

OFFICIAL



Mansfield Shire

## MINUTES

# Council Meeting

Tuesday 24 June 2025

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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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## Agenda Contents

1. Opening of the meeting .....	4
2. Present .....	4
3. Apologies.....	4
4. Statement of commitment .....	4
5. Acknowledgement of Country .....	4
6. Disclosure of conflicts of interest.....	4
7. Confirmation of minutes .....	5
8. Representations .....	5
9. Notices of motion.....	5
10. Mayor's report .....	5
11. Reports from council appointed representatives .....	5
12. Public question time .....	5
13. Officer reports.....	5
13.1. Chief Executive Officer's report .....	5
13.2. Investment and Planning .....	5
13.2.1. Goughs Bay Plan .....	5
13.2.2. Mansfield Performing Arts Centre - Joint User Agreement .....	5
13.2.3. Goulburn Murray Climate Alliance MOU and Solar Savers Program.....	6
13.2.4. Compliance Policy.....	6
13.3. People, Communications and Governance .....	6
13.3.1. Internal Audit Charter .....	6
13.3.2. Instruments of Delegation and Appointment Authorisation - S6 & S11A .....	6
13.4. Capital Works and Operations .....	7
13.4.1. Station Precinct Stakeholder Group .....	7
13.4.2. Goughs Bay Playground .....	7
13.5. Community Health and Wellbeing .....	7
13.5.1. Friends of Mansfield Library - Memorandum of Understanding .....	7
13.6. Executive Services Directorate .....	7
13.6.1. Revenue & Rating Plan 2025-29.....	7
13.6.2. Budget 2025-26.....	7
13.6.3. Insurance Renewal 2025-26 .....	9
13.6.4. Opposition to the Emergency Services and Volunteers Fund.....	9
14. Council Meeting Resolution Actions Status Register .....	10
15. Advisory and Special Committee reports .....	10
15.1. Audit & Risk Committee Meeting Agenda and Minutes .....	10
16. Authorisation of sealing of documents .....	10
17. Closure of meeting to members of the public.....	10

18. Confidential Reports.....	10
18.1. Expression of Interest - Lease of Lot A, Part 141 Lakins Road, Mansfield.....	10
18.2. Tender Award: Highton Lane Roundabout .....	10
18.3. Tender Award: Lords Reserve Toilet Upgrade .....	11
19. Reopen meeting to members of the public.....	11
20. Close of meeting .....	11

## 1. Opening of the meeting

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

## 2. Present

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

In Attendance:

Chief Executive Officer:

General Manager Investment & Planning:

Acting Executive Manager Community Health & Wellbeing:

Acting Executive Manager Capital Works & Operations:

Governance & Risk Officer:

Project Officer:

Strategic Property Program Manager:

Coordinator Financial Planning & Analysis:

Financial Controller:

Asset Maintenance Officer:

Coordinator Library Services:

Senior Coordinator Planning:

Kirsten Alexander

Melissa Crane

Janique Snyder

Nick Maple

Chelsea Young

Nick Magree

Justin Hotton

James Alcaniz

Michael McCormack

Chloe Schlemitz

Justine Shelton

Nicole Embling

## 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 Tim Berenyi declared a conflict of interest in respect to the following items:

- 13.2.3. 'Goulburn Murray Climate Alliance MOU and Solar Savers Program'
- 18.3. 'Tender Award: Lords Reserve Toilet Upgrade'

## 7. Confirmation of minutes

**Councillor James Tehan/Councillor Mandy Treasure:**

THAT the Minutes of the Mansfield Shire Council meeting held on 21 May 2025 be confirmed as an accurate record.

**CARRIED**

## 8. Representations

Nil

## 9. Notices of motion

Nil

## 10. Mayor's report

**Councillor Bonnie Clark/Councillor Mandy Treasure:**

THAT COUNCIL receive the Mayor's report for the period 21 May 2025 to 18 June 2025.

**CARRIED**

## 11. Reports from council appointed representatives

**Councillor Mandy Treasure/Councillor Bonnie Clark:**

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

**CARRIED**

## 12. Public question time

Nil

## 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 May 2025 to 31 May 2025.

**CARRIED**

### 13.2. Investment and Planning

#### 13.2.1. Goughs Bay Plan

**Councillor James Tehan/Councillor Mandy Treasure:**

THAT COUNCIL:

1. Adopt the *Goughs Bay Plan, 2025* to inform the preparation of a planning scheme amendment to develop local policies in accordance with the recommendations of the plan.
2. Commence preparation of a planning scheme amendment to implement the recommendations of the plan.

**CARRIED**

### **13.2.2. Mansfield Performing Arts Centre - Joint User Agreement**

**Councillor Bonnie Clark/Councillor James Tehan:**

THAT COUNCIL:

1. Endorse in principle the Joint User Agreement as presented, to enable its submission to the Minister for approval, and
2. Authorise the Chief Executive Officer to make any necessary editorial adjustments and execute the final Joint User Agreement upon the receipt of approval by the Minister.

**CARRIED**

Councillor Tim Berenyi left the meeting at 5:29 pm.

### **13.2.3. Goulburn Murray Climate Alliance MOU and Solar Savers Program**

**Councillor James Tehan/Councillor Mandy Treasure:**

THAT COUNCIL endorses the Memorandum of Understanding with the Goulburn Murray Climate Alliance for execution by the Chief Executive Officer.

**CARRIED**

Councillor Tim Berenyi returned to the meeting at 5:33 pm.

### **13.2.4. Compliance Policy**

**Councillor Bonnie Clark/Councillor Mandy Treasure:**

THAT COUNCIL endorses the Compliance Policy 2025.

**CARRIED**

## **13.3. People, Communications and Governance**

### **13.3.1. Internal Audit Charter**

**Councillor Mandy Treasure/Councillor Bonnie Clark:**

THAT COUNCIL endorses the Internal Audit Charter 2025.

**CARRIED**

### **13.3.2. Instruments of Delegation and Appointment Authorisation - S6 & S11A**

**Councillor Bonnie Clark/Councillor Mandy Treasure:**

THAT COUNCIL:

1. Revoke the existing:
  - a. Schedule 6 - Instrument of Delegation from Council to Members of Council Staff previously endorsed by Council on 18 March 2025, and
  - b. Schedule 11A - Instrument of Appointment and Authorisation (Planning and Environment Act 1987) previously endorsed by Council on 18 March 2025.
2. Endorse the following dated 24 June 2025:
  - a. Schedule 6 - Instrument of Delegation from Council to Members of Council Staff, and
  - b. Schedule 11A - Instrument of Appointment and Authorisation (Planning and Environment Act 1987).
3. Approve Mayor Cr Steve Rabie to sign the endorsed instruments as listed in point 2 and Deputy Mayor Cr James Tehan to witness the signing.

**CARRIED**

## 13.4. Capital Works and Operations

### 13.4.1. Station Precinct Stakeholder Group

**Councillor Bonnie Clark/Councillor Mandy Treasure:**

THAT COUNCIL:

1. Endorse the Terms of Reference for the Station Precinct Stakeholder Group.
2. Endorse the appointment of the following three members to be part of the Station Precinct Stakeholder Group:
  - Emma Wiking – Bendigo Bank (Community Bank Mansfield District)
  - Samantha Orb – Mansfield Parkrun, and member of North-East Triathlon Club and Open Water Swim Group
  - Matthew Empey – Mansfield Mt Buller Cycling Club

**CARRIED**

### 13.4.2. Goughs Bay Playground

**Councillor James Tehan/Councillor Mandy Treasure:**

THAT COUNCIL notes the engagement undertaken with Goughs Bay community members, and endorses the final location selected on Lake Valley Drive for the construction of the new toddler playground.

**CARRIED**

## 13.5. Community Health and Wellbeing

### 13.5.1. Friends of Mansfield Library - Memorandum of Understanding

**Councillor Bonnie Clark/Councillor Tim Berenyi:**

THAT COUNCIL endorses the Memorandum of Understanding between Mansfield Shire Council and the Friends of the Mansfield Library 2025 – 2029 and authorises the Chief Executive Officer to execute the agreement.

**CARRIED**

## 13.6. Executive Services

### 13.6.1. Revenue & Rating Plan 2025-29

**Councillor James Tehan/Councillor Bonnie Clark:**

THAT COUNCIL adopt the Revenue & Rating Plan 2025-29.

**CARRIED**

### 13.6.2. Budget 2025-26

**Councillor James Tehan/Councillor Mandy Treasure:**

THAT COUNCIL:

1. Having considered all submissions received on the Proposed Budget 2025-26, adopts the Budget 2025-26 including the Schedule of Fees and Charges for the financial year ending 30 June 2026.
2. Formally declares and sets the following rates and charges for the 2025-26 rating year:

#### **General Rates**

- a. Pursuant to the provisions of Section 161 of the Local Government Act 1989 the following differential rates be declared for the 2025-26 financial year:

- i. A general rate of 0.1689 cents in the dollar of Capital Improved Value for all rateable residential properties.
  - ii. A general rate of 0.2802 cents in the dollar of Capital Improved Value for all rateable commercial properties.
  - iii. A general rate of 0.3288 cents in the dollar of Capital Improved Value for all rateable vacant land.
  - iv. A general rate of 0.1453 cents in the dollar of Capital Improved Value for all rateable rural residential properties.
  - v. A general rate of 0.1030 cents in the dollar of Capital Improved Value for all rateable farmland properties.
- b. It be recorded that Council believes each differential rate will contribute to the equitable and efficient carrying out of Council functions. Details of the objectives of each differential rate, the types of classes of land which are subject to each differential rate and the uses of each differential rate are set out in the Revised Revenue and Rating Plan 2025-29 and shown at item 4.1.1 of the Budget 2025-26 as attached.
- c. In accordance with the *Cultural and Recreational Lands Act 1963* the cultural and recreational charge, in lieu of rates in respect of the 2025-26 financial year, be applied to all land to which the Act applies.

#### **Municipal Charge**

- d. Pursuant to the provisions of Section 159 of the Local Government Act 1989 a municipal charge be declared in respect of the 2025-26 financial year.
- e. The municipal charge be declared for the purpose of covering some of the administrative costs to Council.
- f. The municipal charge in the sum of \$359 for each rateable land (or part) in respect of which a municipal charge may be levied is declared in respect of the 2025-26 financial year.
- g. It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district of which a municipal charge may be levied.

#### **Annual Service Charge**

- h. Pursuant to the provisions of Section 162 of the Local Government Act 1989 an annual service charge relating to waste management be declared for the 2025-26 financial year for each rateable property as follows:
  - Kerbside rubbish collection 80 litre bin \$163.70
  - Kerbside rubbish collection 120 litre bin \$245.55
  - Kerbside rubbish collection 240 litre bin \$491.10
  - Kerbside recycling collection 240 litre bin \$131.70
  - Kerbside recycling collection 240 litre additional bin \$131.70
  - Kerbside FOGO collection 240 litre bin \$102.00
  - Community Waste \$76.70
- i. Pursuant to the provisions of Section 221 of the Local Government Act 1989 an annual service charge relating to waste management be declared for the 2025-26 financial year for each non-rateable property the same as for a rateable property. The charges are:
  - Kerbside rubbish collection 80 litre bin \$163.70

- Kerbside rubbish collection 120 litre bin \$245.55
  - Kerbside rubbish collection 240 litre bin \$491.10
  - Kerbside recycling collection 240 litre bin \$131.70
  - Kerbside recycling collection 240 litre additional bin \$131.70
  - Kerbside FOGO collection 240 litre bin \$102.00
3. Formally declares that rates are due and payable in four (4) instalments:
    - a. First Instalment: 30 September
    - b. Second instalment: 30 November
    - c. Third instalment: 28 February
    - d. Fourth instalment: 31 May
  4. Writes to all submitters thanking them for their participation in the budget development process and advising them in writing of the reasons for Council's decision.

**CARRIED**

### **13.6.3. Insurance Renewal 2025-26**

**Councillor Mandy Treasure/Councillor Bonnie Clark:**

THAT COUNCIL authorises the Chief Executive Officer to accept the offer and approve payment of invoices relating to Mansfield Shire Council's 2025-26 insurance renewal for a total estimated amount of \$485,331.94 (ex GST) plus applicable stamp duty, policy administration fees and GST.

**CARRIED**

### **13.6.4. Opposition to the Emergency Services and Volunteers Fund**

**Councillor Bonnie Clark/Councillor Mandy Treasure:**

THAT COUNCIL:

1. Reiterates its position of 12 February to call on the Victorian Government to review the Emergency Services and Volunteer Fund (ESVF) tax by:
  - a. Reducing the tax burden proposed for primary producers, and all Mansfield Shire residents and ratepayers.
  - b. Not shift the administrative, reputational and resource costs of the tax to local government by asking councils to act as tax collectors for the state government.
2. Confirms its objection to the introduction of the abhorrent ESVF tax in its current form, due to the significant, unfair and inequitable impacts it will have on the Shire's farming, commercial and industrial sectors and on all residents and ratepayers.
3. Authorises the Mayor to write to the State Government calling on them to listen to our community and immediately repeal the implementation of the Emergency Services and Volunteer Fund levy, raising Council's concerns over the proposed use of the revenue to fund activities currently paid from consolidated revenue.
4. Includes a message with the rates notices clearly indicating that the ESVF is a State government levy that Councils are forced to collect, that Council opposes the ESVF and is campaigning to end it.
5. Continues to collectively advocate against the ESVF tax with other Councils and interested groups.
6. Notes the Mayor's written correspondence to all voting members of the Upper House asking them to vote against the proposed bill.

**CARRIED**

## 14. Council Meeting Resolution Actions Status Register

**Councillor James Tehan/Councillor Bonnie Clark:**

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 16 June 2025.

**CARRIED**

## 15. Advisory and Special Committee reports

### 15.1. Audit & Risk Committee Meeting Agenda and Minutes

**Councillor Mandy Treasure/Councillor Bonnie Clark:**

THAT COUNCIL receive the Agenda and Minutes of the Mansfield Shire Audit and Risk Committee meeting held on Monday 26 May 2025.

**CARRIED**

## 16. Authorisation of sealing of documents

Nil

## 17. Closure of meeting to members of the public

**Councillor Bonnie Clark/Councillor Mandy Treasure:**

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 - 24 June 2025 was closed to the public at 6:41 pm.

## 18. Confidential Reports

### 18.1. Expression of Interest - Lease of Lot A, Part 141 Lakins Road, Mansfield

#### **Confidential**

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(g) - private commercial information, being information provided by a business, commercial or financial undertaking that:(i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage

### 18.2. Tender Award: Highton Lane Roundabout

**Councillor Tim Berenyi/Councillor Bonnie Clark:**

THAT COUNCIL:

1. Award a lump sum contract for the construction of the Highton Lane Roundabout to Alpine Civil for \$851,840 (ex GST).
2. Approve a provisional sum of \$20,500 (ex GST) for the construction and line marking of the raised safety platform.
3. Approve a 5% construction contingency amount of \$43,617 (ex GST).
4. Authorise the Chief Executive Officer to execute the contract.
5. Make this resolution public by including it within the public minutes of the Council meeting.

**CARRIED**

Councillor Tim Berenyi left the meeting at 6:56 pm.

### **18.3. Tender Award: Lords Reserve Toilet Upgrade**

**Councillor Mandy Treasure/Councillor James Tehan:**

THAT COUNCIL:

1. Awards a lump sum contract for the Lords Reserve Public Toilet Upgrade and Extension to Hennessy Constructions Pty Ltd for \$188,306.18 (ex. GST).
2. Approves a 10% construction contingency of \$18,831 (ex. GST).
3. Approves a provisional sum of \$11,962.50 for external cladding of the building.
4. Authorises the Chief Executive Officer to execute the contract.
5. Makes this resolution public by including it within the public minutes of the Council meeting.

**CARRIED**

### **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 7:06 pm.

Councillor Tim Berenyi returned to the meeting at 7:06 pm.

### **20. Close of meeting**

The Council Meeting Agenda - 24 June 2025 was closed at 7:08 pm.

CONFIRMED this **fifteenth** day of **July 2025**



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**Mayor**