



MANSFIELD SHIRE

COUNCIL MEETING

TUESDAY, 22 June 2021

MINUTES

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

CONTENTS

1.	<i>OPENING OF THE MEETING</i>	3
2.	<i>PRESENT</i>	3
3.	<i>APOLOGIES</i>	3
4.	<i>STATEMENT OF COMMITMENT</i>	3
5.	<i>ACKNOWLEDGEMENT OF COUNTRY</i>	4
6.	<i>DISCLOSURE OF CONFLICTS OF INTEREST</i>	4
7.	<i>CONFIRMATION OF MINUTES</i>	4
8.	<i>REPRESENTATIONS</i>	4
	<i>8.1 Presentation of Taungurung sovereign flag from Taungurung Land and Waters Council</i>	4
	<i>8.2 Deputations in respect of the item 13.2.1 - Mansfield Commercial and Industrial Land Use Strategy Adoption</i>	4
	<i>8.3 Deputations in respect of the item 13.2.2 - P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly</i>	4
9.	<i>NOTICES OF MOTION</i>	4
10.	<i>MAYOR'S REPORT</i>	5
11.	<i>REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES</i>	5
12.	<i>PUBLIC QUESTION TIME</i>	5
13.	<i>OFFICER REPORTS</i>	5
	<i>13.1 CHIEF EXECUTIVE OFFICER'S REPORT</i>	5
	<i>13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE</i>	6
	<i>13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption</i>	6
	<i>13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly</i>	6



13.3	COMMUNITY AND CORPORATE SERVICES DIRECTORATE.....	7
13.3.1	Community Recovery and Resilience Grant	7
13.3.2	Procurement Policy.....	7
13.3.3	Borrowing and Debt Management Policy.....	8
13.3.4	Carry Forward Projects Policy.....	8
13.3.5	Investment Policy.....	8
13.3.6	Financial Management Strategy.....	8
13.3.7	Review of Councillor and Mayoral Allowances.....	8
13.3.8	Revenue & Rating Plan 2021-25.....	9
13.3.9	Budget 2021-22	10
14.	ASSEMBLIES OF COUNCILLORS	12
15.	COUNCIL RESOLUTIONS REGISTER.....	12
16.	ADVISORY AND SPECIAL COMMITTEE REPORTS.....	12
16.1	Mansfield Shire Audit and Risk Committee: Minutes of Meeting.....	12
17.	AUTHORISATION OF SEALING OF DOCUMENTS.....	12
18.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC.....	13
19.	PRESENTATION OF CONFIDENTIAL REPORTS.....	13
20.	REOPEN MEETING TO MEMBERS OF THE PUBLIC	13
21.	CLOSE OF MEETING.....	13



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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 |
| • Interim General Manager Community & Corporate Services: | Mandy Kynnersley |
| • Manager Planning & Environment: | Melissa Crane |
| • 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

Nil.

7. CONFIRMATION OF MINUTES

Councillors Webb/Rabie:

- 1. THAT the Minutes of the Mansfield Shire Council meeting held on 18 May 2021 be confirmed as an accurate record**
- 2. THAT the Minutes of the Special Committee of Council meeting held on 25 May 2021 be confirmed as an accurate record**

carried

8. REPRESENTATIONS

8.1 Presentation of Taungurung sovereign flag from Taungurung Land and Waters Council

Taungurung Land and Waters Council Chief Executive Officer, Matthew Burns, gifted Mansfield Shire Council the Taungurung sovereign flag as a valued partner and in appreciation of Council's commitment to the recognition of and respect for the Taungurung people.

The Taungurung sovereign flag is a symbol of the resilience, progress and future ambitions of the Taungurung people.

8.2 Deputations in respect of the item 13.2.1 - Mansfield Commercial and Industrial Land Use Strategy Adoption

Eight registered speakers to this item.

8.3 Deputations in respect of the item 13.2.2 - P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly

Nine registered speakers to this item.

9. NOTICES OF MOTION

Nil



10. MAYOR'S REPORT

Councillors Rabie/Webb:

THAT Council receive the Mayor's report for the period 18 May 2021 to 16 June 2021.

carried

11. REPORTS FROM COUNCIL APPOINTED REPRESENTATIVES

Councillors Rabie/Sladdin:

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

carried

12. PUBLIC QUESTION TIME

Nil.

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 April to 15 June 2021.

carried



13.2 INFRASTRUCTURE AND PLANNING DIRECTORATE

13.2.1 Mansfield Commercial and Industrial Land Use Strategy Adoption

It is recorded that the following people made a representation for three minutes each in relation to this item:

1. Matthew Adams
2. Robbie McKenzie
3. Tony Tehan
4. Sarah Stegley
5. Ashley McIlroy
6. Kym Lynch
7. Ellen Hogan
8. Anne Foster

Councillors Rabie/Webb:

THAT Council,

1. **Adopt the *Mansfield Commercial and Industrial Land Use Strategy, June 2021*, to inform the preparation of an amendment to rezone land and develop local policies in accordance with the recommendations of the Strategy.**
2. **Request council officers to commence preparation of a planning scheme amendment to implement the recommendations of the Strategy.**

carried

13.2.2 P123/20 – 151 Coombs Lane, Merrijig, Use of land for a place of assembly

It is recorded that the following people made a representation for three minutes each in relation to this item:

1. Ellen Hogan
2. Wade Harris
3. Louise Jacobs
4. Cat Wright
5. Helen Bohren
6. Jeff Maher
7. Kym Lynch
8. Des Dunn
9. Fiona Tweedie

Councillors Rabie/Tehan:

THAT Council defer the decision until next month so as to consider the presentations by residents and to further discuss with the executive and officers.

carried



SUSPENSION AND RESUMPTION OF STANDING ORDERS

Councillors Sladdin/Webb:

THAT Council suspend standing orders at 7.55pm for 15 minutes and resume standing orders at 8.10pm.

carried

13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE

13.3.1 Community Recovery and Resilience Grant

Councillors Webb/Sladdin:

THAT Council

1. Endorse the Business and Community Recovery Advisory Committee's (BCRAC) recommendation for distribution of funds and writes to successful applicants detailed as follows;
 - a. The Last Waltz (Rosehaven) - \$2,000
 - b. Melbourne Cup picnic race (Mansfield Race Club) – \$24,600
 - c. Twilight Market (Mansfield Producers) - \$10,000
 - d. Soup for schools (Mansfield District Hospital) - \$1,400
2. Writes to unsuccessful applicants to thank them for their application.
3. Thanks the Business and Community Recovery Advisory Committee and the funding sub-committee for their time and effort in considering applications and providing a recommendation to Council.

carried

13.3.2 Procurement Policy

Councillors Webb/Rabie:

THAT Council:

1. endorse the Mansfield Shire Council Procurement Policy 2021.
2. endorse the S5 Instrument of Delegation from Council to Chief Executive Officer dated 22 June 2021, and revoke the previous Instrument dated 16 March 2021.

carried



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT...

13.3.3 Borrowing and Debt Management Policy

Councillors Rabie/Tehan:

THAT Council endorse the Borrowing and Debt Management Policy 2021 as recommended by the Mansfield Shire Council Audit & Risk Committee.

carried

13.3.4 Carry Forward Projects Policy

Councillors Webb/Tehan:

THAT Council endorse the Carry Forward Projects Policy 2021 as recommended by the Mansfield Shire Council Audit & Risk Committee.

carried

13.3.5 Investment Policy

Councillors Webb/Sladdin:

THAT Council endorse the revised Investment Policy 2021.

carried

13.3.6 Financial Management Strategy

Councillors Rabie/Webb:

THAT Council endorse the Financial Strategy 2021 as recommended by the Audit & Risk Committee.

carried

13.3.7 Review of Councillor and Mayoral Allowances

Councillors Rabie/Sladdin:

THAT Council resolves in accordance with Section 74 of the *Local Government Act 1989* to set the allowances with the Order in Council as a category 1 council at the maximum level of:

1. Councillor allowances - \$21,049 per annum, plus superannuation equivalent;
2. Mayoral allowance - \$62,884 per annum, plus superannuation equivalent.

subject to any indexation of the allowances applied automatically as determined by the Minister for Local Government.

carried



13.3.8 Revenue & Rating Plan 2021-25

Councillors Tehan/Rabie:

That Council:

- 1. Having considered written and verbal submissions, adopt the Mansfield Shire Council Revenue & Rating Plan 2021-25 for the purposes of Section 93 of the *Local Government Act 2020*, with the following amendments:
 - a. Increase the farm differential from 58% to 59%.****
- 2. Thank all submitters for their participation in the Revenue & Rating Plan development process and advise them in writing of the reasons for the adoption of the Revenue and Rating Plan 2021-25.**

carried

DIVISION CALLED

**Those in favour: Cr Rabie
 Cr Tehan
 Cr Holcombe**

**Those against: Cr Sladdin
 Cr Webb**



13.3 COMMUNITY AND CORPORATE SERVICES DIRECTORATE CONT.

13.3.9 Budget 2021-22

Councillors Tehan/Rabie:

THAT Council:

- 1) Having considered written and verbal submissions pursuant to Section 223 of the *Local Government Act 1989*, adopt the Budget 2021-22 (as attached), including the Schedule of Fees and Charges for the financial year ending 30 June 2022.
- 2) Formally declare the following rates and charges for the 2021-22 rating year:
 - b) MUNICIPAL CHARGE
 - i) Pursuant to the provisions of Section 159 of the *Local Government Act 1989* a municipal charge be declared in respect of the 2021-22 financial year.
 - ii) The municipal charge be declared for the purpose of covering some of the administrative costs to Council.
 - iii) The municipal charge in the sum of \$322.00 for each rateable land (or part) in respect of which a municipal charge may be levied is declared in respect of the 2021-22 financial year.
 - iv) It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district in respect of which a municipal charge may be levied.
 - b) GENERAL RATES
 - i) Pursuant to the provisions of Section 161 of the *Local Government Act 1989* the following differential rates be declared for the 2021-22 financial year:
 - A general rate of 0.2564 cents in the dollar of CIV for all rateable residential properties.
 - A general rate of 0.3667 cents in the dollar of CIV for all rateable commercial properties.
 - A general rate of 0.3333 cents in the dollar of CIV for all rateable vacant land.
 - A general rate of 0.2205 cents in the dollar of CIV for all rateable rural residential properties.
 - A general rate of 0.1513 cents in the dollar of CIV for all rateable farmland properties.



- ii) 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 Revenue & Rating Plan 2021-25 and show at item 4.1.1 of the attached Budget 2021-22.
- iii) In accordance with the *Cultural and Recreational Lands Act 1963* the cultural and recreational charges, in lieu of rates in respect of the 2021-22 financial year, be applied to all land to which that Act applies.
- iv) Pursuant to Section 169 (1)(a) of the *Local Government Act 1989* Council grant a rebate to the not-for-profit Beolite Retirement Village with respect to the community benefit derived from the Community Centre facility that is available for use by members of the Mansfield Shire community.

b) ANNUAL SERVICE CHARGE

- i) 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 2021-22 financial year for each rateable property as follows:
 - Kerbside rubbish collection 80 litre bin \$119.92
 - Kerbside rubbish collection 120 litre bin \$179.88
 - Kerbside rubbish collection 240 litre bin \$359.77
 - Kerbside recycling collection 240 litre bin \$125.79
 - Kerbside recycling collection 240 litre additional bin \$125.79
 - Community waste charge \$23.62
- ii) 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 2021-22 financial year on each non-rateable property where the service is provided.
 - Kerbside rubbish collection 80 litre bin \$119.92
 - Kerbside rubbish collection 120 litre bin \$179.88
 - Kerbside rubbish collection 240 litre bin \$359.77
 - Kerbside recycling collection 240 litre bin \$125.79
 - Kerbside recycling collection 240 litre additional bin \$125.79

3) Rate Payments

Rates are payable in four instalments due by:

First instalment	30 September
Second instalment	30 November
Third instalment	28 February
Fourth instalment	31 May

- 4) Thank all submitters for their participation in the budget development process and advise them in writing of the reasons for the adoption of the Budget 2021-22 as per section 223(1) d(ii) of the *Local Government Act 1989*.

carried



DIVISION CALLED

Those in favour: Cr Rabie
Cr Tehan
Cr Holcombe

Those against: Cr Sladdin
Cr Webb

14. ASSEMBLIES OF COUNCILLORS

Councillors Webb/Tehan:

THAT Council receive and note the Assembly of Councillors report for the period 11 May to 15 June 2021.

carried

15. COUNCIL RESOLUTIONS REGISTER

Councillors Rabie/Sladdin:

THAT Council receive and note the Council Resolutions Register as at 15 June 2021.

carried

16. ADVISORY AND SPECIAL COMMITTEE REPORTS

16.1 Mansfield Shire Audit and Risk Committee: Minutes of Meeting

Councillors Webb/Sladdin:

THAT Council receive the Minutes of the Mansfield Shire Audit and Risk Committee meeting held 17 May 2021.

carried

17. AUTHORISATION OF SEALING OF DOCUMENTS

Councillors Sladdin/Webb:

THAT Council:

1. Note the Section 173 Agreements for 1523 Long Lane, Barwite was sealed by Council on 16 April 2021

2. Note the Section 173 Agreement for Stoneleigh Park Estate, Mansfield was sealed by Council on 14 May 2021

carried



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 9.20pm

CONFIRMED this **twentieth** day of **July 2021**

Mayor