

OFFICIAL



Mansfield Shire

MINUTES

Council Meeting

Tuesday 21 May 2024

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 Steve Rabie opened the meeting at 5:00 pm.

2. Present

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

In Attendance:

Chief Executive Officer:

General Manager Infrastructure & Planning:

Asset Management Officer:

Coordinator Statutory Planner:

Governance & Risk Officer:

Manager Planning & Environment:

Financial Controller:

Asset Maintenance Officer:

Contract Coordinator Waste & Environment:

Manager Major Projects

Senior Coordinator Engineering Services:

Coordinator Financial Planning & Analysis:

Kirsten Alexander

Melissa Crane

Sujita Sharma

Nicole Embling

Chelsea Young

Maya Balvonova

Michael McCormack

Chloe Schlemitz

Akhil Joseph

Kurt Heidecker

Imad Khan

James Alcaniz

3. Apologies

Nil

4. Statement of commitment

Mayor Steve Rabie 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 Mark Holcombe:

THAT the Minutes of the Mansfield Shire Council meeting held on 16 April 2024 be confirmed as an accurate record.

CARRIED

8. Representations

13.1. Chief Executive Officer's report

- Marta Wakeling

13.2.1. Asset Plan 2023-2033

- Marta Wakeling

13.2.2. P030/23 - 152 Davies Road Merrijig

- Tony Roussos
- John Dyson

13.2.7. Sports Clubs Licence Agreements

- Chris Nealon (Mansfield District Soccer Club)

9. Notices of motion

Nil

10. Mayor's report

Councillor James Tehan/Councillor Mark Holcombe:

THAT COUNCIL receive the Mayor's report for the period 16 April 2024 to 16 May 2024.

CARRIED

11. Reports from council appointed representatives

Councillor Rohan Webb/Councillor James Tehan:

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

CARRIED

12. Public question time

Question 1:

From Sharon Rainsbury on behalf of the Sawmill Settlement Water Works and Community Association:

Members of our association believe Council may be considering, or have considered, a planning application for a 400-bed staff accommodation facility in Sawmill Settlement.

Can you please advise if the Council has received a planning application or applications for any staff accommodation in Sawmill Settlement in the past 12 months?

These applications may relate to land in Christensen Street or Overflow Court.

Response:

Council has issued one permit and currently has 5 applications for single dwellings in Sawmill Settlement. No 400-bed accommodation planning application has been received.

Question 2:

From Moira Moss on behalf of Sustainability Mansfield:

The question refers to five applications at Lot 63 Christensen Street Sawmill Settlement mentioned in the September CEO Report and seeks clarification on the land parcels.

Question:

Can Council please provide the exact land identification details such as lot and plan of subdivision for planning applications P142/23; P143/23; P144/23; P145/23 and P146/23?

Response:

The individual parcels of land being referred to are held in common ownership under one rate assessment with the parent property address in Council's system being Lot 63 Christensen Street, Sawmill Settlement. The individual parcels have separate addresses and parcel identification details as follows:

- P142/23 - 5 Overflow Road, Sawmill Settlement (Lot 63, PS630569B)
- P143/23 - 7 Overflow Road, Sawmill Settlement (Lot 64, PS630569B)
- P144/23 - 11 Overflow Road, Sawmill Settlement (Lot 66, PS630569B)
- P145/23 - 13 Overflow Road, Sawmill Settlement (Lot 67, PS630569B)
- P146/23 - 15 Overflow Road, Sawmill Settlement (Lot 68, PS630569B)

Question 3:

From Moira Moss on behalf of Sustainability Mansfield:

The question refers to potential impact on the habitat of the Greater Glider and other endangered species, due to changes in the Planning and Environment Act around bushfire preparedness and vegetation clearance.

Question:

Have the planning applications for the lots 63, 64, 65, 66, 67 and 68 of PS630569 been referred to the Federal Minister of the Environment as required by the Environment Protection and Biodiversity Act?

Response:

A Section 173 Agreement protects one manna gum as a feeding tree for gliders through the use of a building exclusion zone. This zone impacts both lots 64 and 65. The Greater Glider itself is not protected under this Section 173 Agreement. There is no statutory requirement under the Planning and Environment Act 1987 for these applications to be referred to the Federal Minister of Environment. However, section 61 of the Planning and Environment Act 1987 requires that council cannot grant a permit that would breach a registered restrictive covenant, such as this 173 agreement. Council officers are aware of, and comply with, this requirement. If there is a permit requirement under the Environment Protection and Biodiversity Conservation Act 1999 it is the responsibility of the Proponent, which is usually the developer or landowner, to comply with their responsibilities under this Act.

Question 4:

From Edwin Adamson:

Regarding zoning, is Council open to multiple zone options for parcels of land to achieve a range of community development so that dwellings can be built for seasonal working families and for those who cannot afford to buy conventional allotment subdivision housing, and/or Commercial zoning to facilitate a range of land uses, including tourism and dwellings? For example, Mixed Use zoning at 15 Withers Lane Mansfield.

Response:

If a landowner wishes to rezone their land, they will need to follow a specific process that has to be approved by the Minister for Planning. Rezoning is treated as an amendment to the Mansfield Planning Scheme. The zones that apply to land are based on assessments that

include consideration of the surrounding land use, patterns of developments and environmental characteristics. If someone wishes to rezone land, they should contact Council officers to discuss their proposal.

Question 5:

From Edwin Adamson:

With reference to allotments on the south side of Wild Dog Rd Merrijig bordering the Old Howqua Track road reserve: Does Council recognize that this road reserve exists and unless discontinued formally should it be on the road register as required under legislation?

Response:

There are a large number of road reserves across the state that are not on a road register. Council has no records of this road being on the road register or discontinued from the register. Council officers are currently investigating a request from local residents to have this road included on the Road Register.

Question 6:

From Shaun Langlands:

An ABC news report in April described how applications for regional worker accommodation were submitted to Regional Development Victoria's grant program. How many of the 400 units are being proposed for developments in Barwite, Boorolite, Merrijig, Pinnacle Valley, Alpine Ridge, Sawmill Settlement, Mirimbah and Mansfield?

Response:

Council did not directly submit any applications for funding to the Regional Development Victoria grants. Council's involvement commenced with a workshop held in December 2023, where local stakeholders, including business owners, the Mansfield District Business Association, and developers, collaborated on potential solutions for regional worker accommodation. Following this workshop, 9 private applications to the RDV grant were initially pursued, with one applicant then choosing not to submit an application. 8 Expressions of Interest (EOIs) were privately submitted. 7 of these proposals are within or near the Mansfield Township and 1 proposal was submitted for Bonnie Doon. All would be subject to the normal planning approval process should they be pursued further by the owners of the land.

Question 7:

From Shaun Langlands:

The guidelines for the Regional Worker Accommodation Fund required applications to submit plans, permits and letters of support from local government. What did the Shire provide to the applicants, and specifically are there any permits involved?

Response:

Mansfield Shire Council provided advice to all applicants as to any permit requirements for their proposals and also provided general letters of support for developments that provided for Key Worker Accommodation in Mansfield Shire. No permits were issued as part of the Expression of Interest process. Any proposal that needs a planning permit would be subject to the normal planning application process. Mansfield Shire Council's role in facilitating regional worker accommodation initiatives underscores its commitment to addressing community needs collaboratively, while ensuring transparency with the community and confidentiality in its dealings with stakeholders.

13. Officer reports

13.1. Chief Executive Officer's report

Councillor James Tehan/Councillor Mark Holcombe:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 April 2024 to 30 April 2024.

CARRIED

13.2. Infrastructure and Planning Directorate

13.2.1. Asset Plan 2023-2033

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL adopts the Mansfield Shire Council Asset Plan 2023-2033.

CARRIED

13.2.2. P030/23 - 152 Davies Road Merrijig

Councillor Paul Sladdin/Councillor Rohan Webb:

THAT COUNCIL issue a Notice of Decision to Grant a Permit for Planning Application P030/23 for Use and development of land for a dwelling, two (2) outbuildings (Shipping Container and Gazebo), and an agricultural shed on Lot 11 PS 148582N , commonly addressed as 152 Davies Road Merrijig in accordance with the endorsed plans and subject to the following conditions:-

Amended Plans

1. Prior to the commencement of any works on site amended plans are required to be submitted to and approved by the Responsible Authority. Once approved the plans will be endorsed to form part of this permit. The plans must be generally in accordance with the submitted plans, *J00421, Revision G, dated 05.04.2024, prepared by Mackinnon Design*, and amended to detail:
 - a. Site Plan annotating all buildings and works to be removed/demolished.
 - b. Landscaping around the proposed dwelling, Shipping Container, and agricultural shed.
 - c. Landscaping and native plantings in between the property boundaries and proposed Lavender planting areas.
 - d. A detailed Landscaping Plan in accordance with the requirements of Condition 12 of this permit.
 - e. Site Plan showing the location of the implied Electricity Easement for the powerline south of the proposed dwelling, with the required setbacks for all buildings and works, in accordance with the requirements of AusNet Electricity Services.

Removal of Existing Structures

2. Within sixty (60) days of the date of this permit all existing structures, excluding the Shipping Container, must be removed from the land to the satisfaction of the Responsible Authority.

Endorsed Plans

3. The development of the dwelling, associated outbuildings and agricultural shed, as shown on the endorsed plans, must be carried out and completed to the satisfaction of the Responsible Authority within the permitted expiry date.
4. At all times the use and development must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the Responsible Authority.

Land Management

5. The land must be managed in accordance with the endorsed Farm Management Plan, to the satisfaction of the Responsible Authority. This condition continues to have force and effect once the development approved is completed.
6. Within three (3) months of the date of this permit the *First Stage* of the Farm Management Plan as it relates to the Lavender must be completed to the satisfaction of the Responsible Authority, including the preparation of Lavender Rows and installation of Irrigation.
7. Prior to the commencement of use of the dwelling the Actions as described in the *Farming Timeline* in the endorsed Farm Management Plan must be completed to the satisfaction of the Responsible Authority.
8. Prior to the commencement of use of the dwelling the domestic area, as shown on the endorsed plans as the *house paddock*, must be fenced to exclude all agricultural activities to the satisfaction of the Responsible Authority.
9. Prior to the commencement of use and completion of the dwelling the owner must enter into an agreement with the Responsible Authority under Section 173 of the *Planning and Environment Act 1987*. The agreement must state:
 - a. The property is to be managed in accordance with the Farm Management Plan, endorsed under this permit and as amended, and to the satisfaction of the Responsible Authority on a continuing basis.
 - b. The land must not be subdivided to increase the number of lots, by house lot excision, or otherwise.
 - c. The owner understands that the amenity of the dwelling may be subject to off-site impacts of adjoining or nearby agricultural activities, such as noise, dust and odour.

The landowner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

The Section 173 Agreement must be prepared by Council's preferred solicitors, to the satisfaction of the Responsible Authority and must be registered on title pursuant to Section 181 of the *Planning and Environment Act 1987*.

External Cladding

10. The external materials of the buildings, including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area, to the satisfaction of the Responsible Authority. No materials having a highly reflective surface must be used. For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.
11. Within three (3) months of completion of each building all galvanised iron is to be suitably treated to reduce reflectivity to the satisfaction of the Responsible Authority. Photographic evidence is to be provided.

Landscaping

12. A detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale and fully dimensioned, and must include:
 - a. A planting schedule of all proposed vegetation (trees, shrubs and ground covers), which includes botanical names, common names, pot size, mature size and total quantities of each plant.
 - b. A mixture of lower, middle and upper storey vegetation, including canopy trees in the *House Paddock* area as shown on the endorsed plans.
 - c. Plant screening specifically around the Agricultural Shed, Shipping Container and south elevation of the Dwelling.
 - d. Stabilisation of cut and fill batters using topsoil no deeper than 150mm sown down with suitable vegetation and drainage.

- e. At least 50% species selection by type and number must be indigenous to the local Ecological Vegetation Class to the satisfaction of the Responsible Authority.
 - f. Each individual plant shown clearly on the plan.
 - g. The use drought-tolerant species, where practicable.
 - h. An appropriate irrigation system.
 - i. Staging plan for the planting of all landscaping.
13. Prior to the completion of the development and commencement of use the landscaping is to be commenced to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained for the life of the use and development to the satisfaction of the Responsible Authority, including that any dead, diseased, dying or damaged plants are to be replaced with like for like replacements of the same or greater size.

Dwelling Infrastructure

15. Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
16. The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
17. The dwelling approved by this permit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
18. The dwelling approved by this permit must be connected to a reticulated electricity supply or have an alternative energy source.

Outbuildings

19. The outbuildings and agricultural shed must not be used for human habitation purposes at any time.
20. The outbuildings and agricultural shed must not contain bedrooms (or rooms that could be used as bedrooms) or any facilities with the potential to produce wastewater, including toilets, kitchens or other food preparation facilities.

Engineering

21. Access to the property must only be via the existing crossover and internal driveway, no additional access is permitted unless with the prior written consent of the Responsible Authority.
22. Prior to commencement of any building and civil works, application must be made to Council to obtain a Legal Point of Stormwater Discharge.
23. Interrupted overland flow from this development must not impact on the adjacent lots.
24. Any damage to Council managed assets (such as roads and stormwater infrastructure) as a result of the development must be repaired at the cost of the developer to the satisfaction of the Responsible Authority.
25. Prior to the commencement of use, or by such later date as is approved by the Responsible Authority in writing, the following works must be completed in accordance with the endorsed plans and to the satisfaction of the Responsible Authority:
- a) All stormwater discharging from the site, buildings, and works must be discharged to a water tank, soakwell or otherwise discharged so as not to cause erosion, flooding or nuisance to the subject or surrounding land to the satisfaction of the Responsible Authority. The water tank/s (if required) must be in muted, non-reflective tones to the satisfaction of the Responsible Authority;
 - b) The areas shown on the endorsed plans for vehicle access to the permitted buildings and works must be constructed in accordance with the endorsed plans and be surfaced with concrete, reinforced concrete, brick paving, gravel, crushed rock or hot

mix asphalt so as to prevent mud or other debris from being carried onto the road and to provide all-weather access, to the satisfaction of the Responsible Authority.

- c) Internal vehicle access constructed to accommodate all-weather access adequate for emergency service vehicles to the satisfaction of the Responsible Authority.

Environmental Health

- 26. Prior to commencement of works, a 'Permit To Install Septic System' must be approved by the Environmental Health Department of Council.
- 27. The onsite wastewater disposal system must be developed in accordance with the Land Capability Assessment *prepared by Mansfield Land Capability Assessments, Report No. L41123*, or otherwise amended with the written consent of the Responsible Authority.
- 28. Prior to the commencement of use of the dwelling the approved Septic System must be installed to the satisfaction of the Responsible Authority, and thereafter maintained.

Goulburn Murray Water

- 29. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA 1991).
- 30. All wastewater from the dwelling must be treated to a standard of at least 20mg/L BOD and 30mg/L suspended solids using a package treatment plant or equivalent. The system must have a Certificate of Conformity issued by the Conformity Assessment Body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard and EPA Code of Practice.
- 31. All wastewater must be applied to land via pressure-compensating sub-surface irrigation installed along the contour.
- 32. The wastewater disposal area must be located at least: 100m from any waterways (including dams on waterways), 40m from any drainage lines, 60m from any dams, and 20m from any bores. Where wastewater is treated to at least a secondary standard, the distance may be reduced in accordance with the current EPA Code of Practice – Onsite Wastewater Management. However, where possible setback distances must be maximised.
- 33. The wastewater disposal area must be kept free of stock, buildings, driveways, car parking and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. Unless wastewater disposal is by subsurface irrigation methods, a reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.
- 34. Stormwater run-off from buildings and other impervious surfaces must be dissipated as normal concentrated overland flow or directed to a storage tank or dam.
- 35. No buildings are to be constructed within 30m of any waterways (dams on waterways) or on any drainage lines.

Permit Expiry

- 36. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two (2) years of the date of this permit.
 - b) The development is not completed within four (4) years of the date of this permit.
 - c) The use does not start within two (2) years of completion of the development.In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

NOTATIONS

- 1) This permit does not authorise the commencement of any building works. Building approval must be obtained prior to the commencement of any approved works.
- 2) Before any earthworks are undertaken, it is recommended that you contact 'Dial Before You Dig' on 1100.

- 3) An application for works within a road reserve is required to be made prior to commencing any works on the road reserve and must comply with the requirements of the *Road Management Act 2004*.
- 4) As outlined in Mansfield Road Management Plan section 5.18, Vehicle crossovers remain property of the owner and any repair/damage required in the future will be the responsibility of the property owner.
- 5) The permit holder acknowledges and accepts that the possibility of nuisance from adjoining or nearby agricultural operations may occur. The possible off-site impacts include but are not limited to dust, odour, waste, vibration, soot smoke, or the presence of vermin, from animal husbandry, animal waste, spray drift, agricultural machinery, pumps, trucks and associated hours of operation. In acknowledging the existence of the agricultural operations being conducted from adjoining or nearby land, the permit holder shall not make complaint against lawful agricultural activities on the adjoining or nearby land.
- 6) Any failure to comply with the conditions of this permit may result in action being taken to have an Enforcement Order made against some or all persons having an interest in the land and may result in legal action or the cancellation of this permit by the Victorian Civil and Administrative Tribunal.

CARRIED

13.2.3. Statutory Planning Applications – Referral to Council Policy

Councillor James Tehan/Councillor Paul Sladdin:

THAT COUNCIL endorse the revised Statutory Planning Applications – Referral to Council Policy.

CARRIED

13.2.4. Cleanaway Pty Ltd Licence Agreement - Lakins Road Mansfield

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL:

1. Endorses the proposal to enter into a licence agreement for use of part of Mansfield Council Shire Depot with Cleanaway Pty Ltd, for a period of 5 years with 1 x 5 Years further term, with a commencement date from 1 July 2024.
2. Receives an annual licence fee from Cleanaway Pty Ltd of \$12,000 (ex GST) with an annual CPI increase to be applied to the fee.
3. Provides public notification of the intention to enter a licence agreement with the above-mentioned party.
4. Endorses the Chief Executive Officer executing the licence agreements on completion of the public notification process.

CARRIED

13.2.5. Nutrien AG Solutions and Corcoran Parker Pty Ltd – Licence Agreement Renewal and Fee Waiver Request

Councillor Mark Holcombe/Councillor James Tehan:

THAT COUNCIL:

1. Does not approve an exemption or reduction of the annual licence fees for the period between 2020 and 2023 for the use of the trans-shipment yards to Corcoran Parker or Nutrien Ag.
2. Endorses the proposed 5-year licence agreements with Corcoran Parker and Nutrien Ag for the trans-shipment yards located at Lakins Road Mansfield, commencing on 1 July 2024.
3. Receives an annual licence fee of \$1,375 (ex. GST) per annum from each tenant, with an annual CPI adjustment.

CARRIED

13.2.6. Mansfield State Emergency Services (SES) Terms of Lease Update

Councillor James Tehan/Councillor Holcombe:

THAT COUNCIL:

1. Approves the proposed 10-year peppercorn lease agreement for a site lease area located on Lots 4 and 5 of the land at 166 – 176 Maroondah Highway, Mansfield, with an option for 3 further terms of 10 years, commencing on 1 July 2024.
2. Receives community feedback on the proposed lease through the 2024-25 Budget consultation process; and
3. Authorises the Chief Executive Officer to execute the lease agreement on completion of the public consultation process and finalisation of the 2024-25 Budget.

CARRIED

13.2.7. Sports Clubs Licence Agreements

Councillor Mark Holcombe/Councillor Sladdin:

THAT COUNCIL:

1. Endorses the proposal to enter into a license agreements for use of the sports and recreational facilities with the Mansfield Football/Netball Club, Mansfield Junior Football Club, Mansfield Junior Netball Club, and Mansfield Gymnastics Club, for a period of 5 years with two (2) further terms of 5 years, commencing 1 July 2024 and with the Mansfield Women's Football Club, for a period of 2 years with no further term with the commencement date on 1 July 2024.
2. Receives annual license fees from the following clubs as detailed below:
 - a. Mansfield Football/Netball Club of \$5,540.61 (ex GST),
 - b. Mansfield Junior Football Club of \$1,505.00 (ex GST),
 - c. Mansfield Women's Football Club of \$1,061.67 (ex GST),
 - d. Mansfield Junior Netball Club of \$1,247.17 (ex GST),
 - e. Mansfield Gymnastics Club of \$2,530.18 (ex GST).
3. Provides public notification of the intention to enter a licence agreement with the above-mentioned parties. Endorses the Chief Executive Officer executing the licence agreements on completion of the public notification process.
4. That the license agreement for Mansfield District Soccer Association be referred back to Council officers for further discussion.

CARRIED

13.3. Executive Services Directorate

13.3.1. Investment Policy

Councillor Mark Holcombe/Councillor James Tehan:
THAT COUNCIL endorse the Investment Policy 2024.

CARRIED

13.3.2. Quarterly Finance Report

Councillor James Tehan/Councillor Mark Holcombe:
THAT COUNCIL receives the Budget Report for the period 1 July 2023 to 31 March 2024.

CARRIED

13.4. People, Communications and Governance Directorate

13.4.1. S6 - Instrument of Delegation & S18 - Instrument of Sub-Delegation

Councillor Mark Holcombe/Councillor James Tehan:
THAT COUNCIL:

1. Revoke the existing Schedule 6 - Instrument of Delegation from Council to Members of Council Staff previously endorsed by Council on 27 June 2023.
2. Endorse the Schedule 6 – Instrument of Delegation from Council to Members of Council Staff dated 21 May 2024.
3. Approves Mayor Cr Steve Rabie to sign and Deputy Mayor Cr Mark Holcombe to witness the signing of Schedule S6 Instrument of Delegation - Members of Staff.
4. Revoke the existing Schedule 18 - Instrument of Sub-Delegation under the Environment Protection Act 2017 previously endorsed by Council on 20 July 2021.
5. Endorse the Schedule 18 - Instrument of Sub-Delegation under the Environment Protection Act 2017 dated 21 May 2024.
6. Approves Mayor Cr Steve Rabie to sign and Deputy Mayor Cr Mark Holcombe to witness the signing of Schedule 18 - Instrument of Sub-Delegation under the Environment Protection Act 2017.

CARRIED

14. 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 8 May 2024.

CARRIED

15. Advisory and Special Committee reports

Nil

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

Councillor James Tehan/Councillor Rohan Webb:

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 18 below.

CARRIED

The Council Meeting Agenda 21 May 2024 was closed to the public at 7:40 pm.

18. Confidential Reports

18.1. Tender Award: Cleaning of Council Assets

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT COUNCIL:

1. Award a lump sum contract for the CM2324.033 Cleaning of Council Assets to H&A Traders Pty Ltd in the amount of \$284,393.55 (ex. GST) per year for three years to a contract sum of \$853,180.65 (ex. GST) with optional maximum extension of four years valued at \$1,137,574.20 (ex. GST) taking total potential contract sum to \$1,990,754.80 (ex. GST) plus CPI increments.
2. Authorises the Chief Executive Officer to execute the contract.
3. Make this resolution public by including it within the public minutes of the Council meeting.

CARRIED

18.2. FOGO Green Bin Procurement

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL:

1. Receives and notes the up-front cost of \$195,505.00 for the purchase of 3050 green bins for the FOGO kerbside collection service to urban areas and townships.
2. Authorises the Chief Executive Officer to approve the payment for the purchase of 3050 bins from the waste reserve.
3. Makes this resolution public by including it within the public minutes of the Council meeting.

CARRIED

18.3. Tender Award: Rifle Butts Road Upgrade - Construction

Councillor James Tehan/Councillor Mark Holcombe:

THAT COUNCIL:

1. Award a lump sum contract for the construction of the Rifle Butts Road upgrade to Grampians Excavation Civil for a maximum amount of \$3,723,617 (ex. GST), including provisional items.
2. Approve a 10% construction contingency amount of \$365,351.
3. Authorise the Chief Executive Officer to execute the contract.
4. Make this resolution public by including it within the public minutes of the Council meeting.

CARRIED

18.4. Highett/Malcolm St Roundabout Asphaltting Works

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.

19. 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 8:42 pm.

20. Close of meeting

The Council Meeting Agenda 21 May 2024 was closed at 8:47 pm.

CONFIRMED this **twenty fifth** day of **June 2024**



Mayor