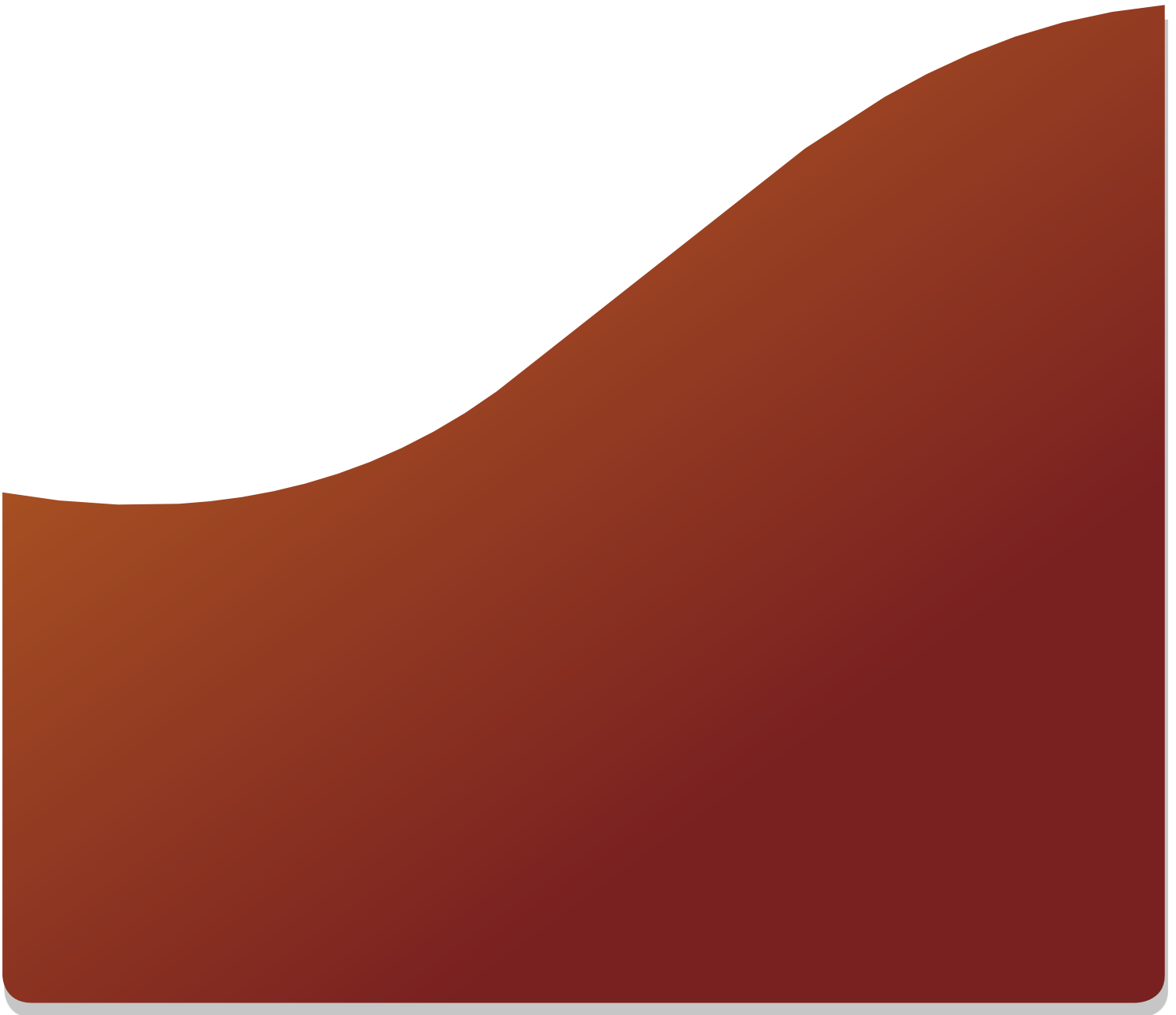


Minutes

**Council Meeting
Wednesday 23 November 2022 at 7pm
Gisborne Administration Centre
40 Robertson Street, Gisborne**



Order of business

1	Acknowledgement of Country	4
2	Recording of live streaming of this Council meeting	4
3	Present	4
4	Apologies	4
5	Conflicts of interest	4
6	Petitions	4
7	Deputations and presentations to Council	4
8	Adoption of minutes	5
9	Mayor's report	5
9.1	Mayor's Report - October to November 2022.....	5
10	Record of meetings of Councillors and Council staff	5
10.1	Record of Meetings of Councillors and Council Staff - October - November 2022.....	5
11	Director Planning and Environment reports	6
PE.1	Woodend Five Mile Creek Master Plan.....	6
12	Chief Executive Officer reports	6
	Nil	
13	Director Corporate reports	7
COR.1	Annual Councillor Appointments and Council Memberships.....	7
COR.2	Council Meeting Dates 2022.....	8
COR.3	Quarterly Report for period ended 30 September 2022.....	8
COR.4	Contracts to be Awarded as at November 2022.....	9
COR.5	Municipal Association of Victoria (MAV) Options Paper.....	9
14	Director Community reports	10
COM.1	Reconciliation Action Plan - First Year Review.....	10
COM.2	Small Projects Grants.....	10
COM.3	Community Service Planning.....	11
15	Director Assets and Operations reports	11
AO.1	Woodend Integrated Transport Plan.....	11
AO.2	Report in response to petition requesting the sealing of Noonan Grove and Christian Street Woodend.....	12
AO.3	Kettlewells - Emergency Response Site.....	12
AO.4	Capital Works Monitoring.....	13
16	Notices of motion and rescission	14
	No. 53/2022-23: Notice of Motion - Development Plan Overlay, Schedule 24 (DPO24).....	14

17 Urgent business 14
NIL

18 Confidential reports 14
NIL

1 ACKNOWLEDGEMENT OF COUNTRY

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, and present.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING

This meeting was recorded and streamed live on the internet in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings Policy, which can be viewed on Council's website.

3 PRESENT

Cr Annette Death (Mayor), Cr Jennifer Anderson (Deputy Mayor), Cr Rob Guthrie, Cr Anne Moore, Cr Geoff Neil, Cr Janet Pearce, Cr Mark Ridgeway, Cr Bill West

IN ATTENDANCE

Bernie O'Sullivan (Chief Executive Officer), Adele Drago-Stevens (Director Corporate), Rebecca Stockfeld (Director Planning and Environment), Shane Walden (Director Assets and Operations), Maria Weiss (Director Community), Patricia Clive (Coordinator Governance, Lucy Webb-Wilson (Senior Governance Officer - Council Business)

4 APOLOGIES

Cr Dominic Bonanno (on leave)

5 CONFLICTS OF INTEREST

Cr Pearce declared a material conflict with point 4 of the recommendation in COR.1 as she is on the board of the Australian Local Government Women's Association - Victorian Branch. She noted this is not a remunerated position.

Cr Anderson noted that she is a member of the Woodend Landcare group but is not a conflict to item PE.1 as she is not part of the executive group.

Cr Anderson noted that she is on the board of the Municipal Association of Victoria but is not a conflict on item COR.1 because Local Government Act and regulations exempt her from conflict.

6 PETITIONS

NIL

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

NIL

8 ADOPTION OF MINUTES**Resolution 2022/87**

Moved: Cr Mark Ridgeway
Seconded: Cr Jennifer Anderson

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 26 October 2022 and Monday 31 October 2022 as circulated be confirmed.

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - OCTOBER TO NOVEMBER 2022****Resolution 2022/88**

Moved: Cr Geoff Neil
Seconded: Cr Jennifer Anderson

That Council receives and notes the Mayor's report both written and verbal.

CARRIED

10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF

10.1	RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - OCTOBER - NOVEMBER 2022
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Summary

Rule 31(a) of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councilors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting. This report provides a summary of meetings of Councillors and Council staff held since the last Council Meeting.

Recommendation

That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.

Cr Guthrie moved an amended officer recommendation.

Resolution 2022/89

Moved: Cr Rob Guthrie
Seconded: Cr Anne Moore

That Council receives and notes the record of meetings of Councillors and Council staff as outlined in this report with the correction of the date and time of the meeting in the final table from 8 November 2022 at 8:30am to 15 November 2022 at 9:00am.

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**PE.1 WOODEND FIVE MILE CREEK MASTER PLAN****Summary**

Five Mile Creek runs through the centre of the Woodend township and has been the subject of extensive community-based restoration for over twenty years, led by the Woodend Landcare Group with the support of Council and the North Central Catchment Management Authority (NCCMA). This work has significantly improved the environmental assets of the creek and surrounds, primarily via woody weed control and revegetation.

Macedon Ranges Shire Council and Woodend Landcare have worked together to develop the Woodend Five Mile Creek Master Plan (Master Plan) (**Attachment 1**). The Master Plan will guide habitat restoration projects, support grant applications and inform infrastructure needs to improve accessibility to the creek for a broad range of recreational activities for the next ten years or more.

Resolution 2022/90

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council:

- 1. Adopts the Woodend Five Mile Creek Master Plan and presents priority actions for consideration as part of future budget processes;**
- 2. Acknowledges and thanks the Woodend Landcare Group for their work in co-developing the Master Plan and their ongoing contribution to improving the environmental health of Five Mile Creek; and**
- 3. Notifies submitters of Council's decision.**

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS

Nil

13 DIRECTOR CORPORATE REPORTS**COR.1 ANNUAL COUNCILLOR APPOINTMENTS AND COUNCIL MEMBERSHIPS****Summary**

This report is presented to Council for determining Councillor representation on internal advisory committees and external organisations from November 2022 till November 2023, refer to **Attachment 1**.

Procedural note: Cr Anderson proposed to the Mayor that the motion be split into items 1-3 and item 4 to manage Cr Pearce's declared conflict of interest. This was accepted by the Mayor.

Cr Moore moved an amended officer recommendation

Resolution 2022/91

Moved: Cr Anne Moore
Seconded: Cr Mark Ridgeway

That Council:

- 1. Appoints the Councillor delegates from November 2022 to November 2023 to the internal and external committees/organisations as specified in the table in Attachment 1 with the following alteration, that the Councillor delegates for the Chief Executive Officer Employment and Remuneration Committee will be the Mayor (Cr Death), Cr Anderson and Cr Guthrie;**
- 2. Endorses the ongoing financial membership to the Victorian Local Governance Association, Central Victorian Greenhouse Alliance, Rural Councils Victoria Incorporated; and**
- 3. Endorses the ongoing financial membership to the Municipal Association of Victoria.**

CARRIED

Procedural note - At 7:17pm, Cr Janet Pearce left the meeting.

Resolution 2022/92

Moved: Cr Jennifer Anderson
Seconded: Cr Bill West

That Council endorses the ongoing membership to Australian Local Government Women's Association - Victorian Branch.

CARRIED

Procedural note: At 7:18pm, Cr Janet Pearce returned to the meeting.

COR.2 COUNCIL MEETING DATES 2022**Summary**

This report seeks approval of the proposed scheduled Council meeting and Planning Delegated Committee meeting dates and formats for the 2023 calendar year.

Resolution 2022/93

Moved: Cr Anne Moore
Seconded: Cr Jennifer Anderson

That Council:

- 1. Approves the proposed meeting schedule for the period 1 January 2023 to 31 December 2023 as outlined in Attachment 1; and**
- 2. Notes that Planning Delegated Committee meetings will be held when required on the dates outlined in the schedule at Attachment 1.**

CARRIED

COR.3 QUARTERLY REPORT FOR PERIOD ENDED 30 SEPTEMBER 2022**Summary**

The Quarterly Report for the period ended 30 September 2022 is presented for Council's consideration and information. This report includes the following:

- Section 1 – Quarterly financial statements, including the mid-year budget position
- Section 2 – Capital works progress report
- Section 3 – Council plan actions – progress report
- Section 4 – Risk management report
- Section 5 – Implementation of Council resolutions
- Section 6 – People, Culture and Performance Report
- Section 7 – Governance schedule
- Section 8 – Councillor expenditure
- Section 9 – Councillor activities in the community

The report also provides a high-level summary of the organisation's performance to 30 September 2022.

Resolution 2022/94

Moved: Cr Rob Guthrie
Seconded: Cr Bill West

That Council notes the Quarterly Report for the period ended 30 September 2022.

CARRIED

COR.4 CONTRACTS TO BE AWARDED AS AT NOVEMBER 2022**Summary**

This report provides details of contracts proposed to be awarded under a delegation from Council, from the date of the last report. Although this report recommends noting the power delegated to Council officers, Council has the power to:

- a) direct that the Chief Executive Officer (CEO) award the contract under the direct delegation from Council; or
- b) specifically delegate the power to the CEO.

Resolution 2022/95

Moved: Cr Mark Ridgeway
Seconded: Cr Jennifer Anderson

That Council:

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
 - (a) **C2023.17 Provision of Cold Premix/Hot Asphalt**
 - (b) **C2023.21 Gisborne Fields Stage 4 Landscaping**
2. **Grants delegated authority to the Chief Executive Officer to award the following contracts:**
 - (a) **C2023.24 Supply Panel Quarry Products**

CARRIED

COR.5 MUNICIPAL ASSOCIATION OF VICTORIA (MAV) OPTIONS PAPER**Summary**

The purpose of this report is to consider the Macedon Ranges Shire Council's regional grouping as part of the non-metropolitan Council's representation on the Municipal Association of Victoria (MAV) Board.

Resolution 2022/96

Moved: Cr Janet Pearce
Seconded: Cr Anne Moore

That Council

1. **Endorses the Non-metropolitan Option 1 as the preferred regional grouping for the MAV Board representatives; and**
2. **Approves the Chief Executive Officer to submit a written response to MAV by 7 December 2022 outlining Council's preference.**

CARRIED

14 DIRECTOR COMMUNITY REPORTS**COM.1 RECONCILIATION ACTION PLAN - FIRST YEAR REVIEW****Summary**

This progress report outlines how Council is tracking against the INNOVATE Reconciliation Action Plan 2021-2023 (RAP) in the first 12 months of this two-year plan. It highlights achievements against the RAP and challenges in achieving some actions within the designated timelines.

Resolution 2022/97

Moved: Cr Mark Ridgeway

Seconded: Cr Janet Pearce

That Council notes the actions that have been undertaken in the first year of the INNOVATE Reconciliation Action Plan 2021-2023, as detailed in this report.

CARRIED

COM.2 SMALL PROJECTS GRANTS**Summary**

The Small Project Grants program supports projects and initiatives that:

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

Council's Small Project Grants budget for 2022/23 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. Funding recommendations are presented monthly at a Scheduled Council meeting for review and/or approval.

Three applications have been received, seeking a total of \$4,500 in funding. The applications have been evaluated against the eligibility criteria and all are deemed to be eligible.

Resolution 2022/98

Moved: Cr Geoff Neil

Seconded: Cr Mark Ridgeway

That Council approves the awarding of a \$1,500 Small Project Grant to:

1. **Lancefield Cricket Club for their upright freezer and pie/food warmer project;**
2. **The Mount Players Inc for their project 'The publishing of a book on 50 years of The Mount Players'; and**
3. **The Kyneton District Business & Tourism Association Inc. for their Christmas Decorations project.**

CARRIED

COM.3 COMMUNITY SERVICE PLANNING

Summary

This report provides an update on progress and details of the transition arrangements of clients, staff and volunteers, following Council's decision in August 2022 to transition out of direct service delivery in all funded Commonwealth Home Support Programme (CHSP) services.

Resolution 2022/99

Moved: Cr Janet Pearce
Seconded: Cr Jennifer Anderson

That Council notes:

1. The progress undertaken in preparing to transition out of direct service delivery in all funded Commonwealth Home Support Programme services by 30 June 2023; and
2. That a further report will be provided at the conclusion of the transition process, to inform Council of the outcomes.

CARRIED

15 DIRECTOR ASSETS AND OPERATIONS REPORTS

AO.1 WOODEND INTEGRATED TRANSPORT PLAN

Summary

Council has developed a draft Woodend Integrated Transport Plan, which provides a detailed overview of traffic and transport issues within the Woodend Township and develops a 10-year priority-based recommendations program to improve active transport and existing traffic and transport issues

Recommendation

That Council endorses the Woodend Integrated Transport Plan.

Cr Pearce moved an alternative motion.

Resolution 2022/100

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council:

1. Endorses the Woodend Integrated Transport Plan; and
2. Advocates for the prompt safety upgrade of the Urquhart and High Street intersection, noting that Department of Transport design work is already underway.

CARRIED

AO.2 REPORT IN RESPONSE TO PETITION REQUESTING THE SEALING OF NOONAN GROVE AND CHRISTIAN STREET WOODEND

Summary

This report responds to a petition received by Council to seal a portion of Noonan Grove, Woodend between Ashbourne Road and 19 Noonan Grove, and Christian Street between Noonan Grove and Corinella Street Woodend.

At the Scheduled Council Meeting of 27 April 2022, as part of Resolution 2022/35, Council requested this report to be received by Council at the August 2022 Scheduled Council Meeting. The Council noted in the August 2022 Scheduled Council Meeting the delay in presenting the report due to the requirement for further investigation.

Resolution 2022/101

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council :

- 1. Proceed with undertaking the next steps to prepare a detailed Special Charge Scheme for sealing of the unsealed section of Noonan Grove for future Council consideration; including further public consultation and direct contact with benefiting residents as outlined in the Special Charge Scheme for Infrastructure Works Policy (2018) and this report;**
- 2. Not proceed with the sealing of the unsealed section of Christian Street, Woodend; and**
- 3. Advise the first-named petitioner of this Council resolution.**

CARRIED

AO.3 KETTLEWELLS - EMERGENCY RESPONSE SITE

Summary

This report presents to Council a proposition to amend a temporary Planning Permit at 1 Joyces Road, Monegetta, (Kettlewells) to allow the site to operate as required to support emergency response in the Shire and the broader region.

Resolution 2022/102

Moved: Cr Geoff Neil

Seconded: Cr Bill West

That Council

- 1. Endorses, in principle, the continued use of 1 Joyces Road, Monegetta, for emergency response purposes: and**
- 2. Commences the process to seek a Planning Permit amendment to allow the ongoing use of 1 Joyces Road Monegetta for emergency response purposes.**

CARRIED

AO.4 CAPITAL WORKS MONITORING

Summary

This report provides transparency on cost escalations and adjustments on infrastructure projects and seeks further funding or scope reduction.

Resolution 2022/103

Moved: Cr Jennifer Anderson

Seconded: Cr Rob Guthrie

That Council

1. **Adopts the following changes to the FY22/23 budget relating to the following infrastructure projects:**
 - (a) **Pohlman Street, Kyneton, Footpath Construction – increase the budget for this project by \$32,699 from \$192,550 to \$225,249**
 - (b) **Three Chain Road, Carlsruhe, Road Section Reconstruction – increase the budget for this project by \$285,000 from \$445,000 to \$730,000**
 - (c) **Mission Hill Road, Baynton, Culvert Upgrade Works – change the scope to design and investigation, decreasing the project budget from \$319,785 to \$60,015 returning \$259,770 to the budget**
 - (d) **Martins Road, Nulla Vale, Culvert Upgrade Works – change the scope to design and investigation, decreasing the project budget from \$175,000 to \$25,000 returning \$150,000 to the budget**
 - (e) **Main Road East side, Romsey, Footbridge Construction Works – change the scope to design and investigation, decreasing the project budget from \$130,000 to \$30,000 returning \$100,000 to the budget**
 - (f) **Riddells Creek Footbridge Renewal – increase the budget for this project by \$116,451 from \$64,549.00 to \$181,000.00**
 - (g) **Ross Street, Malmsbury, Bridge Renewal Design – provide \$50,000 for design and investigation works**
2. **Notes that recommendation 1 (above) currently provides a capital works surplus of \$172,259.98 to the financial year 2022-2023 budget. Officers will continue to manage the overall infrastructure project program within the initial overall infrastructure project program 2022-2023 budget.**

In Favour: Crs Jennifer Anderson, Rob Guthrie, Annette Death, Janet Pearce, Mark Ridgeway and Bill West

Against: Crs Anne Moore and Geoff Neil

CARRIED 6/2

16 NOTICES OF MOTION AND RESCISSION**NO. 53/2022-23: NOTICE OF MOTION - DEVELOPMENT PLAN OVERLAY,
SCHEDULE 24 (DPO24)**

I, Councillor Geoff Neil, give notice that at the next Meeting of Council to be held on 23 November 2022, I intend to move the following motion:

Resolution 2022/104

Moved: Cr Geoff Neil

Seconded: Cr Bill West

That Council requests a report within two (2) scheduled Council meetings regarding the Development Plan Overlay, Schedule 24 (DPO24) that applies to three areas within Lancefield. The report will examine the feasibility and options of removing DPO24, including any indicative timelines, costs and resources associated with each option.

CARRIED

17 URGENT BUSINESS

NIL

18 CONFIDENTIAL REPORTS

NIL

The meeting closed at 7:55pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 14 December 2022.