



MANSFIELD SHIRE COUNCIL

Ordinary Meeting of Council

UNCONFIRMED

MINUTES

21 APRIL 2020
MANSFIELD SHIRE COUNCIL
33 Hightt Street, Mansfield
5.00PM

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1. OPENING OF THE MEETING

The Mayor, Cr Marg Attley OAM, opened the meeting at 5.00pm.

Councillors:	Marg Attley	<i>Tolmie Ward</i>
	Peter Olver	<i>Mansfield Ward</i>
	Paul Sladdin	<i>Bonnie Doon Ward</i>
	Paul Volkering	<i>Mansfield Ward</i>
	Harry Westendorp	<i>Jamieson Ward</i>

Chief Executive Officer:	Kaylene Conrick
Community Services Manager:	Melanie Hotton
Finance Manager:	Mandy Kynnersley
Corporate & Organisational Development Manager:	Sharon Scott
Interim Infrastructure Manager:	Andre Kompler
Governance & Risk Coordinator:	Michelle Kain

2. STATEMENT OF COMMITMENT

The Councillors affirmed the following Statement of 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."

3. ACKNOWLEDGEMENT OF COUNTRY

The Councillors affirmed the "Acknowledgement of Country" for the Mansfield Shire Council:

"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."

4. APOLOGIES

Nil.



5. CONFIRMATION OF MINUTES

Councillors Westendorp/Volkering:

THAT:

- the Minutes of the Ordinary meeting of Mansfield Shire Council, held on 17 March 2020, will be confirmed as an accurate record.
- the Minutes of the Special meeting of Mansfield Shire Council, held on 30 March 2020, will be confirmed as an accurate record.
- the Minutes of the Special meeting of Mansfield Shire Council, held on 14 April 2020, will be confirmed as an accurate record.

CARRIED

6. DISCLOSURE OF CONFLICTS OF INTEREST

Cr Olver declared a conflict of interest in respect of item 11.5.2 on the basis that his son works for Browns Wangaratta who have been awarded the contract for the Dual Court Stadium.

7. REPRESENTATIONS

Nil

8. NOTICES OF MOTION

Nil

9. MAYOR'S REPORT

Councillors Sladdin/Volkering:

THAT the Mayor's report for the period 18 March 2020 to 14 April 2020 be received.

CARRIED

10. REPORT FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors Westendorp/Olver:

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

CARRIED



11. OFFICER REPORTS

11.1 DEPARTMENTAL REPORTS

Councillors Westendorp/Volkering:

THAT Council receive and note the Departmental reports for the period 17 March 2020 to 9 April 2020.

CARRIED

11.2 COMMUNITY SERVICES

11.2.1 Community Matching Fund 2020

Councillors Volkering/Westendorp:

THAT Council:

1. allocate \$19,796 of its Community Matching Fund 2020 to the following:
 - Mansfield Community Radio Inc. \$5,000 for *Paps FM transmitter rebuild for Mansfield Community Radio*
 - Tolmie Mechanics Institute and Recreation Reserve Committee Inc. \$5,000 to for *Refurbishment of Tolmie Reserve Toilet Block*
 - Women in North East (WiNE) Network \$5,000 for *Women in North East (WiNE) Network International Women's Day Event 2021*
 - Woods Point Cemetery Trust \$4,796 for *Cemetery Boundary Fence Replacement*
2. write to all applicants indicating Council's decision and thanking each applicant for applying

CARRIED

11.3 CORPORATE AND ORGANISATIONAL DEVELOPMENT

11.3.1 Public Interest Disclosure Act 2012 – Amendment of the Mansfield Shire Council Protected Disclosure Policy and Procedure 2019

Councillors Sladdin/Westendorp:

THAT Council adopt the Mansfield Shire Public Interest Disclosure Policy 2020.

CARRIED



1.4 FINANCE DEPARTMENT.

11.4.1 Council Plan Performance Reporting Q3 2020

Councillors Olver/Westendorp:

THAT Council receive and note the Council Plan Performance Report as at 31 March 2020.

CARRIED

11.4.2 Review of Mansfield Shire Council Instruments of Delegation

Councillors Sladdin/Volkering:

THAT Council:

1. revoke all existing Schedule 6 - Instruments of Delegation from Council to Members of Council Staff previously endorsed by Council on 17 September 2019;
2. endorse the Schedule 6 – Instrument of Delegation from Council to Members of Council Staff dated 21 April 2020;
3. revoke all existing S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 15 October 2019;
4. endorse the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) dated 21 April 2020.
5. signs and seals the Instruments of Delegation.

CARRIED

11.5 INFRASTRUCTURE

11.5.1 Award of Contract CM1920.001 – Mt Buller Pathway Construction

Councillors Volkering/Westendorp:

That Council awards the tender CM1920.001 – Mt Buller Pathway Construction to Alpine Civil Pty Ltd for the amount of \$223,355 (Including GST).

CARRIED



11.5 INFRASTRUCTURE CONT.

11.5.2 Financial update, including tender options on the Dual Court Stadium project

5.43pm - Cr Olver left the meeting.

Councillors Sladdin/Volkering:

THAT Council

1. agree to amend the Joint Use Agreement to reflect Council's contribution of \$3,356,636 to include taking up the option to include canteen facilities; and
2. authorise the Chief Executive Officer to sign the amended Joint Use Agreement on behalf of Council.

CARRIED

5.49pm - Cr Olver returned to the meeting.

12. ASSEMBLIES OF COUNCILLORS

Councillors Sladdin/Westendorp:

THAT Council receive and note the Assembly of Councillors report for the period 18 February – 31 March 2020.

CARRIED

13. ADVISORY AND SPECIAL COMMITTEE REPORTS

Councillors Westendorp/Sladdin:

THAT Council receive the Minutes of the Advisory Committee meetings as follows:

- Mansfield Audit and Risk Advisory Committee, held on 16 March 2020

CARRIED

14. AUTHORISATION OF SEALING OF DOCUMENTS

Councillors Westendorp/Olver:

THAT Council note the documents sealed by Council on 30 March 2020:

- Instrument of Delegation by Council to the Chief Executive Officer

CARRIED



SUSPENSION OF STANDING ORDERS

Councillors Sladdin/Westendorp:

THAT Council suspend standing orders to facilitate public question time.

CARRIED

15. PUBLIC QUESTION TIME

No questions received.

RESUMPTION OF STANDING ORDERS

Councillors Volkering/Sladdin:

THAT Council resume standing orders.

CARRIED

16. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the *Local Government Act 1989*, the meeting be closed the public in order to consider:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

Councillors Westendorp/Volkering:

THAT the meeting be closed to members of the public under Section 89(2) of the *Local Government Act 1989*, specifically the following sub-section:

- (d) contractual matters;

CARRIED



17. PRESENTATION OF CONFIDENTIAL REPORT

17.1 INFRASTRUCTURE CONFIDENTIAL REPORT

17.1.1 Tender Evaluation Report - Contract CM1920.001 – Mt Buller Pathway Construction

18. REOPEN MEETING TO MEMBERS OF THE PUBLIC

Councillors Sladdin/Volkering:

THAT Council reopen the meeting to members of the public.

CARRIED

19. CLOSE OF MEETING

There being no further business the meeting concluded at 6.09pm.

CONFIRMED this **nineteenth** day of **May 2020**

Mayor