



Mansfield Shire

MINUTES

Additional Council Meeting

Tuesday 4 July 2023

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.

Agenda Contents

- 1. Opening of the meeting..... 3
- 2. Present..... 3
- 3. Apologies 3
- 4. Statement of commitment 3
- 5. Acknowledgement of Country 3
- 6. Disclosure of conflicts of interest..... 3
- 7. Representations 3
- 8. Officer reports 4
 - 8.1. Infrastructure and Planning Directorate 4
 - 8.1.1. P032A/21: 195 Mt Buller Road, Mansfield..... 4
- 9. Closure of meeting to members of the public..... 5
- 10. Confidential Reports..... 5
 - 10.1. Strictly Confidential: CEO Performance Review 5
- 11. Reopen meeting to members of the public..... 5
- 12. Close of meeting 5

1. Opening of the meeting

Mayor James Tehan opened the meeting at 9.02 am.

2. Present

- Councillor Holcombe
- Councillor Rabie
- Councillor Sladdin
- Councillor Tehan
- Councillor Webb

In Attendance:

Chief Executive Officer:

Kirsten Alexander

Acting General Manager Infrastructure & Planning:

Ari Croxford-Demasi

General Manager Business and Economic Development:

Julie Williams

EA Mayor & CEO:

Chelsea Young

Coordinator Statutory Planning:

Nicole Embling

Coordinator Compliance:

Michael Richards

3. Apologies

Nil

4. Statement of commitment

Mayor James Tehan 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

Councillor Steve Rabie 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. Representations

Item 8.1.1 'P032A/21: 195 Mt Buller Road, Mansfield'.

- Suzanne Theodor on behalf of Chris Theodor
- Stuart Bett
- Chris Stoneman
- Duck Inn Mt Buller
- Ian Keys

8. Officer reports

8.1. Infrastructure and Planning Directorate

8.1.1. P032A/21: 195 Mt Buller Road, Mansfield

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL:

1. Proposal does not comply with the strategies of Clause 12.05-2L Significant Landscapes, Ridgelines and Alpine Approaches, including:
 - a) *Minimise the environmental and visual impact of development including buildings, sheds, driveways and associated earthworks.*
 - b) *Retain existing mature scattered native and exotic trees and encourage the use of substantial landscaping to further complement development and reduce the visual impact of buildings on the landscape.*
 - c) *Use building materials with external finishes that:*
 - i. *Blend with the natural surrounding environment whether this be in natural form or via a tailored paint scheme that reflects the colours and textures evident in the natural environment.*
 - ii. *Have a low reflectivity to minimise glare and visual impact.*
2. Proposal does not comply with the strategies of Clause 13.07-1S Land Use Compatibility, particularly:
 - a) *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
 - b) *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*
3. Proposal does not comply with the strategies of Clause 15.01-2S Building Design, including:
 - a) *Ensure development responds and contributes to the strategic and cultural context of its location.*
 - b) *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
 - c) *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
 - d) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
 - e) *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
 - f) *Ensure development is designed to protect and enhance valued landmarks, views and vistas.*
 - g) *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.*
4. Proposal does not comply with the objective and strategies of Clause 15.01-5S Neighbourhood Character.
5. Proposal does not comply with the strategies of Clause 15.01-5L Mansfield Township Approaches, particularly:
 - a) *Ensure future development within identified township approach corridors meets stipulated built form design outcomes.*

b) Retain and enhance the landscape qualities of each approach.

c) Minimise the impact of visual clutter from signs through controls to ensure local streetscapes and key view lines to the surrounding alpine foothills are retained and enhanced over time.

6. Proposal does not comply with the purpose and decision guidelines of Clause 34.02 Commercial 2 Zone as the submitted proposal includes buildings and works that are not suitably designed and sited to respond to the context of the area.
7. Proposal does not comply with the decision guidelines and design objectives of Clause 43.02 Design and Development Overlay – Schedule 1, Alpine Approaches and Township Gateways as the design and appearance of the proposed building are not in keeping with the character of the area and the design is not compatible with surrounds.

CARRIED

9. Closure of meeting to members of the public

Councillor Rohan Webb/Councillor Steve Rabie:

THAT COUNCIL close the meeting to members of the public under Section 66(2)(a) of the Local Government Act 2020 to consider Confidential Reports in accordance with section 66(2) of the Local Government Act 2020 for reasons defined in section 10 below.

CARRIED

The Additional Council Meeting Agenda 4 July 2023 was closed to the public at 9.52 am.

Julie Williams and Ari Croxford-Demasi left the meeting 9.52 am.

10. Confidential Reports

Kirsten Alexander left the meeting at 10.20 am.

10.1. Strictly Confidential: CEO Performance Review **Confidential**

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(f) - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

11. Reopen meeting to members of the public

Councillor Rohan Webb/Councillor Paul Sladdin:

THAT COUNCIL reopen the meeting to the public and resume transmission and this resolution be made public.

CARRIED

Council re-opened the meeting at 10.34 am.

12. Close of meeting

The Additional Council Meeting Agenda 4 July 2023 was closed at 10.34 am.

CONFIRMED this **eighteenth** day of **July 2023**

Mayor