

OFFICIAL



Mansfield Shire

MINUTES

Council Meeting

Tuesday 21 April 2026

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

Councillor Steve Rabie opened the meeting at 5:00 pm.

2. Present

- Councillor Rabie
- Councillor Tehan
- Councillor Treasure
- Councillor Clark
- Councillor Berenyi

In Attendance:

Chief Executive Officer:

General Manager Investment & Planning:

Executive Manager Development & Customer Service:

Executive Manager Community Health & Wellbeing:

Executive Manager Capital Works & Operations:

Coordinator Governance & Risk:

Financial Controller:

Manager Major Projects:

Manager Operations & Capital Works:

Senior Coordinator Planning:

Strategic Property Program Manager:

Coordinator Capital Works:

Project Officer:

Kirsten Alexander

Melissa Crane

Maya Balvonova

Janique Snyder

Justin Hotton

Chelsea Daly

Michael McCormack

Ari Croxford-Demasi

Greg Aldridge

Nicole Embling

Renee Archibald

Fabian Rukshan

Asher Lloyd

3. Apologies

Nil

4. Statement of commitment

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

5. Acknowledgement of Country

Councillor James Tehan recited 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

Councillor Bonnie Clark and Kirsten Alexander, Chief Executive Officer, declared a conflict of interest in respect of item 13.4.1 – Social Inclusion Action Group New Initiatives.

7. Confirmation of minutes

Councillor Mandy Treasure/Councillor James Tehan:

THAT the Minutes of the Mansfield Shire Council meeting held on 17 March 2026 be confirmed as an accurate record.

CARRIED

8. Representations

13.2.1 Planning Permit Application P164B-17 - 140 High Street Mansfield

- Will Twycross
- Tony Tehan
- Kym Lynch
- Robbie McKenzie

9. Notices of motion

Nil

10. Mayor's report

Councillor James Tehan/Councillor Mandy Treasure:

THAT COUNCIL receive the Mayor's report for the period 18 March 2026 to 15 April 2026.

CARRIED

11. Reports from council appointed representatives

Councillor Bonnie Clark/Councillor Mandy Treasure:

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

CARRIED

12. Public question time

Two questions were received regarding a Freedom of Information request which is currently under review by the Office of the Victorian Information Commissioner (OVIC). The questions were taken on notice in accordance with Section 52.14 of the Mansfield Shire Council Governance Rules.

13. Officer reports

13.1. Chief Executive Officer's report

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 March 2026 to 31 March 2026.

CARRIED

13.2. Investment and Planning

13.2.1. Planning Permit Application P164B-17 - 140 High Street Mansfield

Councillor James Tehan/Councillor Tim Berenyi:

THAT COUNCIL:

1. Approve a variation to *Schedule 6 – Instrument of Delegation from Council to Council Staff; and the Statutory Planning Applications – Referral to Council Policy* to enable the Chief Executive Officer to amend the position of Council for planning permit application P164B-17, 140 High Street Mansfield; and
2. Forms a position to **Refuse to Amend Permit P164-17** to include *use and development of land for a Car Wash, development of land for a Shop, alteration of access to a road in a Transport Zone 2 and to amend the hours of operation*, at Lot 13 on Plan of Subdivision 618349L, commonly known as 140 High Street Mansfield for the following reasons:

1. The proposal is inconsistent with Strategic Directions 02.03-5 Built Environment and Heritage – Township and Neighbourhood Character, and 02.03-8 Transport:
 - a. *Development of land along the Maroondah Highway... in the Shire need to be sensitive to their role as gateways to the Alpine Areas.*
 - b. *Improve road safety and active transport connectivity by supporting the provision of an efficient movement network for vehicles, pedestrians and cyclists.*

As the proposal will have an unacceptable impact to the traffic flow along the Maroondah Highway and High Street and the addition of a Shop will encourage pedestrian crossing of the Maroondah Highway from the Visitor Information Centre adjacent at a location with no dedicated pedestrian crossing or connection.

The proposal is inconsistent with the diversification strategies of Clause 17.04-1L Facilitating Tourism in Mansfield Shire;

- c. *Facilitate development that improves tourism links and facilitates and capitalises on the through traffic along the Alpine approaches during peak holiday periods.*
2. The proposal does not align with the Strategies of Clause 13.05-1S Noise Management;
 - a. *Ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.*
 - b. *Minimise the impact on human health from noise exposure to occupants of sensitive land uses near the transport system and other noise emission sources through suitable building siting and design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

The proposed operations of the Service Station and Carwash in relation to hours of operation (24-hours) are inconsistent with the submitted Acoustic Assessment, by Marshall Day Acoustics dated 21 November 2025, provides that the Carwash should not operate during 'night periods' and the Service Station would require restricted operations.

3. The proposal is inconsistent with the Objective and Strategies of Clause 13.07-1S Land Use Compatibility;

- a. *Objective – to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*
- b. *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- c. *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*

The Carwash would be in close proximity to sensitive land uses resulting in unacceptable amenity impacts. The layout would direct traffic along the southern boundary resulting in potential fumes, noise and light amenity impacts on the adjoining dwellings.

4. The proposal will not provide for a net community benefit and is inconsistent with the Strategies of Clause 17.02-1S Business as the impact from traffic congestion and potential traffic safety issues will negatively impact the community;
 - a. *Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.*
5. The proposal fails to address how the additional traffic flow entering and exiting the land will impact High Street and Maroondah Highway as the major entrance and tourist route through Mansfield township.
 - a. The application is inconsistent with the Strategies of Clause 18.01-1S Land Use and Transport Integration;
Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.
 - b. The application is inconsistent with the Objective of Clause 18.02-4S Roads;
To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.
 - c. The proposal will generate an unreasonable level of traffic, with a significant risk of traffic queuing, on an existing busy road network during peak periods, which has not been suitably addressed and is inconsistent with the Purpose and Decision Guidelines of the Commercial 1 Zone.
 - d. The application does not suitably address the effect of the proposal on the operation of the road and on public safety, in accordance with Clause 52.29 Land Adjacent to the Principal Road Network.
 - i. The submitted Traffic Impact Assessment (prepared by O'Brien Traffic, dated 20 November 2025) refers to an incorrect number of fuel bowsers approved by the original permit and includes a reference to reducing the number of bowsers for the proposal.
 - ii. The traffic volume in the Traffic Impact Assessment provides for 7-day average of vehicles per day at 4,400, which is significantly understated.
 - iii. The Traffic Impact Assessment assumptions do not consider the existing conditions and peak periods accurately and use irrelevant data by Transport for NSW.
 - iv. The Traffic Impact Assessment Report does not include any analysis for traffic generation of the Shop.
 - e. Traffic queueing caused by the proposed Shop and Carwash on High Street would limit emergency service vehicle access to the existing SES facility at 166-176 High Street.

CARRIED

13.2.2. VCAT Matter P052-25 - 57 Stock Route Mansfield

Councillor Tim Berenyi/Councillor Mandy Treasure:

THAT COUNCIL approve a variation to *Schedule 6 – Instrument of Delegation from Council to Council Staff*; and the *Statutory Planning Applications – Referral to Council Policy* to enable the Chief Executive Officer to amend the conditions as part of the Notice of Decision to Grant a Permit for planning permit application P052-25 during the VCAT proceedings for P1123/2025, P1155/2025, and P68/2026.

CARRIED

13.3. Development & Customer Service

13.3.1. Proposed Sale of Land: Homepoint Drive Bonnie Doon

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT COUNCIL:

1. Determines that the reserve at Homepoint Drive, Bonnie Doon (Lot RES1 LP132481, Property No. A19272) is considered surplus to Council and community needs;
2. Approves the commencement of the process to dispose of the land, including undertaking community engagement in accordance with the Local Government Act 2020 and Council's policy;
3. Resolves to remove the public open space reservation under the Subdivision Act 1988 prior to any potential disposal and approves the preparation and lodgement of applications for a planning permit under Clause 52.02 of the Mansfield Planning Scheme;
4. Approves in principle the disposal of the land, subject to completion of all necessary planning, statutory and community engagement processes required to remove the public open space reservation;
5. Resolves to support the funding and delivery of improved community facilities through the Peppin Hub initiative, with a financial contribution to be determined subject to the outcomes of the land disposal process.
6. Authorises Council officers to engage with adjoining landowners to seek expressions of interest, procure an independent market valuation to inform potential sale options and reserve value; and undertake all required administrative, survey, planning and legal actions to facilitate the disposal process, including consideration of easement adjustments to maximise usable land and potential sale value;
7. Authorises the Chief Executive Officer to execute all contracts, transfer documents and any other documentation necessary to facilitate the disposal process.
8. Request a further report to Council following receipt of the independent valuation and completion of public notice and community engagement, including initial engagement with adjoining landowners, outlining sale options, purchaser interest, and any updated risks or statutory considerations.

CARRIED

13.4. Community Health and Wellbeing

Councillor Bonnie Clark and Kirsten Alexander, Chief Executive Officer, left the meeting at 6:00 pm.

13.4.1. Social Inclusion Action Group (SIAG) New Initiatives

Councillor James Tehan/Councillor Tim Berenyi:

THAT COUNCIL notes the new initiatives approved by the Social Inclusion Action Group (SIAG) for funding in accordance with the SIAG grant guidelines, with a total funding allocation of \$81,754 (ex GST).

CARRIED

Councillor Bonnie Clark and Kirsten Alexander, Chief Executive Officer, returned to the meeting at 6:05 pm.

13.4.2. Outlying Communities Infrastructure Fund - Delatite Valley Association Project Update

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT COUNCIL:

1. Endorses the cancellation of the Delatite Valley Association's 2024-25 OCIF grant of \$10,000 for the Merrijig riverside public park project.
2. Notes and endorses the change of scope for the DVA's 2025-26 mural project to be located on the Merrijig CFA shed.
3. Endorses the DVA's 2024-25 OCIF grant of \$10,000 to be transferred to the 2025-26 mural project with Council paying the remaining \$5,000 upon endorsement and execution of a new funding agreement.

CARRIED

13.5. Executive Services Directorate

13.5.1. Rates and Charges Financial Hardship Policy

Councillor Bonnie Clark/Councillor Mandy Treasure:

THAT COUNCIL endorses the Rates and Charges Financial Hardship Policy 2026.

CARRIED

14. Council Meeting Resolution Actions Status Register

Councillor Mandy Treasure/Councillor Bonnie Clark:

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 14 April 2026.

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 Bonnie Clark:

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 April 2026 was closed to the public at 6:11 pm.

18. Confidential Reports

18.1. Tender Award: MRRC Access Road Upgrade

Councillor Tim Berenyi/Councillor James Tehan:

THAT COUNCIL:

1. Awards a lump sum contract for the Tip Access Road Upgrade to Notley Civil Pty Ltd in the amount of \$257,436.38 (ex. GST), and;
2. Approves a 7% construction contingency amount of \$18,020.55 (ex. GST).
3. Authorises the Chief Executive Officer to execute the contracts
4. Makes this resolution public by including it within the public minutes of the Council meeting.

CARRIED

18.2. Tender Award: Learner Pool Enclosure

Councillor Tim Berenyi/Councillor Bonnie Clark:

THAT COUNCIL:

1. Awards a lump sum contract for the design and construction of a pool enclosure at the Mansfield Learners Pool to Cronin Construction Pty Ltd for \$460,250.00 (ex GST).
2. Approves a provisional sum allowance of \$250,000.00 (ex GST) for HVAC.
3. Approves an optional item of \$52,000.00 (ex GST) for the raising of the learners' pool edge.
4. Approves an optional item of \$50,000.00 (ex GST) for ramp construction to meet the raised pool wall.
5. Approves a 10% construction contingency of \$81,225.00 (ex GST).
6. Authorises the Chief Executive Officer to execute the contract
7. Makes this resolution public by including it within the public minutes of the Council meeting.

CARRIED

18.3. Contract Award: Microsoft Licences

Councillor Mandy Treasure/Councillor Bonnie Clark:

THAT COUNCIL:

1. Awards an ongoing service agreement for the licencing of Microsoft Office products between Mansfield Shire Council and Logicalis for the total maximum amount of \$310,072.55, for a term of three years, commencing at the signing of the contract.
2. Authorises the Chief Executive Officer to execute the contract.
3. Makes this resolution public by including it in the public minutes of the meeting.

CARRIED

18.4. 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.

19. Reopen meeting to members of the public

Councillor Bonnie Clark/Councillor Mandy Treasure:

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

CARRIED

Council re-opened the meeting at 6:30 pm.

20. Close of meeting

The Council Meeting Agenda - 21 April 2026 was closed at 6:33 pm.

CONFIRMED this **nineteenth** day of **May 2026**



Mayor