



Mansfield Shire

MINUTES

Council Meeting

Tuesday 16 August 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:

Interim Chief Executive Officer:

Bill Millard

General Manager Infrastructure & Planning:

Kirsten Alexander

General Manager Community & Corporate Services:

Dena Vlekkert

Manager Operations and Capital Works:

Kristian Burchat

Manager Planning and Environment:

Melissa Crane

Manager Business and Finance:

Tony Cooper

Senior Coordinator Community Safety:

Kevin Murphy

Coordinator Governance and Risk:

Moira Moss

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 Rohan Webb/Councillor Paul Sladdin:

THAT the Minutes of the Mansfield Shire Council meeting held on 19 July 2022 and 2 August 2022 be confirmed as an accurate record with the correction that the service precinct was referred to as station precinct.

CARRIED

8. Representations

Deputation speaking to the Item regarding 13.2.5

Fiona King; and

Nick Jay of KLM Spatial, Planner.

9. Notices of motion

NIL

10. Mayor's report

Councillor Paul Sladdin/Councillor Rohan Webb:

THAT COUNCIL receive the Mayor's report for the period 11 July 2022 to 3 August 2022.

CARRIED

11. Reports from council appointed representatives

Councillor Rohan Webb/Councillor Mark Holcombe:

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 Steve Rabie:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 13 July 2022 to 5 August 2022.

CARRIED

13.2. Infrastructure and Planning Directorate

13.2.1. Heavy Vehicle Safety and Productivity Program Grant Application

Councillor Steve Rabie/Councillor Paul Sladdin:

1. Endorses the submission of a grant application to the Heavy Vehicle Safety and Productivity Program for construction of a roundabout at the intersection of Dead Horse Lane and Mansfield-Whitfield Road.

2. Notes that a financial contribution has been sought from the State Government for a total amount of \$372,970 (ex GST).

3. Receives a further report once the outcome of Point 2 above is known.

CARRIED

13.2.2. Footpath and Shared Path Strategy 2022

Councillor Steve Rabie/Councillor Rohan Webb:

THAT COUNCIL adopts the Footpath & Shared Path Strategy 2022.

CARRIED

13.2.3. On-Site Wastewater Management Plan Review

Councillor Paul Sladdin/Councillor Rohan Webb:

- Adopts the updated On-site Wastewater Management Plan (OWMP) 2022.
- Notes the updated Action Plan included in Part 10 of the OWMP 2022.
- Provides a copy of the adopted OWMP 2022 to each of the Water Authorities and thanks them for their participation in the review process.
- Notes the further engagement proposed with community and identified stakeholders regarding ongoing responsibilities related to system monitoring and management.

CARRIED

13.2.4. Planning Scheme Amendment C51mans Part 2 - Adoption

Councillor Mark Holcombe/Councillor Steve Rabie:

1. Having been authorised by the Minister for Planning to prepare Amendment C51mans to the Mansfield Planning Scheme under Section 8A (4) of the *Planning and Environment Act 1987* ('the Act');
2. Having prepared and exhibited Amendment C51mans to the Mansfield Planning Scheme under Section 19 of the Act;
3. Having considered all submissions to Amendment C51mans under Section 22 of the Act and splitting the amendment into C51mans Part 1 and C51mans Part 2;
4. Having considered the report of the independent panel to consider submissions to Amendment C51mans Part 2 under Section 27 of the Act;

Mansfield Shire Council resolves to:

1. Adopt Amendment C51mans Part 2 to the Mansfield Planning Scheme, in accordance with Section 29 of the Act, with changes to include recommendations of the independent panel, as follows:
 - a. Rezone the land on the northern side of Curia Street, Mansfield, between Apollo and Elvins Street, known as 19 – 55 Curia Street, the rear of 2 – 4 Station Street and 8 – 10 Station Street as outlined in the attached Amendment C51mans Part 2 package.
2. Submit Amendment C51mans Part 2 to the Mansfield Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with Section 31 of the Act.
3. Advise all submitters to Amendment C51mans Part 2 of Mansfield Shire Council's adoption of the amendment.

CARRIED

13.2.5. DP001B/22 140 Highton Lane - Amendment to Development Plan

Councillor Steve Rabie/Councillor Mark Holcombe:

1. In Section 4, the development plan must be amended to direction that
 - a. "The developer must provide contributions to Council in accordance with Clause 13 of the Mansfield Urban Design Framework 2005 to the satisfaction of the Responsible Authority. Such contributions may be cash or works in kind to the satisfaction of the Responsible Authority".
2. At point 5.1.1, amended wording to reflect the retention of a vineyard on site to the satisfaction of the Responsible Authority.
3. At points 5.5.1, 5.5.2 and 5.5.4 include wording to require retention or relocation of part of the vineyard, to the satisfaction of the Responsible Authority.

CARRIED

13.3. Community and Corporate Services Directorate

13.3.1. Beolite Village Refund

Councillor Mark Holcombe/Councillor Paul Sladdin:

1. Refund rates and municipal and community waste charges remitted since the Community Centre became a separate assessable property in 2019 and therefore considered non-rateable, i.e., three years of rates being the sum of \$4,254.49.

CARRIED

13.3.2. Mansfield Shire Governance Rules 2022

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL adopt the Mansfield Shire Council Governance Rules 2022

CARRIED

14. Assembly of Councillors

Councillor Steve Rabie/Councillor Paul Sladdin:

THAT COUNCIL receive and note the Assembly of Councillors report for the period 19 July 2022 to 2 August 2022.

CARRIED

15. Council Meeting Resolution Actions Status Register

Councillor Steve Rabie/Councillor Rohan Webb:

THAT COUNCIL receive and note the Council Resolutions Register as at 10 August 2022 2022.

CARRIED

16. Advisory and Special Committee reports

Nil

17. Authorisation of sealing of documents

Nil

18. 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.

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The Council Meeting Agenda 16 August 2022 was closed to the public at 6:31 pm.

19. Confidential Reports

19.1. Prospective Purchase of Land for Road Access Purposes

Councillor Steve Rabie/Councillor Mark Holcombe:

1. Authorises the Chief Executive Officer to make an offer for the purchase of land at 3 Collopy Street, Mansfield, on the following conditions:

1. The maximum value of the offer is \$200,000 plus on costs and GST (if applicable).
2. Receives a further report on the outcome of the above negotiations.

CARRIED

20. 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.

21. Close of meeting

The Council Meeting Agenda 16 August 2022 was closed at 6:39 pm.

CONFIRMED this twentieth day of September 2022



Mayor