

OFFICIAL



Mansfield Shire

# MINUTES

## Council Meeting

Tuesday 26 November 2024

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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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## 1. Opening of the meeting

Kirsten Alexander, CEO, opened the meeting at 5:00 pm.

## 2. Present

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

In Attendance:

Chief Executive Officer:

Kirsten Alexander

General Manager Investment & Planning:

Melissa Crane

Governance & Risk Officer:

Chelsea Young

Senior Coordinator Planning:

Nicole Embling

Senior Statutory Planner:

Claire Wilkinson

Coordinator Financial Planning and Analysis:

James Alcaniz

Financial Accountant:

Chintan Patel

## 3. Apologies

Nil

## 4. Statement of commitment

Kirsten Alexander read Council's Statement and called on each Councillor to confirm their commitment:

*"As Councillors of Mansfield Shire you are committed to ensuring your behaviour meets the standards set by the Model Councillor Code of Conduct. You will, at all times, faithfully represent and uphold the trust placed in you by the community."*

## 5. Acknowledgement of Country

Kirsten Alexander 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

Nil

## 7. Determination of Mayoral Term

**Councillor James Tehan/Councillor Steve Rabie:**

THAT COUNCIL:

1. Determines the length of the Mayoral term to be a period of 1 year.
2. Determines the next Mayoral election be held at the November 2025 scheduled meeting of Council.

**CARRIED**

## 8. Election of Mayor

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

THAT pursuant to the provisions of sections 25 and 26 of the *Local Government Act 2020*, COUNCIL appoints Cr Steve Rabie as Mayor of Mansfield Shire for a term of 1 year, no later than the scheduled meeting of 26 November 2024.

**CARRIED**

## 9. Election of Deputy Mayor

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

THAT pursuant to the provisions of sections 27 of the *Local Government Act 2020*, COUNCIL appoints Cr James Tehan as Deputy Mayor of Mansfield Shire for a term of 1 year, no later than the scheduled meeting of 26 November 2024.

**CARRIED**

## 10. Confirmation of minutes

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

THAT the Minutes of the Mansfield Shire Council meetings held on 15 October 2024 and 23 October 2024 be confirmed as an accurate record.

**CARRIED**

## 11. Confirmation of Councillor Oath or Affirmation of Office

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

THAT COUNCIL, in accordance with section 30 the Local Government Act, confirms that the following Councillors of Mansfield Shire Council have taken their Oath or Affirmation of Office administered by the Chief Executive Officer:

- Cr James Tehan
- Cr Steve Rabie
- Cr Mandy Treasure
- Cr Bonnie Clark
- Cr Tim Berenyi

**CARRIED**

## 12. Representations

Nil

## 13. Notices of motion

Nil

## 14. Public question time

Nil

## 15. Officer reports

### 15.1. Chief Executive Officer's report

**Councillor James Tehan/Councillor Tim Berenyi:**

THAT COUNCIL receive and note the Chief Executive Officer's report for the period 1 October 2024 to 31 October 2024.

**CARRIED**

### 15.2. Investment and Planning

#### 15.2.1. Planning Permit Application P152/22 - 295 Tabletop Road, Bridge Creek

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

THAT COUNCIL issue a PERMIT for Planning Application P152/22 to allow for the *Buildings and works for the alteration of an existing dwelling and change of use of existing outbuilding to group accommodation* on Crown Allotment 49A Parish of Dueran, commonly addressed as 295 Tabletop Road, Bridge Creek in accordance with the endorsed plans and subject to the following conditions:

##### **Endorsed Plans**

1. The use and development must be in accordance with the endorsed plans forming part of this permit and must not be altered without the prior written consent of the Responsible Authority.
2. The external materials of the buildings, including the roof, must be constructed of materials of muted colours to protect the aesthetic amenity of the area. No materials having a highly reflective surface must be used. For the purpose of this clause "highly reflective" includes unpainted or untreated aluminium, zinc or similar materials.

##### **Infrastructure**

3. Access to the dwelling and group accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
4. The dwelling and group accommodation building must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the Environment Protection Act 2017 for an on-site wastewater management system.
5. The dwelling and group accommodation building approved by this permit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for firefighting purposes.
6. The dwelling and group accommodation building approved by this permit must be connected to a reticulated electricity supply or have an alternative energy source.

##### **Engineering**

7. Access to the property must be via the existing driveway and crossing except with the written consent of the Responsible Authority.
8. The internal access track shall be of an all-weather construction with dimensions adequate to accommodate emergency vehicles and be sufficient to meet CFA access requirements.
9. Prior to any works proceeding within the road reserve, an application for Works Within Roads Reserve Permit shall be made.
10. Prior to commencement of any building and civil works, application must be made to Council to obtain a Legal Point of Stormwater Discharge
11. All stormwater is to be contained to the pre-development runoff equivalent using detention water tanks or similar and then shall be discharged to the legal point of

stormwater discharge

12. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991) to the satisfaction of the Responsible Authority.

### **Environmental Health**

13. Prior to commencement of the development, a 'Permit To Alter an Onsite Wastewater Management System' must be approved by the Environmental Health Department of Council.
14. The Onsite Wastewater Management System must be developed in accordance with the Land Capability Assessment (Report No. 1091264.0000.R1.V4) as prepared by Chadwicks Geotechnics, dated the June 2024, to the satisfaction of the Responsible Authority.

### **Goulburn Murray Water**

15. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).
16. All wastewater from the dwelling and group accommodation must be treated and disposed of using an approved system. The system must have a certificate of conformity issued by the relevant body (or equivalent approval) and be installed, operated and maintained in accordance with the relevant Australian Standard(s) and EPA Guideline for Onsite Wastewater Management, May 2024, as updated or replaced.
17. The wastewater disposal area must be located in accordance with the setback distances set out in Table 4-10 of the EPA Guideline for Onsite Wastewater Management, May 2024, as updated or replaced.
18. The wastewater management system must be appropriately designed to manage the potential volume of wastewater generated under full occupancy, including an appropriately sized disposal area based on a full water balance specific to the proposal and subject land in accordance with the requirements of the relevant Australian Standard(s) and EPA Guideline for Onsite Wastewater Management, May 2024, as updated or replaced, to the satisfaction of Council's Environmental Health Department.
19. The wastewater disposal area must be kept free of stock, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater disposal field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.
20. The existing onsite wastewater management system must be decommissioned once the new system is installed and operational. All wastewater from the dwelling and group accommodation must be disposed of via connection to the new wastewater management system to the satisfaction of Council's Environmental Health Department.
21. Stormwater must be discharged to a legal point as nominated by the Responsible Authority. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

### **Permit Expiry**

22. This permit will expire if one of the following circumstances applies:
  - The development has not started within two (2) years of the date of this permit;
  - The development is not completed and the use commenced within four (4) years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition

### **NOTATIONS**

1. This permit does not authorise the commencement of any building works. Building approval must be obtained prior to the commencement of any approved works.

2. Before any earthworks are undertaken, it is recommended that you contact 'Dial Before You Dig' on 1100
3. The permit holder acknowledges and accepts that the possibility of nuisance from adjoining or nearby agricultural operations may occur. The possible off-site impacts include but are not limited to dust, odour, waste, vibration, soot smoke, or the presence of vermin, from animal husbandry, animal waste, spray drift, agricultural machinery, pumps, trucks and associated hours of operation. In acknowledging the existence of the agricultural operations being conducted from adjoining or nearby land, the permit holder and guests of the accommodation shall not make complaint against lawful agricultural activities on the adjoining or nearby land.

**CARRIED**

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

#### **15.3.1. Schedule of Meetings: Dec 2024 - Nov 2025**

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

THAT COUNCIL adopt the proposed meeting schedule for Mansfield Shire Council from December 2024 – November 2025.

**CARRIED**

#### **15.3.2. Councillor Appointed Representation on Committees**

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

THAT COUNCIL nominates the following Councillors to the Mansfield Shire Audit and Risk Committee:

1. Mayor Cr Rabie
2. Cr Treasure

**CARRIED**

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

THAT COUNCIL nominates the following Councillors to Chief Executive Officer Employment Matters Committee:

1. Mayor Cr Rabie
2. Cr Tehan
3. Cr Clark

**CARRIED**

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

THAT COUNCIL defer the nomination of Councillor appointed representation to the Mansfield Station Precinct Museum Complex Community Asset Committee until the December 2024 Council Meeting.

**CARRIED**

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

THAT COUNCIL nominates Mayor Cr Rabie and Crs Tehan and Treasure to the Australia Day Awards Committee.

**CARRIED**

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

THAT COUNCIL nominates Cr Berenyi to the Goulburn Murray Climate Alliance (GMCA).

**CARRIED**

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

THAT COUNCIL nominates Mayor Cr Rabie to the Hume Regional Local Government Network (HRLGN).

**CARRIED**

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

THAT COUNCIL:

1. appoints Mayor Cr Rabie to the Municipal Association of Victoria (MAV).
2. appoints Deputy Mayor Cr Tehan as substitute Council representative to the MAV.

**CARRIED**

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

THAT COUNCIL nominates Cr Tehan as Mansfield Shire Council's Rural Councils Victoria (RCV) representative.

**CARRIED**

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

THAT COUNCIL nominates Cr Berenyi to the North East Local Government Waste and Recovery Forum.

**CARRIED**

**Councillor Tim Berenyi/Councillor James Tehan:**

THAT COUNCIL nominates Mayor Cr Rabie to the Taungurung-Local Government Forum.

**CARRIED**

## **15.4. Executive Services Directorate**

### **15.4.1. Quarterly Finance Report**

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

THAT COUNCIL receives and notes the Comprehensive Income Statement, Balance Sheet and Financial Performance Indicators for the period ending 30 September 2024.

**CARRIED**

## **16. Advisory and Special Committee reports**

Nil

## **17. Council Meeting Resolution Actions Status Register**

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

THAT COUNCIL receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 13 November 2024.

**CARRIED**

## **18. Authorisation of sealing of documents**

Nil



**19. Close of meeting**

The Council Meeting Agenda 26 November 2024 was closed at 6:01 pm.

CONFIRMED this **tenth** day of **December 2024**

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**Mayor**