



MANSFIELD SHIRE

# **COUNCIL MEETING**

## **TUESDAY, 20 APRIL 2021**

# **MINUTES**

**MANSFIELD SHIRE COUNCIL**  
Livestreamed to members of the public via the  
[Mansfield Shire Council website](#)  
5.00pm

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# MINUTES

**MANSFIELD SHIRE COUNCIL**  
Livestreamed to members of the public via the  
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5.00pm

## 1. OPENING OF THE MEETING

Mayor Mark Holcombe opened the meeting at 5.05pm

## 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 |
| • General Manager Community & Corporate Services:     | Chris Snook       |
| • Manager Planning and Environment:                   | Melissa Crane     |
| • Manager Business and Performance:                   | Mandy Kynnersley  |
| • Community & Corporate Services Directorate Support: | Mandy Snell       |

## 3. APOLOGIES

Nil

## 4. STATEMENT OF COMMITMENT

Mayor Holcombe 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**

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**

Nil

**7. CONFIRMATION OF MINUTES**

**Councillors Tehan/Rabie:**

**THAT the Minutes of the Mansfield Shire Council meeting held on 16 March 2021 be confirmed as an accurate record.**

**CARRIED**

**8. REPRESENTATIONS**

**8.1 Petition supporting a Public Toilet Facility at Merrijig**

**Councillors Rabie/Sladdin:**

**THAT COUNCIL**

- 1. Receive and note the petition regarding a public toilet facility at Merrijig; and**
- 2. Refer the petition to the Chief Executive Officer for consideration and a response to be tabled at a future meeting.**

**CARRIED**

**8.2 Deputation by Ms Ellen Hogan, regarding item 13.2.1 – Application for an Amendment to Planning Permit No. P055A/20 – Deletion of Condition 8 relating to protection of downstream stormwater assets.**

Ms Hogan addressed the Council in regard to the above item on the Agenda.

**9. NOTICES OF MOTION**

Nil



## 10. MAYOR'S REPORT

**Councillors Tehan/Rabie:**

**THAT Council receive the Mayor's report for the period 17 March to 13 April 2021.**

**CARRIED**

## 11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

**Councillors Tehan/Sladdin:**

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

**CARRIED**

## 12. PUBLIC QUESTION TIME

**Question from: Mr Brent Taylor**

*May the council please advise on the ongoing maintenance schedule for the unsealed section of Buttercup Road. There are often potholes and ruts that aren't rectified for an unreasonable time, posing risk of damage to vehicles.*

**Council Response**

*Council's Road Management Plan lists Buttercup Road as being graded once annually with drainage maintenance works also undertaken annually. Council's Road Management Plan can be found on [Council's website under Road Management](#). This Plan guides Council's work schedule and commitment on roads.*

*However, despite the annual grade outlined in the Plan, due to increasing traffic volumes in 2020, Council graded the unsealed section of Buttercup Road three times (on 12 January, 20 April & 8 December). Council also plans to grade the road again in May, with the grading crew currently working in Merrijig. All these extra grades are above and beyond what is set out in Council's Road Management Plan.*

*Grading is only part of maintaining roads in appropriate condition, resheeting is also important. Buttercup Road was last re-sheeted during the 2018-2019 program. Council's Operations & Capital Works team will be reviewing and prioritising future capital works on this road for inclusion in the 10 Year Asset Management Road Plan.*

### **Question from: Mr Brent Taylor**

*Would the council consider improving line markings & signage at the intersection of Malcolm & Chenery Street? I understand this may fall in VicRoads jurisdiction.*

### **Council Response**

*Chenery Street and the Eastern portion of Malcolm Street is the responsibility of Regional Roads Victoria (formerly known as VicRoads). Council meets regularly with Regional Roads Victoria to discuss roads within the Shire. Council will review the line marking and signage and discuss further with Regional Roads Victoria.*

*Council's Operations & Capital Works team support the need for improvements to the signage and linemarking at the intersection of these roads to avoid driver confusion, and will raise this with Department of Transport representatives.*

*At the Malcolm and Chenery Street junction there are multiple signs that need review and relocation if possible. The line marking also needs to be updated for drivers turning into Chenery Street from Malcolm Street.*

*The highlighted route in magenta below from the Vicplan website shows the roads belonging to VicRoads.*





## 13. OFFICER REPORTS

### 13.1 CHIEF EXECUTIVE OFFICER'S REPORT

**Councillors Webb/Sladdin:**

THAT Council receive and note the Chief Executive Officer's report for the period 17 March 2021 to 13 April 2021.

CARRIED

### 13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE

#### 13.2.1 Application for an Amendment to Planning Permit No. P055A/20 – Deletion of Condition 8 relating to protection of downstream stormwater assets.

**Councillors Webb/Sladdin:**

THAT COUNCIL, having considered all the relevant matters required under Section 60 of the *Planning and Environment Act 1987* and under the provisions of the Mansfield Planning Scheme, issue a Notice of Refusal to Grant an Amendment to Planning Permit P055/20, for the development of the land for a 15 lot subdivision at 340 Dead Horse Lane, Mansfield, on the following grounds:

1. The proposed amendment does not address the decision guidelines of Clause 43.04, Development Plan Overlay, Schedule 1, as it has not demonstrated that there will be no additional impact on Council's downstream stormwater assets during the construction period.
2. The proposed amendment does not achieve the objectives of Clauses 14.02-1S, 14.02-2S and 19.03-3S.
3. The proposed amendment is not in accordance with Clause 21.09, Mansfield Township Strategy 3.5 as it is not considered that the removal of Condition 8 would provide an appropriate Water Sensitive Urban Design outcome.

CARRIED

#### 13.2.2 Mansfield 2040 Planning Land Use Strategy

**Councillors Sladdin/Webb:**

THAT COUNCIL:

Note the update provided on progress with the preparation of the draft Mansfield 2040 strategy and supporting documents, and the proposed next steps for engagement with the community provided in the report.

CARRIED



**13.2.3 Request for Council Consent – Rezoning of Land under Government Land Planning Service – Withers Lane, Mansfield**

**Councillors Rabie/Tehan:**

**THAT COUNCIL having considered Goulburn Valley Water's request:**

- 1. Provide written consent to Goulburn Valley Water (GVW) for the rezoning of the land;**
- 2. Request that Council be provided with opportunities to comment on any future Planning Scheme Amendment process under the GLPS.**

**CARRIED**





### **13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE**

#### **13.3.1 Council Plan Performance Reporting Q3 20-21**

**Councillors Webb/Sladdin:**

**THAT COUNCIL receive and note the Council Plan Performance Report as at 31 March 2021.**

**CARRIED**

#### **13.3.2 Gift, Benefits and Hospitality Policy**

**Councillors Sladdin/Tehan:**

**THAT COUNCIL endorse the Gift, Benefits and Hospitality Policy 2021**

**CARRIED**

#### **13.3.3 Privacy and Data Protection Policy**

**Councillors Sladdin/Webb:**

**THAT COUNCIL endorse the Privacy and Data Protection Policy**

**CARRIED**

#### **13.3.4 Grants- Exceptional Assistance and Immediate Support Funding Results**

**Councillors Rabie/Sladdin:**

**THAT COUNCIL:-**

- (1) supports the Business and Community Recovery and Resilience Advisory Committee's (BCRAC) recommendation to fund the Highline Mountain Bike Festival by Xventure Pty Ltd (All Terrain Cycles) through the Exceptional Assistance and Immediate Support Funding with a grant of \$100,000**
- (2) writes to all applicants to thank them for their application and to inform them of the results, and**
- (3) thanks the Business and Community Recovery and Resilience Advisory Committee for assisting Council in this process.**

**CARRIED**

#### **13.3.5 Finance Report: 1 July 2020 to 31 March 2021**

**Councillors Webb/Rabie:**

**THAT COUNCIL receives the Year to Date Finance Report for the period 1 July 2020 to 31 March 2021.**

**CARRIED**



### 13.3.6 Proposed Budget 2021-22

**Councillors Tehan/Rabie:**

**That Council:**

- 1. Formally prepare the Proposed Budget 2021-22 (including the Schedule of Fees and Charges) for the purpose of Section 94 of the *Local Government Act 2020*.**
- 2. Gives public notice in the Mansfield Courier, on Council's website and Facebook page of the preparation of the Proposed Budget 2021-22 and makes available copies of the Proposed Budget 2021-22 for public inspection purposes.**
- 3. In accordance with Section 223 of the *Local Government Act 1989*, establishes a Special Committee of Council consisting of all Councillors with a quorum of three Councillors to hear submissions in relation to the Proposed Budget 2021-22 on Tuesday 25 May 2021 at the Council Chamber, or held remotely via electronic means.**

**CARRIED**

### 13.3.7 Proposed Revenue & Rating Plan 2021-25

**Councillors Rabie/Sladdin:**

**THAT COUNCIL:**

- 1. Formally prepare the Proposed Revenue & Rating Plan 2021-25 for the purposes of Section 93 of the *Local Government Act 2020*.**
- 2. Gives public notice in the Mansfield Courier, on Council's website and Facebook page of the preparation of the Proposed Revenue & Rating Plan 2021-25 and makes available copies of the Proposed Revenue & Rating Plan 2021-25 for public inspection purposes.**
- 3. In accordance with Section 223 of the *Local Government Act 1989*, establishes a Special Committee of Council consisting of all Councillors with a quorum of three Councillors to hear submissions in relation to the Proposed Revenue & Rating Plan 2021-25 on Tuesday 25 May 2021 at the Council Chamber, or held remotely via electronic means.**

**CARRIED**



### 13.3.8 Outlying Communities Infrastructure Fund Results

**Councillors Sladdin/Rabie:**

**THAT COUNCIL**

- (1) Allocates the following funds from its Outlying Community Infrastructure Fund 2021 to:
  - a. Tolmie Mechanics Institute and Recreation Reserve Committee \$10,000**
  - b. Bonnie Doon Football and Netball Club \$20,000**
  - c. Merton Recreation and Memorial Reserves Inc. \$20,000****
- (2) Refers an amount of \$50,000 to the 2021-22 budget for an Outlying Community Infrastructure Fund 2022.**
- (3) Writes to both the successful and unsuccessful applicants to advise them of the outcome and thank them for their applications.**

**CARRIED**

### 14. ASSEMBLIES OF COUNCILLORS

**Councillors Webb/Tehan:**

**THAT Council receive and note the Assemblies of Councillors report for the period 9 March 2021 to 6 April 2021, with the correction that CEO, Ms Conrick, was not present at the CEO Annual Review on 30 March 2021 and Manager Business and Performance, Ms Kynnersley, did not attend Councillors' Briefing Session – Budget Workshop #4 on 1 April 2021.**

**CARRIED**

### 15. COUNCIL RESOLUTIONS REGISTER

**Councillors Rabie/Sladdin:**

**THAT Council receive and note the Council Resolutions Register as at 16 March 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**

N/A

**19. PRESENTATION OF CONFIDENTIAL REPORTS**

Nil.

**20. REOPEN MEETING TO MEMBERS OF THE PUBLIC**

N/A

**21. CLOSE OF MEETING**

There being no further business the meeting concluded at 6.39pm.

CONFIRMED this **eighteenth** day of **May 2021**

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**Mayor**