



Mansfield Shire

## Council Meeting

Tuesday 17 August 2021

# Minutes

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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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**Councillors**

Cr Mark Holcombe (Mayor)  
Cr James Tehan (Deputy Mayor)  
Cr Steve Rabie  
Cr Paul Sladdin  
Cr Rohan Webb

**Officers**

Kaylene Conrick, Chief Executive Officer  
Kirsten Alexander, General Manager Infrastructure and Planning  
Kurt Heidecker, General Manager Community and Corporate Services

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## Minutes

### 1. Opening of the meeting

Mayor Mark Holcombe opened the meeting at 5.01 pm

### 2. Present

- ▶ Cr Mark Holcombe
- ▶ Cr Steve Rabie
- ▶ Cr Paul Sladdin
- ▶ Cr James Tehan
- ▶ Cr Rohan Webb

#### In attendance

- |  |                   |
|--|-------------------|
| ▶ Chief Executive Officer:                               | Kaylene Conrick   |
| ▶ General Manager Infrastructure & Planning:             | Kirsten Alexander |
| ▶ Acting General Manager Community & Corporate Services: | Kurt Heidecker    |
| ▶ Manager Planning and Environment:                      | Melissa Crane     |
| ▶ Manager Operations and Capital Works:                  | Kristian Burchat  |
| ▶ Property Management Officer:                           | Des Dunn          |
| ▶ Manager Business and Performance:                      | Mandy Kynnersley  |
| ▶ Senior Coordinator Community & Economic Development:   | Saskia Van Bever  |
| ▶ Coordinator Governance & Risk:                         | Michelle Kain     |

### 3. Apologies

Nil

### 4. Statement of commitment

The Chair read the statement and call 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

Deputy Mayor James Tehan 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

Cr Webb raised that he had a perceived conflict of interest in respect of item 13.3.3, however as the report was presented for noting purposes only, there was no general or material conflict identified.

## 7. Confirmation of minutes

**Councillors Webb/Rabie:**

THAT the Minutes of the Mansfield Shire Council meeting held on 20 July 2021 be confirmed as an accurate record, noting the amendment to the Assemblies of Councillors report to acknowledge that Cr Sladdin submitted a formal apology for the Governor's visit on 1 July 2021 and for the NAIDOC week activities.

carried

## 8. Representations

Nil

## 9. Notices of motion

Nil

## 10. Mayor's report

**Councillors Tehan/Rabie:**

THAT Council receive the Mayor's report for the period 20 July 2021 to 9 August 2021.

carried

## 11. Reports from Council Appointed Representatives

**Councillors Webb/Sladdin**

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

carried

## 12. Public question time

### Question 1

**Ms Michelle Harmer**

*"Will council fly the rainbow pride flag from Council office, on the 17th May next year, being international Day Against Homophobia, Biphobia, and Transphobia?"*

**Answer:**

Council currently has two flag poles at its main administration centre in High Street Mansfield flying the Australian flag and the Aboriginal and Torres Strait Islander Flag. It also has three flag poles in front of the Station Precinct on the entrance to Mansfield from Melbourne where Council flies in addition to the Australian and Aboriginal and Torres Strait flag, the Taungurung flag recently gifted to Council.

Council supports diversity and inclusion and condemns discrimination.

Over the past few years many councils have taken to raising the rainbow flag on International Day Against Homophobia and Transphobia. We thank you for bringing this matter to Council. Council will plan to purchase a rainbow flag and raise it on 17 May 2022 international Day Against Homophobia, Biphobia, and Transphobia as a symbol of our support for greater inclusion.

### Question 2

**Mr William Copley - Mansfield Mens Shed**

*"Thanks for addressing this question, submitted on behalf of the Mansfield Mens Shed: The council land at 17 Erril Street leased to Mace, who was acting as the auspisor to the then "Men in Sheds" group, was for a period of ten years with options for two renewals. As there is no evidence of a compliant renewal application or payment, will the Council confirm that lease is now in Overholding (as defined in that lease)?"*

**Answer:**

Council has received legal advice stating that the Lease is now in overholding.

### Question 3

**Mr. William Copley - Mansfield Mens Shed**

*"Thanks for addressing this question, submitted on behalf of the Mansfield Mens Shed: Mansfield Community Mens Shed Inc has declared and given Notice to both Mace and the Shire that it is the beneficiary of an auspice agreement with Mace. Will the Shire act expediently to terminate the lease with Mace and re-issue a new peppercorn lease to Mansfield Community Men's Shed and thereby give them security of tenure so that they may continue to invest in the property?  
Thank you"*

**Answer:**

This matter will be the subject of a report to Council at its 21 September 2021 meeting. Until Council receives a report and considers the matter there is no Council position to communicate.

## 13. Officer reports

### 13.1. Chief Executive Officer's report

**Councillors Sladdin/Tehan:**

THAT Council receive and note the Chief Executive Officer's report for the period 20 July 2021 to 9 August 2021.

carried

### 13.2. Infrastructure and Planning Directorate

#### 13.2.1. Amendment C51, Commercial and Industrial Land Use Strategy Implementation, Mansfield Planning Scheme

**Councillors Rabie/Tehan:**

THAT Council:

1. Request under Section 8A (2) and (3) of the *Planning and Environment Act 1987* that the Minister for Planning authorise Mansfield Shire Council to prepare Amendment C51 to the Mansfield Planning Scheme.
2. Notify the Minister for Planning that when it exhibits Amendment C51, Mansfield Shire Council intends to give full notification of the amendment under Section 19 of the *Planning and Environment Act 1987* for a minimum statutory exhibition period of one month.
3. When authorised by the Minister for Planning, exhibit Amendment C51 to the Mansfield Planning Scheme under Section 19 of the *Planning and Environment Act 1987*.

carried

#### 13.2.2. Bill Maxwell's House – Bonnie Doon Community Centre

**Councillors Sladdin/Tehan:**

THAT Council:

1. Provides in-principle approval for the relocation of the timber dwelling from 31 Arnot St, Bonnie Doon, to the Bonnie Doon Community Centre grounds at 75 Arnot St, Bonnie Doon.

carried

### 13.3. Community and Corporate Services Directorate

#### 13.3.1. Draft Council Plan 2021-2025

**Councillors Sladdin/Tehan:**

THAT Council:

endorses the release of the draft Council Plan 2021-2025 for public exhibition and feedback from 18 August 2021 to 8 September 2021.

carried

#### 13.3.2. Proposed Financial Plan 2021-31

**Councillors Tehan/Rabie:**

THAT Council:

1. formally prepare the Proposed Financial Plan 2021-31 for the purposes of Section 91 of the *Local Government Act 2020*,
2. place the Proposed Financial Plan 2021-31 on exhibition for a period of 28 days and call for public submissions.

carried

#### 13.3.3. Digital Transformation Strategy

**Councillors Sladdin/Rabie:**

That Council receive and note this report.

carried

#### 13.3.4. Community Recovery Plan

**Councillors Sladdin/Webb:**

That Council:

Endorses the Community Recovery Plan provided in Attachment 1 of this Agenda.

carried

## 13.2 Community and Corporate Services Directorate – Continued

### 13.3.5. COVID-19 CASI INITIATIVE – Quick-Action Activation Grants

#### Councillors Webb/Sladdin:

That Council:

1. Endorses the dispersal of CASI Quick-Action Activation Grant funds to these successful applicants:

<b>Successful Organisations</b>	<b>Funds granted</b>
Merton Recreation and Memorial Reserves	\$5,000.00
Ancona Hall	\$2,400.00
Bonnie Doon Community Group	\$3,600.00
Mansfield Clay Target Club	\$2,320.95
Mansfield Musical and Dramatic Society	\$5,000.00
Mansfield Men's Shed	\$5,000.00
Goughs Bay Area Progress Association	\$5,000.00
Mansfield Bowls Club	\$5,000.00
Goughs Bay Boat Sport and Recreation Club	\$5,000.00
CWA Mansfield	\$3,564.00
Life's Circle	\$5,000.00
<b>TOTAL:</b>	<b>\$46,884.95</b>

2. Thanks all applicants for their applications.

carried



## 14. Assemblies of Councillors

### **Councillors Rabie/Webb:**

THAT Council receive and note the Assembly of Councillors report for the period 27 July 2021 to 10 August 2021, but noting the absence of Kurt Heidecker's name and further, noting that Cr Rabie was in attendance at the Mansfield Matters Group meeting on 10 August 2021.

carried

## 15. Council Resolutions Register

### **Councillors Webb/Sladdin**

THAT Council receive and note the Council Resolutions Register as at 20 July 2021

carried

## 16. Advisory and Special Committee reports

Nil

## 17. Authorisation of sealing of documents

Nil

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

### **Councillors Rabie/Tehan:**

THAT the meeting be closed to members of the public under Section 66(2)(a) of the Local Government Act 2020 to consider confidential information, as defined by section 3(1) of the Local Government Act 2020 as:

- a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

carried

## 19. Presentation of Confidential Reports

### 19.1. **Confidential:** Purchase of Land for Car Parking

## 20. Reopen meeting to members of the public

carried

**Councillors Saddin/Webb:**

THAT Council reopen the meeting to members of the public.

## 21. Close of meeting

There being no further business the meeting concluded at 6.30pm.

CONFIRMED this **twenty first** day of **September 2021**

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**Mayor**