**

Kirsten Alexander, Chief Executive Officer  
Melissa Crane, General Manager Infrastructure & Planning  
Julie Williams, General Manager Business & Economic Development

## Order of Business

### 1. Opening of the meeting

The Mayor, who chairs the meeting, will formally open the meeting and welcome all present.

### 2. Present

Where a meeting is held virtually, Councillors will confirm that they can see and hear each other.

### 3. Apologies

Where a Councillor is not present, his/her absence is noted in the Minutes of the meeting.

### 4. Statement of commitment

The Council affirms its commitment to ensuring its behaviour meets the standards set by the Mansfield Shire Councillor Code of Conduct and Councillor Charter.

### 5. Acknowledgement of Country

The Council affirms its recognition of the Taungurung people being traditional owners of this area, and pays respect to their Elders past and present.

### 6. Disclosure of conflicts of interest

In accordance with the *Local Government Act 2020*, a Councillor must declare any Conflicts of Interest pursuant to sections 126 and 127 Act in any items on this Agenda.

Council officers or contractors who have provided advice in relation to any items listed on this Agenda must declare a Conflict of Interest regarding the specific item.

### 7. Representations

Council receives or presents acknowledgements to the general public. Deputations may also be heard by members of the general public who have made submission on any matter or requested to address the Council. Council may also receive petitions from residents and ratepayers on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and the matter referred to the appropriate Council officer for consideration.

### 8. Officer reports

**8.1 – 8.2 Officer reports are presented to the Council, where required.**

### 9. Close of meeting

The Mayor will formally close the meeting and thank all present for attending.

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# Agenda

## 1. Opening of the meeting

## 2. Present

The Chair will call 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

Councillors will respond to their name with: *“I can hear the proceedings and see all Councillors and Council officers”*.

The Chair will ask each Councillor to confirm by raising their hand that they could all hear each statement of the councillors.

Councillors will raise their hand to acknowledge they can hear each other.

## 3. Apologies

The Chair will call on the CEO for any apologies.

## 4. Statement of commitment

The Chair will read the statement and call 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 Steve Rabie will recite 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

The Chair will call on each Councillor in turn and ask them to declare whether they have any conflicts of interest in relation to any agenda items:

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

## 7. Representations

## 8. Officer reports

### 8.1. Infrastructure and Planning Directorate

#### 8.1.1. Black Spot Funding Grant Application

<b>File Number</b>	8435	<b>Responsible Officer</b>	Manager Operations & Capital Works, Nick Maple
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#### Purpose

To seek Council endorsement of the grant application to the Federal *Black Spot Funding Program 2023-24* for the Mansfield Approach Roundabout Safety Project (MARS) project at the intersection of Dead Horse Lane and the Mansfield-Whitfield Road.

#### Executive Summary

The intersection of Dead Horse Lane and Mansfield-Whitfield Road is considered a road safety Black Spot, having seen a fatality in recent years.

To fund the intersection improvements necessary to increase the safety of this intersection, an application for \$2,000,000 to the *Black Spot Funding Program* is proposed. The funding is managed by the State Government Department of Transport and Planning (DTP). There is no requirement for a Council contribution as part of the grant application, however an estimated contribution of \$609,000 would need to be considered as part of the 2024-25 Budget process. A contribution to the intersection cost has been sought from the State Government.

#### Key Issues

There have been 4 accidents at this location from 2017 until the present date, with 1 fatality. It has been determined that the appropriate intersection treatment to improve safety at this location is a roundabout. The roundabout at this intersection provides a high Benefit Cost Ratio of 9.4 which is much higher than 2.0, the minimum eligibility requirement for the funding.

Council made an application under the same Federal Blackspot Funding Program 2 years ago however it was not successful. Since the initial application was made, Council officers have obtained firm quotes for the design and construction cost and have confidence that the required roundabout can be constructed for \$2.6 million.

As per the current concept design:

- No land acquisition will be required; however, a cost has been included in the estimate for contingency purposes.
- No trees will be impacted or removed, and protection of the existing tree has been considered. Should reverse curves be required, there may be an impact on trees on the southern section, but Council officers will work to minimise any impacts.
- The speed limit on Mansfield-Whitfield Road is recommended to be reduced from 80kph to 50kph or 60kph, subject to DTP approval. This speed change will align with Mansfield Planning Scheme.

This roundabout will form part of the Heavy Vehicle Alternate Route (HVAR) which is part of Council's long-term traffic and transport strategies and delivers on the Council Plan 2021-25. The HVAR project was funded by Mansfield Shire Council and the Australian Government.

**The total cost of the project been estimated at \$2,609,000, as follows:**

- Grant funding: \$2,000,000
- Council/State Government contribution: \$609,000

A Council contribution amount has not been included in the 2023-24 Budget and should the grant application be successful a contribution amount would be included in the 2024-25 Budget development process.

Recommendation
THAT COUNCIL: <ol style="list-style-type: none"><li>1. Endorses the submission of a grant application to the Black Spot Funding Program for construction of a roundabout at the intersection of Dead Horse Lane and Mansfield-Whitfield Road.</li><li>2. Notes the estimated financial Council/State Government contribution in the amount of \$609,000 (ex GST) for consideration in the 2024-25 Budget process.</li></ol>
Support Attachments
Nil

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

Engagement with freight industry operators has been undertaken as part of the HVAR project, and they are supportive of the proposed roundabout.

### Collaboration

Not Applicable

### Financial Impact

The intersection upgrade is not included in the 2023-24 Budget and would need to be considered as part of the 2024-25 Budget process.

The roundabout provides a substantial Benefit Cost Ratio of 9.4.

### Legal and Risk Implications

On the eastern leg of the roundabout, 2 driveway crossovers have been recently constructed, which will be assessed during the detailed design process.

Although the current concept design does not warrant land acquisition, there is a risk that it may be required when the detailed design is completed. A contingency amount of \$155,000 has been included in the estimate to mitigate this risk.

## **Regional, State and National Plans and Policies**

Not Applicable

## **Innovation and Continuous Improvement**

Council aims to continually improve its roads for the safety of the community. To this end, identifying and treating black spot intersections is of the highest priority.

## **Alignment to Council Plan**

Theme 2: Vibrant Liveability Strategic Objective 3 Future focused: Intelligent land use and infrastructure

Strategy 3.3 Improve roads, drainage and footpaths

Theme 2: Vibrant Liveability Strategic Objective 5 Prosperous: Industries, businesses and workforces of the future

Strategy 5.1 Create conditions that enable local businesses

Strategy 5.2 Enable land use and base infrastructure that stimulates commercial activity

## **Governance - Disclosure of Conflicts of Interest**

The author of this report and officers providing advice in relation to this report do not have a conflict of interest to declare in this matter, in accordance with the Local Government Act 2020.

## 8.2. Community and Corporate Services Directorate

### 8.2.1. Annual Report

<b>File Number</b>	E11037	<b>Responsible Officer</b>	Mayor, Councillor James Tehan
<b>Purpose</b>			

To present Council’s Annual Report 2022-23.

#### Executive Summary

The Annual Report contains a report of operations, which gives an overview of Council’s performance against the Council Plan 2021-2025, and a financial report, which contains the audited financial statements and performance statements.

The *Local Government Act 2020* (LGA 2020) requires the Annual Report be presented by the Mayor.

#### Key Issues

Section 98 of the LGA 2020 requires Council to prepare an Annual Report for each financial year that contains a report on the operations of the Council, audited performance statement and audited financial statements.

Council approved the in-principle Financial and Performance Statements at the Ordinary Council Meeting held on 17 October 2023. The statements have been reviewed by Council’s Audit and Risk Committee and certified by two Councillors authorised by Council. The Financial Statements and Performance Statements are pending inclusion of the Victorian Auditor-General’s Office Independent Audit Reports that are to be released to Council.

Section 100 of the LGA 2020 contains a requirement stating that the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council Meeting open to the public within four months of the end of the financial year.

The Annual Report contains all information required by the LGA 2020, and *Local Government (Planning and Reporting) Regulations 2020*.

#### Annual Report overview

The Annual Report details how we performed against our Council Plan 2021-2025 and it includes detailed information for our community on the progress made against the initiatives in that Plan.

Council delivered \$7.9 million of capital works projects, with a large component of our funding coming from State and Federal Government grants. Council achieved a surplus of \$3.9 million in 2022-23. The adjusted underlying surplus of Council, after removing non-recurrent capital grants, cash capital contributions and non-monetary capital contributions, is a surplus of \$0.7 million or 2.7% when compared to adjusted underlying revenue. Sustaining an adjusted underlying surplus is a critical financial strategy to provide capacity to continue renewing the community assets under Council’s control.



Finally, Council appointed a new Chief Executive Officer this year. Kirsten Alexander, who was Council's General Manager Infrastructure and Planning since 2020, was appointed to a four-year term in August 2022.

### Implementation of Council Plan

The Annual Report reports on Council progress in delivering the strategies contained in the Council Plan 2021-2025.

There are three key themes contained within the Council Plan. The Annual Report addresses each of the initiatives undertaken by Council to meet its strategic objectives for the year in the 'Our Performance' section of the Annual Report.

#### Recommendation

THAT COUNCIL:

1. In accordance with section 100 of the Local Government Act 2020, Council receives and notes the Annual Report 2022-23 as presented; and
2. Delegates to the Chief Executive Officer the authority
  - a. to correct any errors including typographical in the operations report that do not materially alter the underlying message of the report, and
  - b. insert the Victorian Auditor-General's Office Independent Reports regarding the audits of the Financial Statements and the Performance Report.

#### Support Attachments

1. Annual Report 2022-23 [8.2.1.1 – 120 pages]

## Considerations and Implications of Recommendation

### Sustainability Implications

Not Applicable

### Community Engagement

The Annual Report presents comprehensive information to our community about Council's operations and performance during the 2022-23 financial year and will be made available for reference by the community on Council's website.

### Collaboration

Not Applicable

### Financial Impact

The Annual Report containing audited Financial Statements and Performance Statement for the year ended 30 June 2023 shows that Council is financially sustainable and that Council services are being delivered within expected parameters.

### Legal and Risk Implications

The Audit and Risk Committee was presented with the in-principle Financial Statements and Performance Statement and received a briefing from Council's auditors following their review of these documents.

## **Regional, State and National Plans and Policies**

Section 100 of the Local Government Act 2020 contains a requirement stating that the Mayor must report on the implementation of the Council Plan by presenting the Annual Report at a Council Meeting open to the public within four months of the end of the financial year.

## **Innovation and Continuous Improvement**

Council used internal officers to prepare and compile the report rather than employing an external designer to maximise cost-efficiencies in preparation of the Annual Report. Council will not print hard copies of the report except on an as-needs basis.

## **Alignment to Council Plan**

Theme 3: A Trusted, Effective and Efficient Council

Strategic Objective 8 A consultative Council that represents and empowers its community

Strategy 8.1 Increase community trust in Council to make informed decisions with “no surprises”

## **Governance - Disclosure of Conflicts of Interest**

The author of this report and officers providing advice in relation to this report do not have a conflict of interest to declare in this matter, in accordance with the Local Government Act 2020.

## **9. Close of meeting**