

OFFICIAL



Mansfield Shire

MINUTES

Council Meeting

Tuesday 25 June 2024

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 4
- 2. Present..... 4
- 3. Apologies 4
- 4. Statement of commitment 4
- 5. Acknowledgement of Country 4
- 6. Disclosure of conflicts of interest..... 4
- 7. Confirmation of minutes 4
- 8. Representations 5
- 9. Notices of motion 5
- 10. Mayor's report 5
- 11. Reports from council appointed representatives 5
- 12. Public question time 5
- 13. Officer reports 6
 - 13.1. Chief Executive Officer's report 6
 - 13.2. Investment and Planning 6
 - 13.2.1. DP001/23 - 102, 126 & Lot 30 Highton Lane Mansfield - Residential Development Plan..... 6
 - 13.2.2. Key Worker Housing Workshops 6
 - 13.2.3. Strategic Planning Program, Infrastructure Plan & Flood Study 6
 - 13.3. Capital Works & Operations 7
 - 13.3.1. Mansfield Swimming Pool End of Season Report 7
 - 13.4. People, Communications and Governance 7
 - 13.4.1. Public Interest Disclosures Policy & Procedure..... 7
 - 13.4.2. Community Engagement Policy 7
 - 13.4.3. Complaints Policy..... 7
 - 13.4.4. CEO Employment & Remuneration Policy 7
 - 13.4.5. Council Expenses Policy 7
 - 13.4.6. Council Plan 2021-25 7
 - 13.5. Community Health and Wellbeing 8
 - 13.5.1. Municipal Early Years Plan 2024 - 2028 8
 - 13.6. Executive Services 8
 - 13.6.1. Revised Revenue & Rating Plan 2021-25..... 8
 - 13.6.2. Budget 2024-25..... 8
 - 13.6.3. Insurance Renewal 9
- 14. Council Meeting Resolution Actions Status Register 10
- 15. Advisory and Special Committee reports 10
 - 15.1. Audit & Risk Committee Meeting Agenda & Minutes 10

- 16. Authorisation of sealing of documents 10
- 17. Closure of meeting to members of the public 10
- 18. Confidential Reports..... 10
 - 18.1. Tender Award: Landfill Disposal Services 10
 - 18.2. Road Reserves Sale & Land Acquisition Proposal 10
 - 18.3. Tender Award: Chapel Hill Road - Lanky Creek Crossing Construction 11
 - 18.4. Tender Award: Municipal Building Services..... 11
- 19. Reopen meeting to members of the public..... 11
- 20. Close of meeting 11

1. Opening of the meeting

Mayor Steve Rabie opened the meeting at 5:00 pm.

2. Present

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

In Attendance:

Chief Executive Officer:

Kirsten Alexander

General Manager Investment & Planning:

Melissa Crane

Executive Manager Community Health & Wellbeing:

Nola Bales

Governance & Risk Officer:

Chelsea Young

Manager Major Projects:

Kurt Heidecker

Asset Maintenance Officer:

Chloe Schlemitz

Action Manager Planning & Environment:

Nicole Embling

Financial Controller:

Michael McCormack

Coordinator Financial Planning and Analysis:

James Alcaniz

Economic Development Officer Business & Industry:

Derek Beautyman

3. Apologies

Nil

4. Statement of commitment

Mayor Steve Rabie 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 Mark Holcombe 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

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT the Minutes of the Mansfield Shire Council meeting held on 21 May 2024 be confirmed as an accurate record.

CARRIED

8. Representations

13.1 CEO Report

- Marta Wakeling

13.4.3 Community Engagement Policy

- Marta Wakeling

9. Notices of motion

Nil

10. Mayor's report

Councillor James Tehan/Councillor Rohan Webb:

THAT COUNCIL receive the Mayor's report for the period 21 May 2024 to 19 June 2024.

CARRIED

11. Reports from council appointed representatives

Councillor Mark Holcombe/Councillor Rohan Webb:

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

CARRIED

12. Public question time

Question 1:

From Emma Hartridge:

Could Council please advise why our section of the Road (Old/Howqua Road/Track) was not graded in May 2024 as part of the Shire's Fire Management Works Program and when this work will be done.

Response:

The Municipal Fire Management plan is a sub plan of the Municipal Emergency Management Plan. The purpose of the MFMP is to implement measures designed to minimise the occurrence and mitigate the effects of bushfires. It is not for management of roads for access to private property but to allow for fire management activities. The list you are referring to is a list of roads where the plan allows the local fire brigade to undertake fuel reduction works as they feel necessary, normally identified in the prevention plans. This list refers to "Howqua Road to Wild Dog Road", which is the section of land along Howqua Track, not the road reserve you are referring to. Howqua Track is on Council's Register of Public Roads. Council undertakes maintenance on roads within the Register of Public Roads as outlined in the Road Management Plan. The section of road you are referring to is not in the Register of Public Roads.

Question 2:

From Emma Hartridge:

Could Council please advise why our section of Howqua Road to Wild Dog Road is currently not on Shires Asset Register - of Public Roads and when will it be returned to the register

Response:

Consideration of adding a road to the Register is subject to a decision of Council. The updated Register of Public Roads is proposed to be put to Council for a decision at the 16 July meeting of Council, where the council will consider whether to include this unnamed road on the register.

13. Officer reports

13.1. Chief Executive Officer's report

Councillor James Tehan/Councillor Mark Holcombe:

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

CARRIED

13.2. Investment and Planning

13.2.1. DP001/23 - 102, 126 & Lot 30 Highton Lane Mansfield - Residential Development Plan

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL approves the submitted Development Plan for General Residential Zoned land on Lot 31 LP135575, Lot 1 TP210771M, and Lot 30 LP135575, commonly addressed as 102, 126 and Lot 30 Highton Lane, Mansfield.

CARRIED

13.2.2. Key Worker Housing Workshops

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL note the information provided on the Key Worker Housing forums.

CARRIED

13.2.3. Strategic Planning Program, Infrastructure Plan & Flood Study

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL notes the progress updates on the strategic planning program, the Infrastructure Plan and the Mansfield Flood Study.

CARRIED

13.3. Capital Works & Operations

13.3.1. Mansfield Swimming Pool End of Season Report

Councillor James Tehan/Councillor Mark Holcombe:

THAT COUNCIL note the 2023/24 Mansfield Swimming Pool End of Season Report.

CARRIED

13.4. People, Communications and Governance

13.4.1. Public Interest Disclosures Policy & Procedure

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL endorse the Public Interest Disclosures Policy and Procedure 2024.

CARRIED

13.4.2. Community Engagement Policy

Councillor James Tehan/Councillor Mark Holcombe:

THAT COUNCIL endorse the Community Engagement Policy 2024.

CARRIED

13.4.3. Complaints Policy

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL endorse the Complaints Policy and Process 2024.

CARRIED

CEO, Kirsten Alexander, declared a conflict of interest and left the meeting at 6.11pm.

13.4.4. CEO Employment & Remuneration Policy

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL endorse the CEO Employment Remuneration Policy 2024.

CARRIED

CEO, Kirsten Alexander, returned to the meeting at 6.13pm.

13.4.5. Council Expenses Policy

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL endorse the Council Expenses Policy 2024.

CARRIED

13.4.6. Council Plan 2021-25

Councillor Mark Holcombe/Councillor James Tehan:

THAT COUNCIL endorses the wording change to Strategy 3.1 of the Council Plan 2021-25 to 'Protect natural vistas and farmland'.

CARRIED

13.5. Community Health and Wellbeing

13.5.1. Municipal Early Years Plan 2024 - 2028

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT COUNCIL adopt the Mansfield Municipal Early Years Plan 2024-2028.

CARRIED

13.6. Executive Services

13.6.1. Revised Revenue & Rating Plan 2021-25

Councillor James Tehan/Councillor Mark Holcombe:

THAT COUNCIL adopt the *Revised Revenue and Rating Plan 2021-25*.

CARRIED

13.6.2. Budget 2024-25

Councillor Mark Holcombe/Councillor James Tehan:

THAT COUNCIL:

1. Having considered all submissions received on the Proposed Budget 2024-25, adopts the Budget 2024-25 including the Schedule of Fees and Charges for the financial year ending 30 June 2025.
2. Formally declares and sets the following rates and charges for the 2024-25 rating year:

General Rates

- a. Pursuant to the provisions of Section 161 of the Local Government Act 1989 the following differential rates be declared for the 2024-25 financial year:
 - i. A general rate of 0.1635 cents in the dollar of Capital Improved Value for all rateable residential properties.
 - ii. A general rate of 0.2714 cents in the dollar of Capital Improved Value for all rateable commercial properties.
 - iii. A general rate of 0.2942 cents in the dollar of Capital Improved Value for all rateable vacant land.
 - iv. A general rate of 0.1406 cents in the dollar of Capital Improved Value for all rateable rural residential properties.
 - v. A general rate of 0.1000 cents in the dollar of Capital Improved Value for all rateable farmland properties.
- b. 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 Revised Revenue and Rating Plan 2021-25 and shown at item 4.1.1 of the Budget 2024-25 as attached.
- c. In accordance with the *Cultural and Recreational Lands Act 1963* the cultural and recreational charge, in lieu of rates in respect of the 2024-25 financial year, be applied to all land to which the Act applies.

Municipal Charge

- d. Pursuant to the provisions of Section 159 of the *Local Government Act 1989* a municipal charge be declared in respect of the 2024-25 financial year.

- e. The municipal charge be declared for the purpose of covering some of the administrative costs to Council.
- f. The municipal charge in the sum of \$347 for each rateable land (or part) in respect of which a municipal charge may be levied is declared in respect of the 2024-25 financial year.
- g. It be confirmed that the municipal charge is declared in respect of all rateable land within the municipal district of which a municipal charge may be levied.

Annual Service Charge

- h. 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 2024-25 financial year for each rateable property as follows:
 - i. Kerbside rubbish collection 80 litre bin \$172.22
 - ii. Kerbside rubbish collection 120 litre bin \$259.08
 - iii. Kerbside rubbish collection 240 litre bin \$518.16
 - iv. Kerbside recycling collection 240 litre bin \$137.87
 - v. Kerbside recycling collection 240 litre additional bin \$137.87
 - vi. Kerbside FOGO collection 240 litre bin \$98.69
 - vii. Community Waste \$86.29
- i. 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 2024-25 financial year for each non-rateable property the same as for a rateable property. The charges are:
 - i. Kerbside rubbish collection 80 litre bin \$172.22
 - ii. Kerbside rubbish collection 120 litre bin \$259.08
 - iii. Kerbside rubbish collection 240 litre bin \$518.16
 - iv. Kerbside recycling collection 240 litre bin \$137.87
 - v. Kerbside recycling collection 240 litre additional bin \$137.87
 - vi. Kerbside FOGO collection 240 litre bin \$98.69

3. Rate Payments

- a. Rates are due and payable in four (4) instalments, due by:
 - i. First Instalment: 30 September
 - ii. Second instalment: 30 November
 - iii. Third instalment: 28 February
 - iv. Fourth instalment: 31 May
- 4. Writes to all submitters thanking them for their participation in the budget development process and advising them in writing of the reasons for Council's decision.

CARRIED

13.6.3. Insurance Renewal

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL authorises the Chief Executive Officer to accept the offer relating to Mansfield Shire Council's 2024-25 insurance renewal for a total amount of \$485,705.06 (including GST) plus applicable stamp duty and policy administration fees.

CARRIED

14. Council Meeting Resolution Actions Status Register

Councillor Rohan Webb/Councillor Mark Holcombe:

THAT Council receive and note the Mansfield Shire Council Meeting Resolution Actions Status Register as at 14 June 2024.

CARRIED

15. Advisory and Special Committee reports

15.1. Audit & Risk Committee Meeting Agenda & Minutes

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL receive the Agenda & Minutes of the Mansfield Shire Audit and Risk Committee meeting held 27 May 2024.

CARRIED

16. Authorisation of sealing of documents

Nil

17. Closure of meeting to members of the public

Councillor Rohan Webb/Councillor Mark Holcombe:

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 18 below.

CARRIED

The Council Meeting Agenda 25 June 2024 was closed to the public at 6:49 pm.

18. Confidential Reports

18.1. Tender Award: Landfill Disposal Services

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

(Item 18.1 was deferred back to Council officers and will be addressed at the 16 July 2024 Council Meeting)

18.2. Road Reserves Sale & Land Acquisition Proposal

Confidential

This report contains confidential information pursuant to the provisions of Section 66(2) of the Local Government Act 2020 under Section 3(h) - confidential meeting information, being the records of meetings closed to the public under section 66(2)(a);

18.3. Tender Award: Chapel Hill Road - Lanky Creek Crossing Construction

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL:

1. Award a lump sum contract for the construction of the Chapel Hill Road crossing of Lanky Creek to Alpine Civil for a maximum amount of \$196,888 (ex. GST).
2. Approve a 10% construction contingency amount of \$19,689.
3. Authorise the Chief Executive Officer to execute the contract.
4. Make this resolution public by including it within the public minutes of the Council meeting.

CARRIED

18.4. Tender Award: Municipal Building Services

Councillor Mark Holcombe/Councillor Rohan Webb:

THAT COUNCIL

1. Award a contract for the provision of Building Regulation Services to Government Shared Services in the total amount of \$475,880 (ex GST), for a three-year term.
2. Authorises the Chief Executive Officer to execute the contract
3. Make this resolution public by including it within the public minutes of the Council Meeting.

CARRIED

19. Reopen meeting to members of the public

Councillor Rohan Webb/Councillor Mark Holcombe:

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

CARRIED

Council re-opened the meeting at 7:21 pm.

20. Close of meeting

The Council Meeting Agenda 25 June 2024 was closed at 7:23 pm.

CONFIRMED this **sixteenth** day of **July 2024**

Mayor