

Council Meeting Minutes

Special Council Meeting

Friday 1 May 2020 at 3.30pm

Held online and livestreamed at mrsc.vic.gov.au

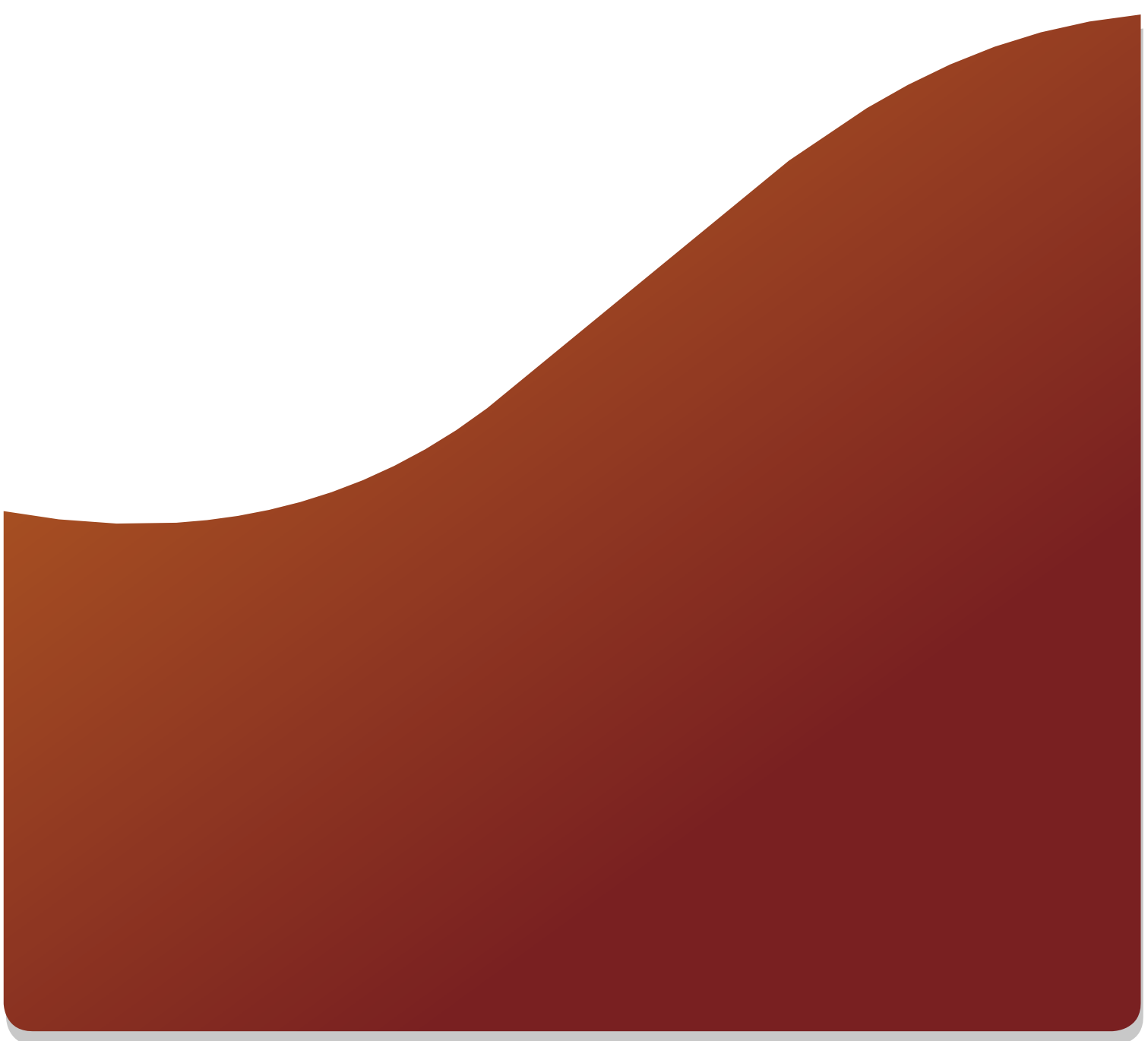


TABLE OF CONTENTS

Item	Subject	Page No.
1.	Recording and Live Streaming of this Council Meeting	1
2.	Present	1
3.	Apologies	2
4.	Declaration of Conflicts of Interest	2
5.	Adoption of Minutes	2
6.	Director Planning and Environment Reports	
	PE.1 C138macr – Lot 1 TP 879826 Walshes Road, Woodend rezoning	2
7.	Chief Executive Officer Reports	
	CX.1 Chief Executive Officer's biannual review	3
	CX.2 Dixon Field Draft Master Plan	4
	CX.3 Ash Wednesday Park Master Plan	4
	CX.4 Powercor's vegetation management practices	5
8.	Director Corporate Services Reports	
	CS.1 Contracts to be awarded as at 1 May 2020	6
	CS.2 Small Project Grants – Consideration of grant applications	6
	CS.3 Revised Instrument of Delegation to members of Council staff (S6)	7
	CS.4 Revocation of Instrument of Appointment and Authorisation to staff under the Planning and Environment Act 1987	8
	CS.5 Report from the Audit Committee meeting held on 4 March 2020	9
	CS.6 Flag Policy	9
	CS.7 Update on East Paddock, Hanging Rock, Woodend	10
	CS.8 Knight Court, Kyneton – Potential	11

discontinuance and sale

CS.9	Response to invitation for expressions of interest for the future management of the former Kyneton Primary School	11
------	---	----

9. Director Assets and Operations

AO.1	Kerbside Collection and Associated Services Charge Policy	13
AO.2	Adoption of section of McGregor Road Gisborne into Public Road Register	13
AO.3	Adoption of private road off Governors Drive, Mount Macedon into Public Road Register	14
AO.4	Kyneton Saleyards – Feasibility update	14

10. Notices of Motion

No. 11/2019-20 – Councillor Jennifer Anderson	16
No. 12/2019-20 – Councillor Jennifer Anderson	16

11. Confidential Reports **17**

ACKNOWLEDGEMENT OF COUNTRY

1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING

Please note that this meeting was recorded and streamed live on the internet in accordance with Council's *'Live Streaming and Publishing Recording of Meetings'* Protocol, which can be viewed on Council's website.

The recording was bookmarked, archived and made available on Council's website 48 hours after the meeting.

This meeting is was held online and Councillors attended via electronic means.

The meeting was conducted in accordance with Council's existing Meeting Procedure Local Law 11, noting that as indicated in some parts of the agenda, procedures had been slightly modified to ensure the meeting remained compliant but could run effectively in the online environment.

As this meeting was held online there was no one present in the public gallery.

Those present at the Council Meeting were reminded that Local Government decision making, unlike State and Federal Government, does not afford the benefit of parliamentary privilege and hence no protection is afforded to Councillors and Council officers for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

The Mayor, Cr Pearce, noted that the meeting was being conducted online in accordance with the provisions of the *COVID-19 Omnibus (Emergency Measures) Act 2020*, recently passed by the Victorian Parliament.

Cr Pearce noted Councillor attendance requirements outlined in the recently released Ministerial Guidelines on virtual council meetings. Cr Pearce also noted the requirements for virtual meetings to be made accessible to the public by being streamed live via the Council's website, quorum requirements for the meeting, and steps that would be taken in the event of any significant technical difficulties during the livestream.

Cr Pearce thanked those in attendance and those viewing the meeting via the livestream.

2. PRESENT

Cr Henry Bleack	East Ward
Cr Natasha Gayfer	East Ward
Cr Bill West	East Ward
Cr Mandi Mees (Deputy Mayor)	South Ward
Cr Helen Radnedge	South Ward
Cr Andrew Twaits	South Ward
Cr Jennifer Anderson	West Ward
Cr Roger Jukes	West Ward
Cr Janet Pearce (Mayor)	West Ward

In Attendance

Ms Margot Stork	Chief Executive Officer
Mr Shane Walden	Director Assets and Operations
Mr John Hausler	Director Corporate Services
Ms Angela Hughes	Director Planning and Environment
Ms Sarah Noel	Acting Director Transition
Ms Lauren Reader	Governance Coordinator
Mr Tim Nightingale	Manager, Information Systems
Mr Brad Tellis	Coordinator Customer Service
Ms Wendy Le Brocq	Customer Service Officer
Ms Hayley Drummond	Coordinator, Property and Valuations

3. APOLOGIES

Nil

4. DECLARATION OF CONFLICTS OF INTEREST

Nil

Cr Pearce advised the meeting that the Special Council Meeting would only consider those items listed on the agenda and that there would be no Mayor's Report, questions from the public gallery, petitions tabled, nor records of assembly noted. These agenda items would be included on Council's next Ordinary Council Meeting agenda.

5. ADOPTION OF MINUTES

Ordinary Council Meeting: Wednesday 25 March 2020

Officer Recommendation:

That the minutes of the Ordinary Council Meeting of the Macedon Ranges Shire Council held on Wednesday 25 March 2020 as circulated be confirmed.

It was moved by Cr Anderson seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

6. DIRECTOR PLANNING AND ENVIRONMENT REPORTS:**Report No: Report Title:**

PE.1 C138macr – Lot 1 TP 879826 Walshes Road, Woodend rezoning

Purpose and Overview

The purpose of this report is to adopt Amendment C138macr and to seek Council approval to progress the amendment to the next stage.

Recommendation**That Council:**

1. **Adopt Amendment C138macr as exhibited pursuant to Section 29 of the *Planning and Environment Act 1987*.**
2. **Submit Amendment C138macr to the Minister for Planning for approval pursuant to Section 31(1) of the *Planning and Environment Act 1987*.**
3. **Advise the owners and occupiers of land affected by the amendment of Council's decision.**

It was moved by Cr Anderson seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

7. CHIEF EXECUTIVE OFFICER'S REPORTS:**Report No: Report Title:****CX.1 Chief Executive Officer's biannual review****Purpose and Overview**

Section 97A (1) of the Local Government Act 1989 requires an annual review of a Chief Executive Officer's (CEO) performance.

Margot Stork was appointed as CEO of Macedon Ranges Shire Council and commenced in the role on Monday 13 November 2017.

As part of the CEO's contract, Key Performance Indicators (KPIs) are set each year with input from all Councillors and the CEO.

The Chief Executive Officer Performance Appraisal Advisory Group, consisting of Councillor Janet Pearce (Chair), Councillor Natasha Gayfer and Councillor Andrew Twaits, met both with and without CEO, Margot Stork, to discuss her progress against the KPIs. All Councillors were given an opportunity to view the CEO's self-assessment of her performance against the indicators and provide feedback to the advisory group.

The CEO's mid year performance review has been undertaken by the Chief Executive Officer Performance Appraisal Advisory Group for the period December 2019 – March 2020 so that the final review can be undertaken and presented to the August Ordinary Council Meeting prior to the commencement of the local government election (caretaker) period in September 2020.

The assessment has been provided to all Councillors for their consideration.

Recommendation

That as this report concerns a personnel matter then pursuant to Section 89(2)(a) of the Local Government Act 1989, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

The Mayor, Cr Pearce, proposed an Amended Recommendation as a result of the commencement of new provisions of the *Local Government Act 2020*.

Amended Recommendation:

That as this report concerns confidential personal information as defined by section 3(1)(f) of the *Local Government Act 2020* then pursuant to Section 66(2)(a) of the *Local Government Act 2020*, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

It was moved by Cr Jukes seconded by Cr Mees that the Amended Recommendation be adopted.

CARRIED

Report No: Report Title:

CX.2 Dixon Field Draft Master Plan

Purpose and Overview

This report seeks Council approval to release the draft Dixon Field Master Plan for community consultation.

Recommendation

That Council approve the draft Dixon Field Master Plan to be released for a four week period of community consultation in May/June 2020.

The CEO, Margot Stork noted that a minor typographical error was contained in the report, referring to a consultation period in April/May, which would be corrected to May/June.

It was moved by Cr Anderson seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CX.3 Ash Wednesday Park Master Plan

Purpose and Overview

The purpose of this report is to provide the draft Ash Wednesday Park Master Plan to Council for consideration and adoption.

The draft master plan has been released for community consultation, feedback has been considered and incorporated into the final version.

Recommendation

That Council:

- 1. Adopt the Ash Wednesday Park Master Plan; and**
- 2. Thank submitters who provided feedback on the draft plan.**

It was moved by Cr Mees seconded by Cr Bleeck that the Officer Recommendation be adopted.

CARRIED

Cr Radnedge requested a division

**FOR: Cr Pearce, Cr Bleeck, Cr Mees, Cr Twaits, Cr Jukes
AGAINST: Cr West, Cr Radnedge, Cr Gayfer, Cr Anderson**

Report No: Report Title:

CX.4 Powercor's vegetation management practices

Purpose and Overview

This report is presented in response to the following resolution from the 26 February 2020 Ordinary Council Meeting:

- 1. Direct the CEO write to Powercor Australia:**
 - **Expressing concerns regarding the continued poor pruning standards resulting in damage to the Macedon Ranges' tree assets.**
 - **Requesting a clear action plan and timeline to ensure that the tree assets and neighbourhood character of the Macedon Ranges are properly considered in Powercor's power line vegetation management activities.**
- 2. Direct that a copy of the correspondence sent to Powercor Australia be sent to Energy Safe Victoria - Line Clearance Assurance, the State Member for Macedon, Mary-Anne Thomas MP, and the Minister for Energy, Environment, and Climate Change, Lily D'Ambrosio MP.**
- 3. Direct the CEO and Mayor to meet with Hugh Vickers-Willis, Head of Vegetation Management, Powercor Australia, to discuss the continued poor pruning standards of Powercor's vegetation management activities; and that all effort is made to arrange this meeting prior to 31 March 2020.**
- 4. Resolve that a report of the outcomes of the meeting with Powercor Australia is brought to an Ordinary Council Meeting for noting.**

Recommendation

That Council note this report.

The CEO, Margot Stork noted that a minor typographical error was contained in the report, and the word "great" should read "greater".

It was moved by Cr Jukes seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

8. DIRECTOR CORPORATE SERVICES REPORTS:**Report No:** **Report Title:****CS.1** **Contracts to be awarded as at 1 May 2020****Purpose and Overview**

The following report indicates whether or not delegated authority to award the contract exists. It also presents Council with the opportunity to (a) specifically grant delegated authority to the Chief Executive Officer and/or (b) specifically review delegated authority in any instance where Council deems it appropriate.

Recommendation**That Council:**

- 1. Note that the following contracts will be awarded by Council officers under delegated authority:**
 - **C20.1054 Building Refurbishment 47 Victoria Street, Macedon**
 - **C20.1056 Supply Panel Heritage Architects**
 - **C20.1062 Cricket Net Installation Tony Clarke and Gilbert Gordon**
- 2. Grant delegated authority to the Chief Executive Officer to award the following contracts:**
 - **C20.1064 Design Services – Regional Sports Precinct**
 - **C20.1066 Crushing and Screening of Gravel and Associated Materials**
 - **A20.1068 Insurance Brokering Services**

It was moved by Cr Anderson seconded by Cr Jukes that the Officer Recommendation be adopted.

CARRIED**Report No:** **Report Title:****CS.2** **Small Project Grants – Consideration of grant applications****Purpose and Overview**

The Small Project Grants program supports projects and initiatives that:

- support local needs
- are unlikely to be funded by other Council funding programs
- align with Council Plan priorities.

Council's Small Project Grants budget for 2019/20 is \$30,000 and not-for-profit groups can apply for a maximum of \$1,500 per application. Applications are assessed against set criteria outlined in the Small Project Grants Guidelines (the guidelines). Funding recommendations are presented monthly at an Ordinary Council Meeting for review and/or approval.

This report details the process of evaluation and lists the application received since the previous meeting.

Three applications have been received seeking a total of \$4,000 in funding. Officers recommend total funding of \$2,700. The two eligible applications have been evaluated against eligibility criteria and the officer assessments are summarised within this report.

One application has been evaluated against eligibility criteria and deemed to be ineligible.

Recommendation

That Council:

- 1. Approve an application from Woodend District Netball Club: \$1,500 for a Netball Victoria coaching clinic.**
- 2. Approve an application from Cobaw Community Health: \$1,200 for professional still photography, printing and display as part of the LGBTIQ+ intergenerational project.**
- 3. Note that an application submitted by the Macedon Ranges Art Group is ineligible based on the program guidelines, which state that events and/or festivals will not be funded.**

It was moved by Cr Gayfer seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CS.3 Revised Instrument of Delegation to members of Council staff (S6)

Purpose and Overview

The *Local Government Act 1989* enables Council to delegate its powers, duties and functions to officers of Council (Section 98) and to any Special Committee it has established (Section 86).

This report outlines revisions made to Council's *Instrument of Delegation to Members of Council Staff* (S6) since Council last resolved to authorise the Instrument on 27 November 2019.

This report seeks Council's adoption of a revised Instrument, which contains a small number of amendments reflecting minor changes to three pieces of legislation:

- the *Rail Safety (Local Operations) Act 2006*;
- the *Residential Tenancies Act 1997*; and
- the *Road Management Act 2004*.

Officer Recommendations

That Council:

- 1. In the exercise of the powers conferred by section 98(1) of the *Local Government Act 1989* (the Act), section 524(2) of the *Residential Tenancies Act 1997*, and section 118 of the *Road Management Act 2004*, resolve that:**

- a. The Instrument of Delegation to Members of Council Staff (S6), approved 27 November 2019 (the instrument), be varied as set out in Attachment 1
 - b. The members of council staff holding, acting or performing the duties of the offices or positions referred to in the instrument as varied are to have the powers, duties and functions set out in the instrument as varied, subject to the conditions and limitations specified in that instrument
 - c. The instrument as varied comes into force immediately the Common Seal of Council is affixed to the instrument as varied (Attachment 2)
 - d. The duties and functions set out in the instrument as varied must be performed, and the powers set out in the instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. Notes that the *Instrument of Sub-Delegation from the Chief Executive Officer to Members of Council Staff (S7)*, is also being revised and will be authorised by the Chief Executive Officer.
 3. Notes that Council's other key instruments of delegation do not require variation at this time.

The Director Corporate Services, Mr Hausler, proposed an Amended Officer Recommendation as a result of the commencement of new provisions of the *Local Government Act 2020*.

Amended Officer Recommendation:

That Council defer consideration of Council's revised Instrument of Delegation to Members of Council staff (S6) until further advice is received regarding the implications of changes to Council's powers of delegation contained in the *Local Government Act 2020*, which commenced 1 May 2020.

It was moved by Cr Twaits seconded by Cr Jukes that the Amended Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CS.4 Revocation of Instrument of Appointment and Authorisation to staff under the Planning and Environment Act 1987

Purpose and Overview

That Council revoke the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for a staff member who no longer holds the role of Statutory Planning and Building Support Officer.

Recommendation:

That Council resolve, in the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and section 147(4) of the *Planning and Environment Act 1987*, to revoke the S11A Instrument of Appointment

and Authorisation (*Planning and Environment Act 1987*) for Donna Wilkinson, effective 1 May 2020.

It was moved by Cr West seconded by Cr Jukes that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CS.5 Report from the Audit Committee meeting held on 4 March 2020

Purpose and Overview

This report ensures Council transparently discloses a summary of the key matters discussed at Council's Audit Committee meeting.

The 4 March 2020 committee meeting discussed a number of matters including:

- Risk Presentations– Infrastructure and Asset Management, Environment and Social;
- Cash Handling Policy;
- Draft Annual and Multi-year Audit Committee Plan;
- Parks and Gardens Internal Audit Review;
- Draft Audit Committee Charter Update – Conflict of Interest, Duty and Loyalty;
- Audit Actions – Management Progress Report;
- BlackHill Reserve Capital Works;
- Local Government Reform Update; and
- Occupational Health and Safety– Ensuring staff safety.

Recommendation

That Council note the report together with the draft minutes from the Audit Committee Meeting held on 4 March 2020.

It was moved by Cr Anderson seconded by Cr Gayfer that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CS.6 Flag Policy

Purpose and Overview

To consider a draft Flag Policy for approval, which has been developed in accordance with Council's resolution of 24 April 2019.

Recommendation

That Council:

- 1. Adopt the Flag Policy and publish the policy on Council's website.**
- 2. Refer to a future budget process consideration of a budget allocation to:**

- a. erect additional (fourth) flagpoles at Kyneton and Gisborne offices to enable a flagpole to be kept free for flying flags on request;
- b. erect four flagpoles at Romsey and Woodend Service Centres to enable a flagpole to be kept free for flying flags on request;
- c. enable the illumination of all flagpoles at night to ensure Council's compliance with Australian Flag Protocols.

It was moved by Cr Mees seconded by Cr Bleeck

That Council:

1. Defer consideration of the Flag Policy to a future Council Meeting, no later than September 2020.
2. In the interim, support a request from Cobaw Community Health Services to raise the rainbow flag at the Council office in Gisborne, the Kyneton Town Hall, and from the balcony of the Woodend Clocktower, from 17 May to 23 May 2020 in support of IDAHOBIT.

CARRIED

Report No: **Report Title:**

CS.7 **Update on East Paddock, Hanging Rock, Woodend**

Purpose and Overview

This report provides an update on the negotiations between the State Government and Council for the sale of the East Paddock, Hanging Rock.

Council has received a letter of offer from the Department of Environment, Land, Water and Planning (DELWP) to purchase the land from Council. As this report relates to confidential property matters, a report is included in the confidential section of this agenda.

Recommendation

As this report concerns matters which Council considers would prejudice the Council or any person then pursuant to Section 89(2)(d)(g) of the *Local Government Act 1989*, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

The Director Corporate Services, Mr Hausler, proposed an Amended Officer Recommendation as a result of the commencement of new provisions of the *Local Government Act 2020*.

Amended Officer Recommendation:

That as this report concerns confidential Council business information and confidential security information as defined by section 3(1)(a) and 3(1)(b) of the *Local Government Act 2020* then pursuant to Section 66(2)(a) of the *Local Government Act 2020*, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

It was moved by Cr Jukes seconded by Cr Mees that the Amended Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CS.8 Knight Court, Kyneton – Potential discontinuance and sale

Purpose and Overview

Council has been approached by Hardwicks Meatworks Pty Ltd (“Hardwicks”) requesting to purchase Knight Court, Kyneton which is a road that is owned and maintained by Council. Hardwicks owns all the land surrounding the road and they are seeking to purchase the land and consolidate it within their title.

Council has received a letter of offer from Hardwicks to purchase the land from Council. As this report relates to confidential property matters, a report is included in the confidential section of this agenda.

Recommendation

As this report concerns matters which Council considers would prejudice the Council or any person then pursuant to Section 89(2)(d)(g) of the *Local Government Act 1989*, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

The Director Corporate Services, Mr Hausler, proposed an Amended Officer Recommendation as a result of the commencement of new provisions of the *Local Government Act 2020*.

Amended Officer Recommendation:

That as this report concerns confidential Council business information and confidential security information as defined by section 3(1)(a) and 3(1)(b) of the *Local Government Act 2020* then pursuant to Section 66(2)(a) of the *Local Government Act 2020*, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

It was moved by Cr West seconded by Cr Radnedge that the Amended Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CS.9 Response to invitation for expressions of interest for the future management of the former Kyneton Primary School

Purpose and Overview

A previous report to Council considered at the 26 September 2018 Ordinary Council Meeting recommended that Council make a submission into the State

Government engagement process for the future management of the former Kyneton Primary School. It was recommended that Council express an interest in the management of the four undeveloped eastern lots on the site. At the meeting Council passed the following resolution:

That Council:

- 1. Note the information provided on the current DELWP consultation and engagement process;***
- 2. Work with the community and DELWP in progressing the options for the four undeveloped government lots (as per the officer report: Lots 2, 3, 12 and 13) to be retained for use as public open space; and***
- 3. Request the CEO to consider and subsequently advise Council what financial and staff resources may be required to provide input to any request arising out of item 2 before finalising any financial or staff resource commitment.***

In February 2020, the Department of Environment, Land, Water and Planning (DELWP) called for Expressions of Interest (EOI) for the future management and/or use of the former Kyneton Primary School site.

This report recommends that Council make a submission expressing an interest in becoming Committee of Management for that part of the site comprising Lot 2, Lot 3, Lot 12 and Lot 13 on the attached plan.

Recommendation

That Council:

- 1. Note the Expression of Interest document prepared by the Department of Environment, Land, Water and Planning for the future management and/or use of the former Kyneton Primary School site dated 28 February 2020, with a closing date for submissions 1 June 2020.**
- 2. Direct the Chief Executive Officer to make a submission to the Expression of Interest process that expresses a formal interest in the appointment of Macedon Ranges Shire Council as Committee of Management over the following four State Government lots:**
 - Lot 2 – Volume 11401 Folio 342 – Crown Allotments 2 Section 5 Township of Kyneton Parish of Lauriston;**
 - Lot 3 – Volume 11201 Folio 343 – Crown Allotments 3 Section 5 Township of Kyneton Parish of Lauriston; and**
 - Lot 12 and 13 – Volume 11401 Folio 344 – Crown Allotments 12 and 13 Section 5 Township of Kyneton Parish of Lauriston.**
- 3. Note that should an alternate submission to the Expression of Interest process be received for the whole site that is supported by DELWP then Council shall:**
 - a. withdraw its offer to become Committee of Management for the four allotments; and**
 - b. work collaboratively with the successful applicant and DELWP as agreed.**
- 4. Direct the Chief Executive Officer to report back to Council on the outcome of the Expression of Interest process.**

It was moved by Cr Pearce seconded by Cr Twaits that the Officer Recommendation be adopted.

CARRIED

Cr Pearce requested a division

FOR: Cr Pearce, Cr Bleeck, Cr Mees, Cr Gayfer, Cr Twaits
AGAINST: Cr West, Cr Radnedge, Cr Jukes, Cr Anderson

The Mayor, Cr Pearce, on behalf of all Councillors thanked officers for their work in relation to agenda item CS.9.

9. DIRECTOR ASSETS AND OPERATIONS REPORTS:

Report No: **Report Title:**

AO.1 Kerbside Collection and Associated Services Charge Policy

Purpose and Overview

Provide an update to Council on the development of the draft *Kerbside Collection and Associated Services Charge Policy* and seek approval for the proposed public exhibition process.

Recommendation

That Council:

- 1. Note the draft Kerbside Collection and Associated Services Charge Policy attached to this report.**
- 2. Approve the public exhibition of the draft Kerbside Collection and Associated Services Charge Policy for a period of six weeks.**
- 3. Note that feedback from the exhibition period will be presented at the August 2020 Ordinary Meeting of Council.**

It was moved by Cr Jukes seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

The Mayor, Cr Pearce, on behalf of all Councillors thanked officers for their work in relation to agenda item AO.1

Report No: **Report Title:**

AO.2 Adoption of section of McGregor Road Gisborne into Public Road Register

Purpose and Overview

This report is in response to a request received by Council to add an approximate 105m long section of private road to the Register of Public Roads. This section of road extends from McGregor Road Gisborne within a road reserve to the end of the road reserve abutting 275 McGregor Road Gisborne.

The assessment for inclusion of the road within the Register of Public Roads was prepared in accordance with the Public Roads Procedure (2018). The section of road was found to not meet the minimum criteria to warrant further consideration.

Recommendation

That Council:

- 1. Resolve that the subject section of private road not be added to the Register of Public Roads.**
- 2. Directs that the requester be advised of this Council resolution.**

It was moved by Cr Anderson seconded by Cr Radnedge that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

**AO.3 Adoption of private road off Governors Drive Mount
Macedon into Public Road Register**

Purpose and Overview

This report is in response to a request (CRM 177838) received by Council to add an approximately 45m long section of private road to the Register of Public Roads. This section of road extends from Governors Drive, within a road reserve, to the driveway of the dwelling located in 23 Governors Drive.

The assessment for inclusion of the road within the Register of Public Roads was prepared in accordance with the Public Roads Procedure (2018). The subject road has been identified as requiring substantial upgrades if it were to meet Council's minimum standards. The officer's recommendation is that the road not be added to the Register of Public Roads.

Recommendation

That Council:

- 1) Resolve that the subject section of private road not be added to the Register of Public Roads.**
- 2) Directs that the requester be advised of this Council resolution.**

It was moved by Cr Jukes seconded by Cr Radnedge that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

AO.4 Kyneton Saleyards – Feasibility update

Purpose and Overview

At the 26 June 2016 Ordinary Council Meeting it was resolved:

That Council:

- 1. Adopt Kyneton Saleyards Plan;**
- 2. Continue to operate the saleyards facility as business as usual, in accordance with option one of the plan; and**

3. Pursues funding opportunities to implement facility improvements in accordance with option two of the plan.

Option 2 of the Kyneton Saleyards Plan 2016 (Plan) included upgrading the saleyards to meet compliance requirements and to modernise the asset and maintain market share. This option was based on a feasibility assessment from the Plan which identified a capital investment in the order of over \$1 million, with an expected payback period of 17-18 years.

Works were separated into two stages:

- stage one to upgrade the animal pens, animal delivery facilities and undertake improvements to the truck wash
- stage two improvements to buildings, facilities and vehicle movement at the site.

Following design investigations and tendering, the stage one investment required to upgrade the facility is currently \$2,198,980 (not including the truck wash roof) with a payback period of approximately 41 years.

This places the project outside the original accepted feasibility documented in the Plan. There are however a number of other factors to consider, noting that a lack of investment in the saleyards could result in its closure and this would have economic and social impacts on the local community.

Given the importance of the saleyards to the Kyneton area, further analysis including scope reduction and economic impacts have been undertaken to inform the recommendations presented in this report.

Of note, the Building Better Regions Fund (BBRF) has provided grant funding of \$875,000 which is tied to the completion of the original stage one works before 31 December 2020.

This report proposes a phased approach to deliver the works identified in the Plan, commencing with urgent safety and mandatory environmental improvements to the facility. Funding for this work is allocated in the 2019/20 budget. Completing these works will provide an opportunity to undertake further investigation to determine how any future investment would achieve maximum benefit.

Recommendation

That Council:

- 1. Direct that the works as identified in the financial year 2019-2020 budget for the Kyneton Saleyards cease;**
- 2. Direct that works to address occupational health and safety and mandatory environmental items at the Kyneton Saleyards be completed, utilising funding from the Kyneton Saleyards project in this year's budget;**
- 3. Direct that funding opportunities from alternate sources be sought to assist in offsetting the cost to Council; and**
- 4. Direct that further review be undertaken of the works planned at Kyneton Saleyards, as per the Kyneton Saleyards Plan, 2016 and the resolution of the Ordinary Council Meeting of Wednesday, 22 June 2016.**

It was moved by Cr Jukes seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

10. NOTICES OF MOTION

Notice of Motion No. 11/2019-20 – Councillor Jennifer Anderson

That the National General Assembly call upon the Australian Government to work with local, state and territory governments to address the escalating issue of work related and work based cyber bullying, intimidation and threatening social media commentary experienced by local government employees and elected members.

Cr Anderson proposed an Amended Notice of Motion in light of the cancellation of the National General Assembly.

It was moved by Cr Anderson seconded by Cr Radnedge that Council direct the CEO to write to the Australian Local Government Association to call upon the Australian Government to work with local, state and territory governments to address the escalating issue of work related and work based cyber bullying, intimidation and threatening social media commentary experienced by local government employees and elected members.

CARRIED

Cr Anderson sought and was granted leave to thank Councillors for their support for the Notice of Motion. Cr Anderson noted the important role of local government in advocating in relation to the effects on individuals and staff morale as a result of bullying on social media.

Notice of Motion No. 12/2019-20 – Councillor Jennifer Anderson

That the Municipal Association of Victoria call upon the Victorian Government to work with the Australian Government to address the escalating issue of work related and work based cyber bullying, intimidation and threatening social media commentary experienced by local government employees and elected members.

It was moved by Cr Anderson seconded by Cr West that the Municipal Association of Victoria call upon the Victorian Government to work with the Australian Government to address the escalating issue of work related and work based cyber bullying, intimidation and threatening social media commentary experienced by local government employees and elected members.

CARRIED

The Mayor, Cr Pearce, advised those watching the meeting that Councillors and officers would shortly close the meeting to consider confidential matters via another technology platform.

Cr Pearce further advised that at the commencement of the closed session of the meeting, Councillors would be asked to confirm whether they were alone or in the presence of other meeting attendees only.

Closure of Meeting to consider Confidential Reports

Cr Anderson moved and Cr Mees seconded that the meeting be closed pursuant to Section 66(2)(a) of the *Local Government Act 2020* to consider confidential reports.

CARRIED

The meeting closed at 5.12pm pursuant to Section 66(2)(a) of the *Local Government Act 2020* to consider the following reports:

11. CONFIDENTIAL REPORTS

11.1 Chief Executive Officer's biannual review

11.2 Update on East Paddock, Hanging Rock, Woodend

11.3 Knight Court, Kyneton – Potential discontinuance and sale

Opening of Meeting

It was moved by Cr Twaits and seconded by Cr Anderson that the meeting be re-opened.

CARRIED

Closure of Meeting

The meeting closed at 6.10pm

**Councillor Janet Pearce
Mayor**