

OFFICIAL



Mansfield Shire

Additional Council Meeting

Tuesday 5 May 2026 9:00am

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.

Councillors

Cr Steve Rabie (Mayor)
Cr James Tehan (Deputy Mayor)
Cr Mandy Treasure
Cr Bonnie Clark
Cr Tim Berenyi

Officers

Kirsten Alexander, Chief Executive Officer
Melissa Crane, General Manager Investment & Planning
Janique Snyder, Executive Manager Community Health & Wellbeing
Justin Hotton, Executive Manager Capital Works & Operations
Maya Balvonova, Executive Manager Development & Customer Service

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 Model Councillor Code of Conduct.

5. Acknowledgement of Country

The Council affirms its recognition of the Taungurung people being traditional custodians 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

Officer reports are presented to the Council, where required.

9. Closure of meeting to members of the public

Whilst all Council meetings are open to members of the public, Council has the power under the Local Government Act 2020 to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public are excluded from the meeting while the matter is being discussed.

10. Presentation of confidential reports

11. Reopen meeting to members of the public

The Mayor will reopen the meeting to members of the public.

12. 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 any Councillor/s attending the meeting virtually and ask them to confirm verbally that they can see all Councillors and hear the proceedings.

Councillor/s attending virtually will respond to their name with: "I can hear the proceedings and see all Councillors and Council officers".

The Chair will ask the Councillor/s 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 Model Councillor Code of Conduct. We will, at all times, faithfully represent and uphold the trust placed in us by the community."

5. Acknowledgement of Country

The Deputy Mayor will recite Council's Acknowledgement of Country:

"Our meeting is being held on the traditional lands of the Taungurung people. We wish to acknowledge them as the traditional custodians and pay our respects to their Elders past and present. We extend that respect to all members of our community."

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 Tehan
- Councillor Treasure
- Councillor Clark
- Councillor Berenyi

7. Representations

8. Officer reports

8.1. Investment and Planning

8.1.1. Transfer of Road Management Responsibilities

File Number	E10327	Responsible Officer	General Manager Investment & Planning, Melissa Crane
Purpose			

To seek Council endorsement to request a transfer of road management responsibilities from Council to either the Department of Environment, Energy and Climate Action or the Department of Transport and Planning for Walhalla Road and Jamieson-Licola Road.

Executive Summary

Mansfield Shire Council currently has legal obligations in relation to road management responsibilities for both Walhalla Road and a large section of Jamieson-Licola Road. This paper details the regulatory considerations for transfer of management of roads from Council to the State Government, particularly for these roads with no direct benefit to ratepayers. This assessment has been undertaken in accordance with the Road Management Act 2004 and the associated “Code of Practice – Operational Responsibility for Public Roads.”

The Council-managed sections of both roads:

- Are located in a remote and difficult-to-access area.
- Pass through State Forest and environmentally sensitive land.
- Are costly and operationally inefficient for Council to maintain.
- Are considered to function as part of regional transport corridors, rather than local access roads.

The current responsibility creates inefficient maintenance arrangements, inconsistent standards along a single route and an increased operational burden on Council resources, and Council officers are recommending that a transfer of responsibility to the State Government is sought for these roads.

Key Issues

This consideration will specifically look at transferring responsibility of the following roads from Council to the Department of Transport and Planning and the Department of Environment, Energy and Climate Action (DEECA):

- A 34.54-kilometre section of Jamieson–Licola Road
- A 18.93-kilometre section of Walhalla Road

Jamieson-Licola Road

Jamieson–Licola Road is a continuous transport corridor located in the south-east of Mansfield Shire connecting Mansfield with Wellington Shire. The road is currently managed as follows:

- Commencing at Jamieson, at the intersection of Bank Street and Chenery Street, identified as a DTP managed arterial road, reference C486, to the intersection with Mt Sunday Road, in the Upper Goulburn State Forest.
- This section of road is in the Transport 2 Zone in the Mansfield Planning Scheme. (From Long: 146.13590, Lat: -37.29908 to Long: 146.32803, Lat: -37.34439)
- From the intersection of Mt Sunday Road to the edge of the Mansfield Shire Municipality, identified as a Council managed unsealed road, going through both the Upper Goulburn State Forest and Mt Skene National Reserve. The section is 34,540m in length, with a road status of RP (Rural Paved, Unsealed), identified as a public road since 1 June 1995 and a Road Register Class A (Access Road).
- This section of road is in the Public Conservation and Resource Zone in the Mansfield Planning Scheme. (From Long: 146.32803, Lat: -37.34439 to Long: 146.47301, Lat: -37.53478)
- At the border of the municipality, the road reverts back into a DTP managed road through Wellington Shire Council. This section of road is in the Transport 3 Zone in the Wellington Planning Scheme.

The subject section managed by Mansfield Shire Council traverses remote and forested terrain and forms a direct continuation of the arterial road, with no material change in alignment or network function at the current management boundary. Council has no rateable properties along this section of road, and it predominantly provides access through public land.

The details of the management of this road are shown as follows:

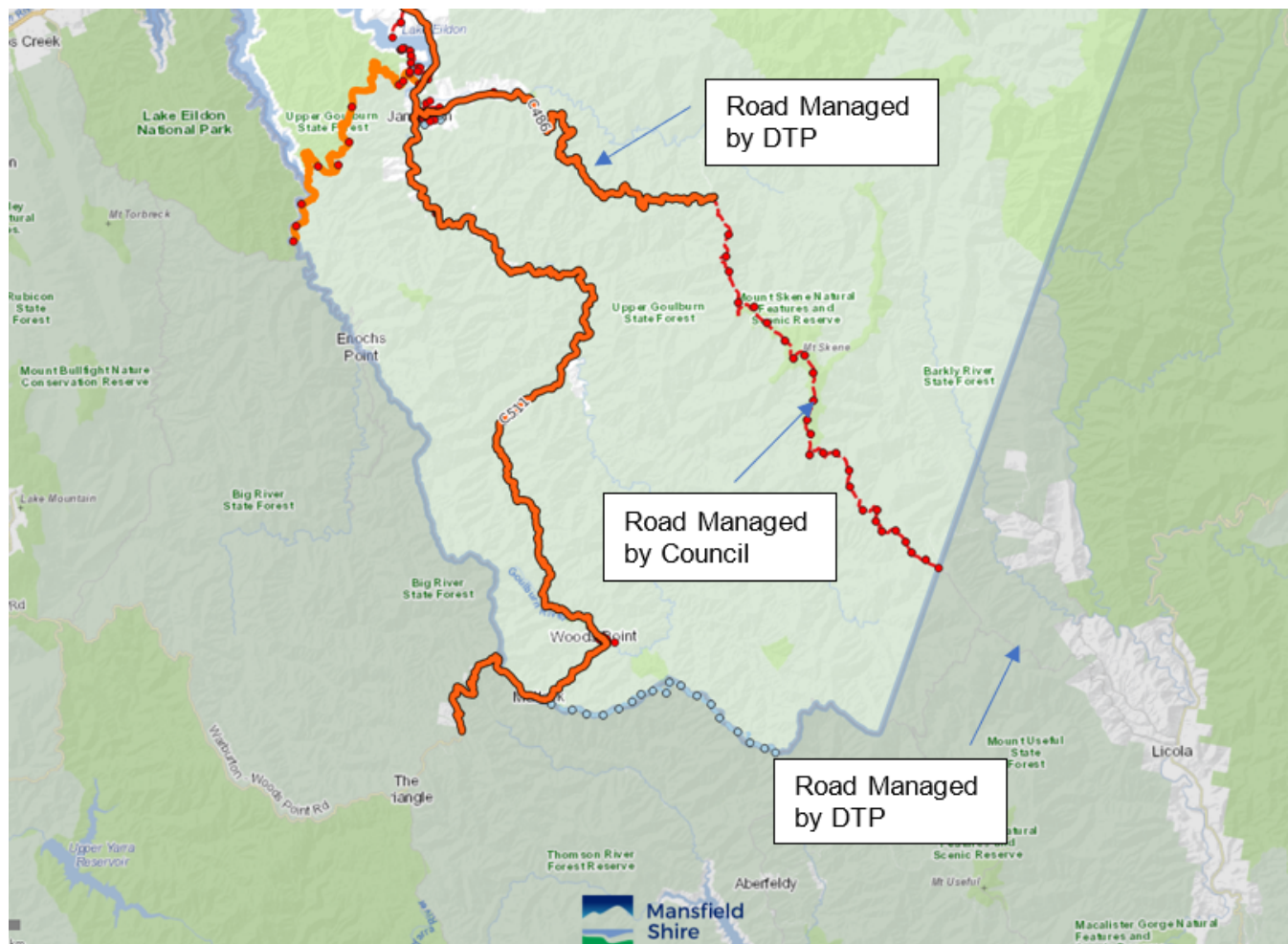


Figure 1. Map showing different sections of road

Walhalla Road

Walhalla Road comes off Warburton-Woods Point Road near the boundary of the municipality and runs along the boundary of Mansfield and Baw Baw Shires, where it goes into Baw Baw at the intersection of Selma Track. Selma Track is managed by DEECA and is within the State Forest.

Council has traditionally shared the cost of managing this road with Baw Baw Shire, however, Baw Baw has recently determined that the road is no longer required for general public use and will no longer contribute to its maintenance. Council is only technically responsible for the road to the centre line; however, it is not considered practical to only grade that half of the road. This will mean that the full cost of any works done on this road would now need to be borne by Mansfield Shire.

The road provides a transport corridor located in the south of Mansfield Shire connecting Mansfield with Baw Baw Shire. The road is currently managed as follows:

- Commencing at Warburton-Woods Point Road in Matlock, it runs along the edge of the Mansfield Shire Municipality and the Baw Baw Shire Municipality and is identified as a Council managed unsealed limited access road, going through both the Upper Goulburn State Forest. The section is 18,925m in length, with a road status of RP (Rural Paved,

Unsealed), identified as a public road since 1 June 1995 and a Road Register Class LA (Limited Access Road).

- This section of road is in the Public Conservation and Resource Zone in the Mansfield Planning Scheme.

The subject section managed by Mansfield Shire Council traverses remote and forested terrain. Council has no rateable properties along this section of road, and it predominantly provides access through public land. The section of Walhalla Road proposed to be transferred is shown in blue dots below.

The details of the management of this road are shown as follows:

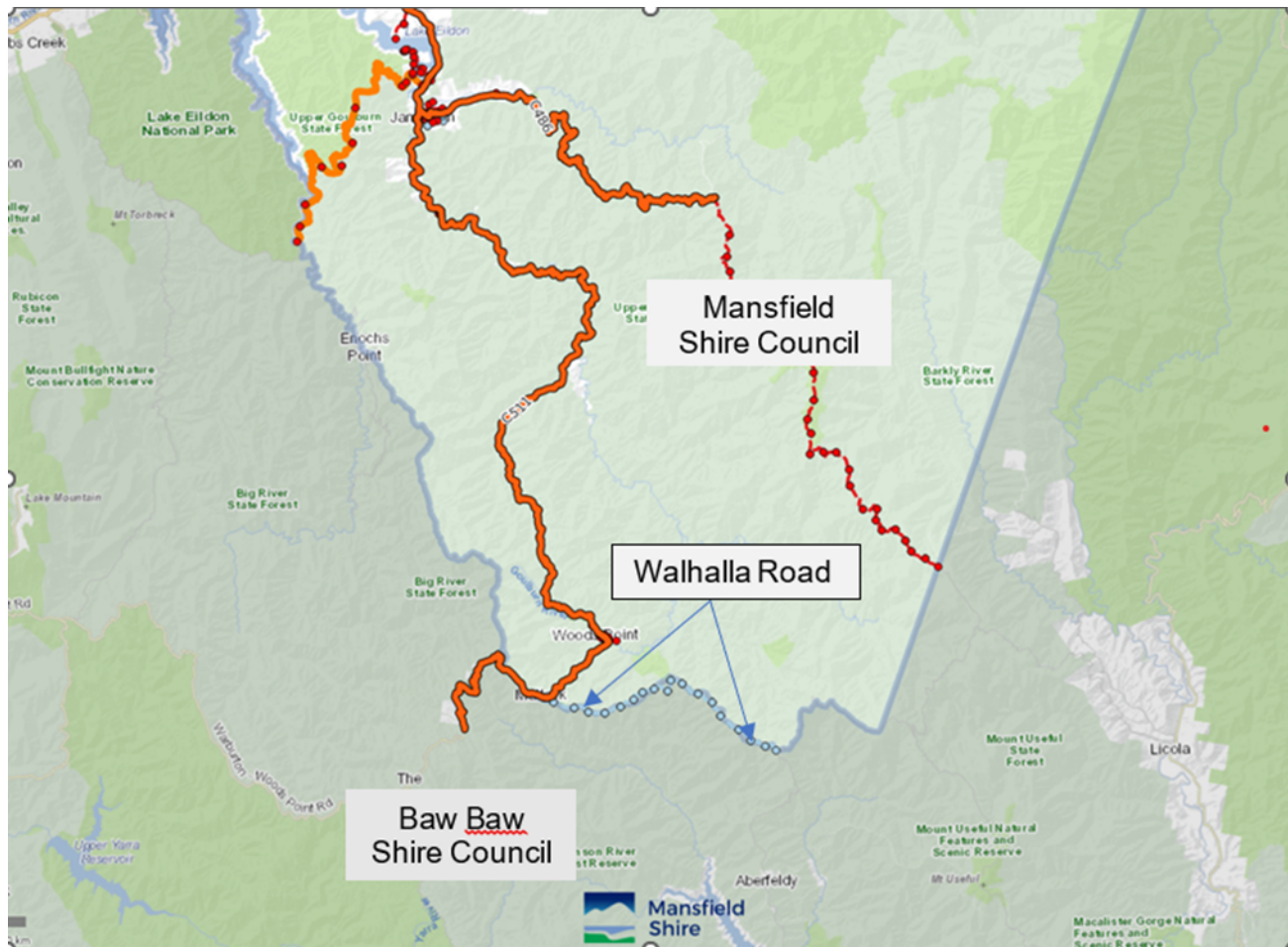


Figure 1. Map showing different sections of Walhalla Road

Regulatory Context

The subject sections of road are included in Mansfield Shire Council’s Register of Public Roads. There is an obligation on Council to ensure these assets are responsibly maintained and “fit for purpose”, as well as meeting the functions intended of them in terms of safety, quality and functionality, subject to budget constraints.

The Road Management Plan details that an Access Road:

Provides direct access for abutting residential, industrial, commercial properties and connects into the link, collector or declared Road network. There is minimal to no through traffic. Parking areas, including on-street and off-street parking are included as part of this Road class.

The Road Management Plan details that a Limited Access Road is:

A rural or urban access track, providing access for agricultural purposes, fire and/or maintenance vehicles. This category of Road is typically unformed with nominal pavement, unsealed and considered a dry weather Road where seasonal closures may apply.

The following requirements are detailed in the Road Management Plan for these categories of roads:

Type of Road	Inspection Frequency	Grading Frequency
Access	12 months	Once every 2 years or twice on an “as-required basis” only.
Limited Access	12 months	Once every 2 years or twice on an “as-required basis” only.

The purpose of the *Road Management Act 2004 – Code of Practice for Operational Responsibility for Public Roads* is to “provide practical guidance in clarifying or determining how operational responsibility for different parts or elements of the road reserve of a freeway or arterial road is to be allocated between VicRoads and municipal councils, whether in an urban area or rural area.”

The Code of Practice establishes that:

- Road management responsibility should reflect physical and functional characteristics, not solely municipal boundaries.
- Fragmented responsibility along a continuous route should be avoided where it results in inefficiency or inconsistent management.
- Responsibility should rest with the authority best placed to manage the road safely and effectively.

Part 3 details the “Physical Limits of Responsibility between State Road Authorities and Municipal Councils”. Section 32 outlines that two or more road authorities, in this case, Council and DTP or DEECA, can enter into an arrangement to transfer road management functions for parts or roads or road infrastructure in accordance with Section 15 of the *Road Management Act 2004*. Section 32 (2) states:

(2) In determining whether or not to enter into an arrangement under section 15 of the Act to transfer road management functions for different parts or elements of a road reserve or road infrastructure, the relevant road authorities should have regard to the circumstances where it may be mutually beneficial (eg. for operational efficiency, road safety or community benefit reasons) for those road authorities to vary their respective operational responsibilities, including:

- (a) where one road authority wishes to construct or needs to maintain a road or part of a road to a higher standard than currently applies; or*
- (b) where one road authority is in a better position financially, geographically or otherwise to perform certain road management responsibilities.*

Section 34 (3) of the Code of Practice states:

(3) The relevant road authority for a road is, subject to any other responsibility assignments under the Act, primarily determined by the classification of the road (eg. whether the road is a municipal road or a non-arterial State road). A road that functions

and operates from a practical perspective as a single length of road may actually comprise two or more component sections that have differing legal status (eg. municipal road and non-arterial State road) as determined by the relevant legislation. In such cases, the relevant Council and State road authority may agree –

- (a) to continue to have separate responsibilities for their respective sections of the road based on the applicable road classifications (as municipal road and non-arterial State road); or*
- (b) that either the Council or the State road authority will accept responsibility for the entire length of the road (through a transfer of road management functions, either generally or as specified, for the relevant parts of the road under section 15 of the Act); or*
- (c) that responsibility for the road be allocated based on different criteria and/or over different lengths not determined by the actual road classifications (through a transfer of road management functions, either generally or as specified, for the relevant parts of the road under section 15 of the Act).*

This section applies as the road in question “functions and operates from a practical perspective as a single length of road”, and Council and DTP can agree that one or the other agency accepts responsibility for the entirety of the road. For one agency to accept responsibility it must be done under Section 15 of the *Road Management Act 2004*.

The Code of Practice essentially establishes that:

- Road management responsibility should reflect physical and functional characteristics, not solely municipal boundaries.
- Fragmented responsibility along a continuous route should be avoided where it results in inefficiency or inconsistent management.
- Responsibility should rest with the authority best placed to manage the road safely and effectively.

Summary

An assessment against the Code of Practice principles indicates that the subject roads:

- Form part of a continuous route connected to an existing declared arterial road.
- Serve a regional connectivity between two councils and emergency access function.
- Would be more efficiently managed by DTP as part of the arterial network or DEECA as part of the public land network.

For the purposes of this consideration, Section 32(2)(b) applies, where it is considered that DTP and DEECA are in a better position financially and geographically to perform the road management responsibilities as:

- For Jamieson-Licola Road, DTP is the responsible road authority for large sections of the same roads on either side of the Mansfield Shire section of road.
- For Walhalla Road, DEECA is the responsible road authority for roads through the state forest both adjacent to and coming off Walhalla Road.
- The cost to manage this road is disproportionately unfair to Mansfield Shire Council in terms of its geographic isolation and the fact that there are no private properties gaining access from these sections of the roads.

The current division of responsibility along these roads is inconsistent with the road’s physical continuity and functional roles. Transferring the subject sections to DTP and DEECA would align management responsibility with network function, improve operational efficiency, and reflect the intent of the *Road Management Act 2004*. In addition, there is an unfair financial burden on Council to maintain and renew roads which have no rateable properties adjacent to the roads in questions. Should the transfer be accepted, the costs for these works will be able to be spent on the remaining road network in Mansfield Shire in a more practical manner.

Recommendation
<p>THAT COUNCIL:</p> <ol style="list-style-type: none"> 1. Endorses the preparation of a formal request to the Department of Transport and Planning or the Department of Energy, Environment and Climate Action seeking transfer of management responsibility for the section of Jamieson–Licola Road (Access) between Long: 146.32803 Lat: -37.34439 and Long: 146.47301 Lat: -37.53478; and 2. Endorses the preparation of a formal request to the Department of Transport and Planning or the Department of Energy, Environment and Climate Action seeking transfer of management responsibility for Walhalla Road from Mansfield-Woods Point Road to the Selma Road; and 3. Notes that the request is consistent with the Road Management Act 2004 – Code of Practice and seeks improved efficiency and network continuity.
Support Attachments
<p>Nil</p>

Considerations and Implications of Recommendation

Sustainability Implications

The management of these roads is not economically sustainable due to the remoteness and associated high cost implications for both road grading and gravel resheeting, particularly when there is no direct benefit to the ratepayer from this expenditure.

Community Engagement

Not Applicable

Collaboration

Council officers have been working with officers from Baw Baw Shire in relation to Walhalla Road and will collaborate with both DTP and DEECA should Council resolve to request a transfer of responsibilities.

Financial Impact

All work to create this paper has been undertaken internally by Council Officers within existing staff resources. In terms of costs for management of these roads, there are two costs that are considered, being the renewal of the assets (through the resheeting program, either in-house or with the use of contractors) and the maintenance of the assets (through the in-house grading program). Council is currently responsible for both of these costs. In order to detail the

implications for Council’s financial position, an assessment of the costs for both these responsibilities has been undertaken.

Normally if contractors were to undertake resheeting works, there would be an estimated cost of \$8.75 per sq metre. Due to the remoteness of locations, transport costs of gravel, living away from home costs for staff etc, would increase this rate to an estimated \$9.20 per sq metre. An assessment of the costs for renewal has been undertaken for both using a contractor as well as for the undertaking the works in-house. Because of the remoteness of these roads, works would normally be contracted rather than done in-house due to the implications on staff workloads for Field Services.

Council’s Asset Plan 2025-2035 details that Council’s asset portfolio of \$312 million includes 583km of unsealed roads, with road assets making up 56% of the total asset portfolio. The 53.47km of roads included in this report makes up 9% of the total road network being maintained by Council.

Function	Frequency	Cost Per kilometre	Total Est. Cost	Annual Est. Cost
CONTRACTOR Renewal - Resheeting 34.54km of Jamieson-Licola Road	15 years	\$46,920	\$1,618,740	\$107,916
CONTRACTOR Renewal – Resheeting of 18.93km of Walhalla Road	15 years	\$45,151	\$853,364	\$56,890
Total Cost for Renewal - CONTRACTOR			\$2,472,104	\$164,806
IN HOUSE Renewal - Resheeting 34.54km of Jamieson-Licola Road	15 years	\$25,000	\$863,500	\$57,567
IN HOUSE Renewal – Resheeting of 18.93km of Walhalla Road	15 years	\$25,000	\$473,250	\$31,550
Total Cost for Renewal – IN HOUSE			\$1,336,750	\$89,117
Annual Budget Allocation for Renewal of Gravel Roads				\$1,062,603
% of total annual budget – CONTRACTOR				16%
% of total annual budget – IN HOUSE				8%

Function	Frequency	Cost Per kilometre	Total Est. Cost	Annual Est. Cost
Maintenance – Grading 34.54km of Jamieson-Licola Road	2 years	\$2,300	\$79,350	\$39,675
Maintenance – Grading of 18.93km of Walhalla Road	2 years	\$2,300	\$43,470	\$21,735
Total Cost for Maintenance			\$122,820	\$61,410
Annual Budget Allocation for grading of gravel roads				\$730,800
% of total annual budget				8%

The total financial impact of continuing to accept responsibility for maintenance of these roads is estimated to be \$150,527 per annum, and \$1,505,270 over 10 years. With the current escalation of fuel prices, these costs are likely to underestimated.

Legal and Risk Implications

The change in responsibilities will provide for improved management consistency and would reduce risks associated with asset condition, access, and emergency response.

Regional, State and National Plans and Policies

This paper has been prepared with consideration of the specific regulations within the *Road Management Act 2004*.

Innovation and Continuous Improvement

Not Applicable

Alignment to Council Plan

Theme 2: Vibrant Liveability

Strategic Objective 2.2 Plan and deliver sustainable, future-ready infrastructure and land use

Theme 3: An Effective and Efficient Council

Strategic Objective 3.2 Ensure responsible and innovative resource management

Strategic Objective 3.3 Maintain strong governance, transparency and accountability

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. Closure of meeting to members of the public

Council has the power to close its meeting to the public in certain circumstances pursuant to the provisions of Section 66(2) of the *Local Government Act 2020*. The circumstances where a meeting can be closed to the public are:

- a) the meeting is to consider confidential information; or
- b) security reasons; or
- c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

The definition of confidential information is provided in Section 3(1) of the *Local Government Act 2020*.

Recommendation

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 set out in section 10 below.

10. Confidential Reports

10.1. Tender Award: Change Room Construction and Refurbishment

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.

10.2. Tender Award: Fenced Dog Park Project

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.

10.3. CEO Employment Contract

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.

11. Reopen meeting to members of the public

Recommendation

THAT COUNCIL reopen the meeting to members of the public.

12. Close of meeting