

Minutes

**Council Meeting
Wednesday 22 February 2023 at 7pm
Gisborne Administration Centre
40 Robertson Street, Gisborne**



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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 Dominic Bonanno, 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), Lucy Olson (Senior Governance Officer – Council Business)

4 APOLOGIES

Patricia Clive (Coordinator Governance)

5 CONFLICTS OF INTEREST

NIL

6 PETITIONS

6.1 PETITION IN RELATION TO A BITUMEN UPGRADE TO ADAMSON STREET, MALMSBURY

Summary

A petition has been received from Brendan Graham a resident of Malmsbury on behalf of 11 residents of Adamson Street, Malmsbury stating:

We, the residents of Adamson Street, Malmsbury request bitumen upgrade works in Adamson Street between Mollison and Drake Streets (as attended in Orr Street) to address the dust issues, potholes, and subsequent noise.

Constant grader workers are ineffective, lasting only days before potholes reappear. It is becoming not only intolerable but dangerous with Adamson Street traffic crossing to the wrong side of the road at the Mollison Street intersection to avoid the potholes affecting traffic turning from the highway into Adamson Street. In addition, motor vehicle damage has become an issue.

We the undersigned are prepared to negotiate a reasonable contribution towards this upgrade similar to the neighbouring Orr Street bitumen.

Residents are keen to attend on onsite meeting to discuss further action.

Resolution 2023/1

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

That Council:

1. **Notes the petition from the residents of Adamson Street, Malmsbury requesting bitumen upgrade works in Adamson Street between Mollison and Drake Streets;**
2. **Notes that the petition has been circulated to all Councillors confidentially as it contains personal information; and**
3. **Requests the Director Assets and Operations to prepare a report in response to this petition to be presented to Council by the April 2023 Council Meeting.**

CARRIED

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

7.1 QUESTIONS PROVIDED BY ANDREA PERHAM

Question 1

Will MRSC guarantee the commencement of Ross Street Bridge work and subsequent Road closure this year (2023) and not allow it to be pushed out to 2024 or beyond?

Answer

Budget consideration for Financial Year 2023/24 have started. A business case for the Ross Street Bridge is a part of these considerations. The construction design for the bridge will be complete in April 2023.

Pending the outcomes of budget considerations the works will be tendered in July and delivery planned for before Christmas this year; pending good weather.

Question 2

Regarding Ross Street closure and residents forced to use Baldry Road; my vehicle is suffering considerable wear and tear from using Baldry Road regularly and I do not own a 4WD.

I want to know if Council can inspect and grade Baldry Road more regularly than it currently has been because it is NOT designed or suitable for vehicles which are made to drive on bitumen roads!

Answer

Baldry Road is inspected every month whilst the Ross St culvert is closed. Council's maintenance team grade Baldry Road as inspections require and subject to weather conditions. It was graded most recently on 18 January 2023.

7.2 QUESTION PROVIDED BY ADRIANNE CARROLL

Council has justified the closure of our local Ross Street Bridge because of its lack of protective side panels. Although the bridge originally was equipped with side panels, they disintegrated due to Council's lack of maintenance. Local residents who are severely inconvenienced by the closure of the bridge are becoming increasingly annoyed and frustrated by the time they suspect Council will take to attend to a problem of their own making. When can Council supply residents with a Commencement Date of Works for the Repair?

Answer

Council officers have identified a suitable methodology for rectifying all the issues with the bridge. Currently there is a detailed design being prepared for the construction works. There is also a business case prepared for the 2023/24 budget consideration. Pending the outcomes of budget considerations the works will be tendered in July and delivery planned for before Christmas this year; pending good weather.

8 ADOPTION OF MINUTES

Resolution 2023/2

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 14 December 2022 as circulated be confirmed

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - DECEMBER 2022 TO FEBRUARY 2023****Resolution 2023/3**

Moved: Cr Rob Guthrie

Seconded: Cr Bill West

That Council receives and notes the Mayor's report as amended.**CARRIED**

10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF

10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - DECEMBER 2022 TO FEBRUARY 2023
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Summary

Rule 66(d) of Council's Governance Rules requires the written record of meetings is, as soon as practicable, reported at a scheduled meeting of Council and incorporated in the minutes of that Council 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 Anne Moore moved an amended officer recommendation.

Resolution 2023/4

Moved: Cr Anne Moore

Seconded: Cr Mark Ridgeway

That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report with the amendment of Councillor Guthrie's conflict of interest from General to Material in the declaration on 14 February 2023.**CARRIED**

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**PE.1 APPLICATION FOR PLANNING PERMIT PLN/2013/349/B - TWO LOT SUBDIVISION - 12 MORROW ROAD EAST, NEW GISBORNE - (AMENDMENT SOUGHT TO ALTER ACCESS TO LOT 1)****Summary**

The application is to amend the original 2 lot subdivision permit. The proposal will reduce the access width from 20 metres to 10 metres. This will result in Lot 1 size of 7844m² (previously 9222m²) and Lot 2 size of 1.25 hectares (previously 1.124 hectares).

No other aspect of the proposal would be changed including the retention of the building and effluent envelopes on Lot 1 exactly as before and the 3m wide landscaping strip along the western and northern boundaries would remain as before.

Key issues to be considered relate to the appropriateness of the proposal under the Low Density Residential Zone while considering the surrounding landscape.

The application was advertised. One (1) objection has been received to date.

The application has been assessed against the Macedon Ranges Planning Scheme and is considered appropriate. It is recommended that a Notice of Decision to Grant a Permit be issued.

Recommendation

That a Notice of Decision to Amend Permit PLN/2013/349/B be issued for the land at 12 Morrow Road East, New Gisborne being CA M Section 34 TP 523282H P/Gisborne subject to the following amended conditions:

Conditions to be included on Planning Permit

- 1. Before the plan of subdivision is certified under the *Subdivision Act 1988*, three copies of landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must show:
 - (a) The area along the western and northern property boundaries of Lot 1 must be landscaped with appropriate species to provide screening and minimise any loss of amenity to the adjoining neighbours from the proposal.**
 - (b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
 - (c) Timing of planting.**
 - (d) Maintenance schedule.**
 - (e) All species must be to the satisfaction of the Responsible Authority.****

2. The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason unless with the prior written consent of the Responsible Authority.
3. Before the plan of subdivision is certified under the Subdivision Act 1988, the owner of the lot must enter into an amended agreement with the Responsible Authority in accordance with Section 173 of the *Planning and Environment Act 1987*. The amended agreement must provide for:
 - (a) Make reference in all instances to Planning Permit number PLN/2013/349/B instead of PLN/2013/349.
 - (b) The two (2) plans forming part of the agreement must be replaced with the endorsed plans to Planning permit PLN/2013/349/B.

Prior to a Statement of Compliance being issued:

 - (a) Application must be made to the Registrar of Titles to register the amended Section 173 Agreement on the title to the land under Section 181 of the same Act.
 - (b) The owner/s must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the amended Section 173 Agreement.
4. Before the issue of a Statement of Compliance for the subdivision under the Subdivision Act 1988, a development contribution of \$410.35 per additional allotment (as at July 2013) must be paid to the Responsible Authority in accordance with the Gisborne Development Contributions Plan, July 2013. Prior to payment of the contribution, the amount payable will be adjusted on 1 July each year in accordance with Schedule 2 of Clause 45.06 of the Macedon Ranges Planning Scheme.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
7. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
8. Prior to a dwelling on Lot 1 being occupied, the landscape works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.

Melbourne Water Conditions

9. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
10. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

Greater Western Water Conditions

11. Payment of new customer contributions for each lot created by the development, such amount being determined by Western Water at the time of payment;
12. Provision of reticulated water and associated construction works to each allotment, at the developer's expense and to the satisfaction of Western Water;
13. Any existing water service which crosses any of the proposed allotment boundaries within the proposed development must be disconnected and relocated at the developer's expense, to be wholly within one allotment only and to the satisfaction of Western Water;
14. The operator under this permit shall be obliged to enter into an Agreement with Western Water relating to the design and construction of any water works required. The form of such Agreement shall be to the satisfaction of Western Water. The owner/applicant shall make a written request to Western Water for the terms and conditions of the agreement.

Mandatory Telecommunications Conditions

15. The owner of the land must enter into an agreement with:
 - (a) a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
16. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Powercor Conditions

17. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
18. The applicant shall:-
 - Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension,

augmentation or re-arrangement of any existing electricity supply system, as required by Powercor.

- Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor and provide to Powercor Australia Ltd a completed Electrical Safety Certificate in accordance with Electricity Safe Victoria's Electrical Safety System.
- The applicant shall provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.
- Any buildings must comply with the clearances required by the Electricity Safety (Network Assets) Regulations.
- Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.

MRSC Engineering Conditions

19. Before the plan of subdivision is certified under the Subdivision Act 1988, Engineering Plans must be submitted to and approved by Responsible Authority including payment of plan checking and supervision fees. The plans must include:

- (a) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.
- (b) Details of any cut and fill earthworks.
- (c) A new vehicle crossing for Lot 1. Crossings are to be a minimum of 10.0m from any intersection, 1.0m from any power pole, sign or service pit and an absolute minimum of 3.0m from any street tree. Crossings must be sealed when connecting to a sealed road.
- (d) Provision for all services and conduits (underground) including alignments and offsets.
- (e) Stormwater drainage to Lot 1 in the subdivision.

Prior to issue of a Statement of Compliance, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.

20. The subdivision is to be provided with a drainage system to a design approved by the Responsible Authority and such that:

- (a) The subdivision as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
- (b) All drainage courses within the subdivision must pass through easements.
- (c) All drainage courses or outfall drainage lines required to the legal point/s of discharge and which pass through lands other than those within the boundaries of the subdivision shall be constructed at the cost of the applicant and the applicant shall secure adequate easements for such

drainage to be constructed within. All new drainage is to be connected via underground piping into Council's existing drainage network.

21. Prior to any development works being undertaken, an 'Asset Protection Permit' must be obtained from Council for any of the following:
 - (a) Works within Council road reserves or on Council assets including crossover construction;
 - (b) Construction access into a building site from a Council road with a motor vehicle having a gross weight exceeding two tonnes.
22. The subdivision is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
23. The applicant/owner shall restrict sediment discharges from any construction sites within the property in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

MRSC Health Conditions

24. Prior to the occupation, the dwelling on proposed Lot 1 shall be fitted with a package wastewater treatment plant or a system that could produce water quality equivalent to the 20/30 standard for BOD and Suspended Solids. The septic tank system shall be of a design approved by Council's Health Officer and shall be operated, maintained and replaced where necessary to the satisfaction of Council's Health Officer. A separate permit must be obtained from Council's Health Department prior to its installation.

Tree Protection Conditions

25. All the tree protection requirements as stipulated in the arborist report prepared by Nuleaf Tree Services dated 30th May 2022 endorsed and forming part of this permit must be implemented before, during and after construction of the subdivision as recommended by the report.

Permit Expiry:

26. This permit will expire if one of the following circumstances applies:
 - (a) The plan of subdivision is not certified within two years of the date of this permit.
 - (b) The plan of subdivision is not registered at Land Registry within five years of the certification of the subdivision.

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.

Permit Note:

- Future owners of the land must be made aware of the existence of this permit.

Melbourne Water Note:

- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference 234607.

Cr Rob Guthrie moved an alternative motion.

Resolution 2023/5

Moved: Cr Rob Guthrie

Seconded: Cr Anne Moore

That a Notice of Decision to Amend Permit PLN/2013/349/B be issued for the land at 12 Morrow Road East, New Gisborne being CA M Section 34 TP 523282H P/Gisborne subject to the following amended conditions:

1. **Before the plan of subdivision is certified under the *Subdivision Act 1988*, three copies of landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must show:**
 - (a) **The area along the western and northern property boundaries of Lot 1 must be landscaped with appropriate species to provide screening and minimise any loss of amenity to the adjoining neighbours from the proposal.**
 - (b) **A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.**
 - (c) **Timing of planting.**
 - (d) **Maintenance schedule.**
 - (e) **All species must be to the satisfaction of the Responsible Authority.**
2. **The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason unless with the prior written consent of the Responsible Authority.**
3. **Before the plan of subdivision is certified under the *Subdivision Act 1988*, the owner of the lot must enter into an amended agreement with the Responsible Authority in accordance with Section 173 of the *Planning and Environment Act 1987*. The amended agreement must provide for:**
 - (a) **Make reference in all instances to Planning Permit number PLN/2013/349/B instead of PLN/2013/349.**
 - (b) **The two (2) plans forming part of the agreement must be replaced with the endorsed plans to Planning permit PLN/2013/349/B.**
 - (c) **Lot 1 and Lot 2 may not be further subdivided unless with the further written consent of the Responsible Authority.**

Prior to a Statement of Compliance being issued:

 - (a) **Application must be made to the Registrar of Titles to register the amended Section 173 Agreement on the title to the land under Section 181 of the same Act.**
 - (b) **The owner/s must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the amended Section 173 Agreement.**

4. Before the issue of a Statement of Compliance for the subdivision under the Subdivision Act 1988, a development contribution of \$410.35 per additional allotment (as at July 2013) must be paid to the Responsible Authority in accordance with the Gisborne Development Contributions Plan, July 2013. Prior to payment of the contribution, the amount payable will be adjusted on 1 July each year in accordance with Schedule 2 of Clause 45.06 of the Macedon Ranges Planning Scheme.
5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas, and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
7. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
8. Prior to a dwelling on Lot 1 being occupied, the landscape works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.

Melbourne Water Conditions

9. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
10. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

Greater Western Water Conditions

11. Payment of new customer contributions for each lot created by the development, such amount being determined by Western Water at the time of payment;
12. Provision of reticulated water and associated construction works to each allotment, at the developer's expense and to the satisfaction of Western Water;
13. Any existing water service which crosses any of the proposed allotment boundaries within the proposed development must be disconnected and relocated at the developer's expense, to be wholly within one allotment only and to the satisfaction of Western Water;
14. The operator under this permit shall be obliged to enter into an Agreement with Western Water relating to the design and construction of any water works required. The form of such Agreement shall be to the satisfaction of Western Water. The owner/applicant shall make a written request to Western Water for the terms and conditions of the agreement.

Mandatory Telecommunications Conditions

15. The owner of the land must enter into an agreement with:
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- (b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
16. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- (a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- (b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Powercor Conditions

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18. The applicant shall:-
- Provide an electricity supply to all lots in the subdivision in accordance with Powercor's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor.
 - Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor and provide to Powercor Australia Ltd a completed Electrical Safety Certificate in accordance with Electricity Safe Victoria's Electrical Safety System.
 - The applicant shall provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.
 - Any buildings must comply with the clearances required by the Electricity Safety (Network Assets) Regulations.
 - Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.

MRSC Engineering Conditions

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19. Before the plan of subdivision is certified under the Subdivision Act 1988, Engineering Plans must be submitted to and approved by Responsible Authority including payment of plan checking and supervision fees. The plans must include:
- (a) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.
 - (b) Details of any cut and fill earthworks.
 - (c) A new vehicle crossing for Lot 1. Crossings are to be a minimum of 10.0m from any intersection, 1.0m from any power pole, sign or service pit and an absolute minimum of 3.0m from any street tree. Crossings must be sealed when connecting to a sealed road.
 - (d) Provision for all services and conduits (underground) including alignments and offsets.
 - (e) Stormwater drainage to Lot 1 in the subdivision.
- Prior to issue of a Statement of Compliance, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.
20. The subdivision is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- (a) The subdivision as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
 - (b) All drainage courses within the subdivision must pass through easements.
 - (c) All drainage courses or outfall drainage lines required to the legal point/s of discharge and which pass through lands other than those within the boundaries of the subdivision shall be constructed at the cost of the applicant and the applicant shall secure adequate easements for such drainage to be constructed within. All new drainage is to be connected via underground piping into Council's existing drainage network.
21. Prior to any development works being undertaken, an 'Asset Protection Permit' must be obtained from Council for any of the following:
- (a) Works within Council road reserves or on Council assets including crossover construction;
 - (b) Construction access into a building site from a Council road with a motor vehicle having a gross weight exceeding two tonnes.
22. The subdivision is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
23. The applicant/owner shall restrict sediment discharges from any construction sites within the property in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

MRSC Health Conditions

24. Prior to the occupation, the dwelling on proposed Lot 1 shall be fitted with a package wastewater treatment plant or a system that could produce water quality equivalent to the 20/30 standard for BOD and Suspended Solids. The septic tank system shall be of a design approved by Council's Health Officer and shall be operated, maintained and replaced where necessary to the satisfaction of Council's Health Officer. A separate permit must be obtained from Council's Health Department prior to its installation.

Tree Protection Conditions

25. All the tree protection requirements as stipulated in the arborist report prepared by Nuleaf Tree Services dated 30th May 2022 endorsed and forming part of this permit must be implemented before, during and after construction of the subdivision as recommended by the report.

Permit Expiry:

26. This permit will expire if one of the following circumstances applies:
- (a) The plan of subdivision is not certified within two years of the date of this permit.
 - (b) The plan of subdivision is not registered at Land Registry within five years of the certification of the subdivision.

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.

Permit Note:

- Future owners of the land must be made aware of the existence of this permit.

Melbourne Water Note:

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on telephone 9679 7517, quoting Melbourne Water's reference 234607.

CARRIED

PE.2 PLN/2022/243 - 78 OLD LANCEFIELD ROAD, WOODEND NORTH - USE AND DEVELOPMENT OF THE SITE FOR A RESPITE DAY CARE CENTRE, CARETAKERS HOUSE AND ASSOCIATED BUILDING

Summary

The proposal is for the use and development of the land for a respite day care centre, caretaker's house and associated buildings and works.

The application was advertised. No objections have been received to date.

Key issues to be considered relate to the impact of the proposal on the agricultural land and the genuine need for the proposed respite day care centre within the community.

The application has been assessed against the Macedon Ranges Planning Scheme and is considered appropriate. It is recommended that a Planning Permit be issued.

Resolution 2023/6

Moved: Cr Janet Pearce

Seconded: Cr Jennifer Anderson

That a Planning Permit is granted for Use and development of the site for a Respite Day Care Centre, Caretakers House and associated buildings and works for the land at CA E Section 87 TP 277359R P/Woodend, 78 Old Lancefield Road, Woodend North subject to the conditions below:

1. **Before development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and an electronic copy must be provided. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the decision plans, but modified to show:**
 - (a) **Landscape Plans in accordance with condition 7.**
 - (b) **Bin and waste management details and turning radius for emergency vehicles in accordance with condition 10.**
2. **The use and development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.**
3. **Before the use or development commences, the owner/s of the lot must enter into an agreement with the Responsible Authority and in accordance with Section 173 of the *Planning and Environment Act 1987*. The agreement must provide for:**
 - (a) **The Caretakers House must be removed from the property in the event that the property is sold or the use of the land changes, unless with the prior written consent of the responsible authority.**
 - (b) **Prior to the commencement of use, landscaping works shown on the endorsed landscape plan under Planning Permit PLN/2022/243 must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.**

- (c) Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act prior to the commencement of the use or development.
 - (d) The owner must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.
4. The amenity of the locality must not be adversely affected by the activity on the site to the satisfaction of the Responsible Authority, including from noise impacts, activity or disturbance, the appearance of the subject land or otherwise.
 5. The Caretakers House must only be occupied by a supervisor of the site and must not be privately tenanted at any time to the satisfaction of the Responsible Authority.
 6. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land.
 7. Before the development commences, Landscape plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and an electronic copy must be provided. When approved, the plans will be endorsed and will then form part of this permit. The Landscape Plan must show:
 - (a) A minimum of five (5) metres wide landscaping screen along the north and western boundaries and a minimum of three (3) metres wide landscaping screen along the southern and eastern boundaries. The screen must include a mix of locally indigenous trees, shrubs and other plants with the inclusion of understorey species to 'fill out' the screen chosen from the Ecological Vegetation Class (EVC) for the site (Victorian Volcanic Plain Plains Grassy Woodland).
 8. Unless with the prior written consent of the Responsible Authority, before the use commences, the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
 9. All external windows for both the Respite Day Care Activities Cottage and Caretakers Cottage are to be provided with double glazing to the satisfaction of the Responsible Authority.
 10. No more than 15 patients may attend the site at any one time.

MRSC Engineering Conditions

11. Prior to the commencement of works, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the submitted plans but modified to show:
 - (a) Bin location and waste management vehicle collection swept paths.
 - (b) Turning radius for emergency vehicles at the end of the driveway.
12. Before the commencement of works, an "Asset Protection Permit" must be obtained from Council for any of the following circumstances:

- (a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
 - (b) Occupying a road for works.
 - (c) Connecting any Council land to a stormwater drain.
 - (d) Opening, altering or repairing a Council road.
 - (e) Opening, altering or repairing a Council drain.
 - (f) Accessing a building site from a point other than a crossover.
 - (g) Construct/repair/widen/remove any crossover.
13. No polluted and/or sediment-laden run-off is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the works to the satisfaction of the Responsible Authority.
14. Storm water runoff from the buildings must be dissipated as normal un-concentrated overland flow clear of property boundaries and buildings in adjacent properties.
15. Prior to the commencement of use, a new crossover must be constructed within Bakers Road for the development to the satisfaction of the Responsible Authority.
16. Prior to the commencement of the use, the driveway to the development must be constructed to meet the following requirements to the satisfaction of the Responsible Authority:
- (a) The driveway, including any waterway crossing, must be constructed to a standard so that it is accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
 - (b) The driveway must have a minimum trafficable width of 3.5m, be clear of encroachments 4 metres vertically and have no obstructions within 0.5m on either side of the formed width of the driveway.
 - (c) Curves must have a minimum inner radius of 10 metres.
 - (d) The average grade must be no more than 1 in 7 with a maximum of no more than 1 in 5 for no more than 50 metres.
 - (e) Dips must have no more than a 1 in 8 entry and exit angle.
17. At least 14 days prior to commencement of works, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:
- (a) Name and contact details of appointed Civil Contractor and Superintendent.
 - (b) Existing condition survey of all existing assets including private properties
 - (c) Construction Management Plan
 - (d) Traffic Management Plan
 - (e) Environmental Management Plan
 - (f) Occupational Health & Safety and Job Safety Analysis Plans

- (g) Council issued Asset Protection Permit
 - (h) Council approved Engineering Plans All works must be carried out generally in accordance with measures set out in the above documents approved by the Responsible Authority.
18. Prior to commencement of the use, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- (a) Constructed to the satisfaction of the Responsible Authority.
 - (b) Properly formed to such levels that they can be used in accordance with the plans.
 - (c) Drained and maintained.
 - (d) Line marked to indicate each car space and all access lanes.
 - (e) Clearly marked to show the direction of traffic along access lanes and driveways. Car spaces, access lanes and driveways must be kept available for these purposes at all times.
19. All land to be filled and compacted must be in accordance with Australian Standard AS3798:2007.
20. Prior to the commencement of works, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:
- (a) Measures to control erosion and sediment and sediment-laden water runoff including the design details of structures.
 - (b) Dust control.
 - (c) Where any construction wastes, equipment, machinery, and/or earth are to be stored/stockpiled during construction.
 - (d) Where access to the site for construction vehicle traffic will occur.
 - (e) The location of any temporary buildings or yards. Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

MRSC Environmental Health Conditions

21. All wastewater producing fixtures must be connected to the reticulated sewerage system.
22. An application must be made to Council's Health Department for Registration of a Food Premises under the provisions of the Food Act 1984.

Goulburn Murray Water Conditions

23. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
24. No buildings are to be constructed within 30 metres of the waterway and associated dam that run through the north of the site.

25. All wastewater from the proposed buildings must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.

Permit Expiry

26. This permit will expire if one of the following circumstances applies:

- (a) The development is not commenced within 2 years of the date of this permit.
- (b) The development is not completed within 4 years of the date of this permit.
- (c) The use is not commenced within 2 years of the completion of the development

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

Permit Note:

- Future owners of the land must be made aware of the existence of this permit.

CARRIED

PE.3 FEASIBILITY AND OPTIONS TO REMOVE DEVELOPMENT PLAN OVERLAY 24 - LANCEFIELD DEVELOPMENT PLAN AREAS.

Summary

This report outlines the feasibility and options to remove Development Plan Overlay Schedule 24 – Lancefield Development Areas, as required by the Council resolution made at the 23 November 2022 Scheduled Council Meeting.

Recommendation:

That Council notes the advice provided in this report regarding the feasibility of removing Development Plan Overlay Schedule 24 – Lancefield Development Areas.

Cr Geoff Neil moved an alternative motion.

Resolution 2023/7

Moved: Cr Geoff Neil
Seconded: Cr Bill West

That Council seeks to remove Development Plan Overlay Schedule 24 from the Macedon Ranges Planning Scheme through a Ministerial Amendment application.

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 RECOGNITION OF AUSTRALIA DAY HONOURS RECIPIENTS****Summary**

The 2023 Australia Day Honours Awards included two people from the Macedon Ranges Shire Council Community— Emeritus Professor Bruce John Tonge of Woodend and Mrs Elaine Therese Murphy of Gisborne.

Emeritus Professor Bruce John Tonge is a recipient of the Officer (AO) of the Order of Australia, in recognition of his distinguished service to psychiatric medicine and research, to tertiary education, to youth, and to the community.

Mrs Elaine Therese Murphy is a recipient Medal (OAM) of the Order of Australia in the General Division for service to education and to the arts.

Resolution 2023/8

Moved: Cr Mark Ridgeway

Seconded: Cr Janet Pearce

That Council writes a letter of congratulations to Emeritus Professor Bruce John Tonge and Mrs Elaine Therese Murphy in recognition of their 2023 Australia Day Honours Award.

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 UPDATED INSTRUMENTS OF DELEGATION AND TERMS OF REFERENCE - PLANNING DELEGATED AND SUBMITTERS DELEGATED COMMITTEES****Summary**

The adoption of new Governance Rules at the 14 December 2022 Council Meeting necessitates the updating of the Instruments of Delegation and Terms of Reference for Council's delegated committees—Planning Delegated Committee and Submitters Delegated Committees—to ensure alignment.

Recommendation**That Council:**

- 1. Resolves the Instrument of Delegation for the Planning Delegated Committee (attachment 1) and revokes all previous Instruments;**
 - 2. Authorises the signing of the Instrument of Delegation.**
 - 3. Endorses the Terms of Reference for the Planning Delegated Committee (attachment 2) and revokes all previous versions effective from 23 February 2023;**
-

4. Resolves the Instrument of Delegation for the Submitters Delegated Committee (attachment 3) and revokes all previous Instruments;
5. Authorises the signing of the Instrument of Delegation; and
6. Endorses the Terms of Reference for the Submitters Delegated Committee (attachment 4) and revokes all previous versions effective from 23 February 2023.

Cr Geoff Neil moved an amended officer recommendation.

Resolution 2023/9

Moved: Cr Geoff Neil
Seconded: Cr Jennifer Anderson

That Council:

1. Resolves the Instrument of Delegation for the Planning Delegated Committee (attachment 1) with the correction of the committee name to the Planning Delegated Committee and revokes all previous Instruments;
2. Authorises the signing of the Instrument of Delegation.
3. Endorses the Terms of Reference for the Planning Delegated Committee (attachment 2) and revokes all previous versions effective from 23 February 2023;
4. Resolves the Instrument of Delegation for the Submitters Delegated Committee (attachment 3) and revokes all previous Instruments;
5. Authorises the signing of the Instrument of Delegation; and
6. Endorses the Terms of Reference for the Submitters Delegated Committee (attachment 4) and revokes all previous versions effective from 23 February 2023.

CARRIED

COR.2 CONTRACTS TO BE AWARDED FEBRUARY 2023

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 2023/10

Moved: Cr Jennifer Anderson
Seconded: Cr Rob Guthrie

That Council:

1. Notes that the following contracts will be awarded by Council officers under delegated authority:
 - (a) C2023-28 Kyneton Landfill – Biofilter Construction and Civil Works.

(b) C2023-29 Design and construct Synthetic Green Gisborne Bowls Club.

CARRIED

COR.3 QUARTERLY REPORT FOR PERIOD ENDING 31 DECEMBER 2022 AND MID-YEAR BUDGET REVIEW

Summary

The Quarterly Report for the period ended 31 December 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 statement
- Section 3 – Council plan actions – progress report
- Section 4 – Customer service
- Section 5 – People Risk and Wellbeing Report
- Section 6 – Implementation of council resolutions
- 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 31 December 2022.

Resolution 2023/11

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council:

1. **Notes the Quarterly Report for the period ended 31 December 2022; and**
2. **Endorses the budget changes identified as part of the mid-year budget review.**

CARRIED

COR.4 INSTRUMENT OF APPOINTMENT AND AUTHORISATION**Summary**

This report seeks Council's approval to appoint authorised officers under the *Planning and Environment Act 1987* (the Act) by an Instrument of Appointment and Authorisation. Under the Act only Council, by a resolution, can appoint authorised officers who must be employees of Council. In addition, Council is required to revoke any appointments for authorised officers who are no longer employees of Council.

An Instrument of Appointment and Authorisation is required for a number of staff who have recently commenced with Council. In addition, several Instruments are required to be revoked as the authorised officer no longer works for Council or has moved to a position that does not require an Instrument.

Resolution 2023/12

Moved: Cr Janet Pearce

Seconded: Cr Anne Moore

That Council

1. **resolves that in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987*:**
 - (a) **the Instrument of Appointment and Authorisation of Nakita Thomson, Koko Cheng and John Nix be revoked;**
 - (b) **Council Officers named in the Instruments of Appointment and Authorisation provided at Attachment 1 be appointed and authorised:**
 - (c) **any previous Instruments issued to the officers in Attachment 1 by Council are revoked;**
 - (d) **the Instruments of Appointment and Authorisation come into force upon signing and remain in force until Council determines to vary or revoke these; and**
 - (e) **the Instruments of Appointment and Authorisation at Attachment 1r be signed.**

CARRIED

COR.5 DELEGATED COMMITTEE MEETING DATES**Summary**

The March 2023 Planning Delegated Committee (PDC) meeting is currently scheduled for Wednesday 8 March 2023 at 7pm as per the Council resolution at the 23 November 2022 Council Meeting. This is also the date of International Women's Day 2023. There are events happening across the Shire that Councillors are invited to attend. It is therefore proposed to reschedule the PDC meeting to Thursday 9 March at 7pm.

Community consultation has been ongoing for the Notice of Intention to Lease the site known as 3 and 5 Noel Street, Lancefield to Wintringham Housing Limited for a 20-year term for development and continued use for social housing. As Council has received submissions to this consultation, it is proposed to hold a Submitters Delegated Committee (SDC) meeting online on Wednesday 15 March 2023 at 7pm.

Resolution 2023/13

Moved: Cr Mark Ridgeway

Seconded: Cr Janet Pearce

That Council:

- 1. Reschedules the March 2023 Planning Delegated Committee Meeting from Wednesday 8 March 2023 at 7pm to Thursday 9 March 2023 at 7pm; and**
- 2. Schedules a Submitters Delegated Committee meeting online for Wednesday 15 March 2023 at 7pm, to provide an opportunity for any person who wishes to make a verbal presentation in support of their submission on the Notice of Intention to Lease the site known as 3 and 5 Noel Street, Lancefield to Wintringham Housing Limited for a 20-year term for the development and continued use for social housing.**

CARRIED

COR.6 MOTIONS FOR THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL AND THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**Summary**

This report is seeking Council's support to submit a motion for disaster recovery and resilience support for local government to the upcoming meeting of Municipal Association of Victoria State Council in May and the National Assembly of Local Government in June. This motion is seeking to raise awareness and seek support from other Councils for changes to funding arrangements from State and Commonwealth governments to address the impacts of natural disasters more sustainably.

Resolution 2023/14

Moved: Cr Rob Guthrie

Seconded: Cr Anne Moore

That Council:

1. Endorses the motion in Attachment 1 for consideration at the Municipal Association of Victoria State Council meeting on 19 May 2023;
2. Endorses the motion in Attachment 2 for consideration at the 2023 National General Assembly of Local Government on 13 – 16 June 2023;
3. Authorises the Chief Executive Officer to submit the motion in Attachment 1 to the Municipal Association of Victoria State Council through the appropriate administrative processes; and
4. Authorises the Chief Executive Officer to submit the motion in Attachment 2 to the 2023 National General Assembly of Local Government through the appropriate administrative processes.

CARRIED

14 DIRECTOR COMMUNITY REPORTS

Nil

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 PUBLIC TOILET AND BARBECUE STRATEGY****Summary**

At the 28 September 2022 Scheduled Council Meeting, Council endorsed the release of the draft *Public Toilet and Barbecue Strategy* for four weeks of community consultation. Input from the public consultation has been reviewed and presented to Council, and the final *Public Toilet and Barbecue Strategy* (PTBS) has been completed and is presented for adoption.

Recommendation

That Council adopts the Public Toilet and Barbecue Strategy.

Cr Bill West moved an amended officer recommendation.

Resolution 2023/15

Moved: Cr Bill West
Seconded: Cr Anne Moore

That Council adopts the Public Toilet and Barbecue Strategy as circulated to Councillors which includes in Appendix A three additional maps for Romsey, Riddells Creek and Lancefield.

CARRIED

AO.2 CAPITAL WORKS MONITORING**Summary**

This report provides transparency on cost escalations on infrastructure projects and seeks further funding, cancellation or the scope reduction of the projects to manage the projects within the allocated annual capital works program budget.

Resolution 2023/16

Moved: Cr Mark Ridgeway

Seconded: Cr Dominic Bonanno

That Council :

1. **Adopts the following changes to the FY22/23 budget relating to the following infrastructure projects:**
 - (a) **Purchase and installation of 2 x level 2 EV smart-chargers and 1 x level 3 smart-chargers at each office site (Gisborne, Woodend and Kyneton)– increase the Council co-contribution for this project by \$50,331 from \$67,500 to \$117,831**
 - (b) **Ash Wednesday Park Improvement– increase the budget for this project by \$10,912 from \$26,234 to \$37,146**
 - (c) **Woodend Landcare Footbridge– increase the budget for this project by \$20,000 from \$218,181.82 to \$238,181.82**
 - (d) **Gisborne GAC Plant and Boiler Design – cancel this project and transfer its budget of \$40,000 to the Kyneton KSAC Plant and Boiler Design as the Gisborne plant has a few years of remaining useful life**
 - (e) **Kyneton KSAC plant and boiler Design– increase the budget for this project by \$40,000 from \$40,000 to \$80,000**
 - (f) **Chessy Park Drive Traffic Island Improvement– The project has been completed. Return the saving of \$81,000 to the consolidated capital works budget.**
 - (g) **Bolithos Road footpath- The project has been completed. Return the saving of \$11,500 to the consolidated capital works budget.**
 - (h) **High Street, Lancefield Footpath- increase the budget for this project by \$43,775 from \$105,000 to \$148,775**
 - (i) **The Crescent, Lancefield Footpath- increase the budget for this project by \$31,650 from \$170,500 to \$202,150**
 - (j) **Jennings Street, Kyneton Reconstruction- increase the budget for this project by \$153,940.50**
 - (k) **Bitumen Resurfacing Program- Transfer \$153,940.50 from the remaining balance of \$700,000 to cover the shortfall of \$153,940.50 on Jennings Street (item i above)**
 - (l) **Bitumen Resurfacing Program- Transfer \$253,897.75 from the remaining balance of \$700,000 to the consolidated capital works program budget**
 - (m) **Barkly Square- increase the budget for this project by \$186,850**

- (n) Kyneton Springhill Road- increase the budget for this project by \$206,990.56
- (o) Romsey Road (Monument Section)- Transfer the surplus of \$221,941 to the consolidated capital works program budget
- (p) Sheedy Road, Gisborne –Section 1 Reconstruction- increase the budget for this project by \$ 375,719.75
- (q) Hamilton Street– Transfer the surplus of \$121,822 to the consolidated capital works program budget

CARRIED

16 NOTICES OF MOTION AND RESCISSION

NO. 54/2022-23: NOTICE OF MOTION - NATIONAL FERAL DEER ACTION PLAN

The Victorian State Government estimates there are one million feral deer roaming in Victoria, which have an impact on this region's significant landscapes, agricultural productivity and biodiversity.

The National Feral Deer Action Plan aims to limit further spread of feral deer into new areas and reduce the impacts of large populations of feral deer on the environment, primary production and communities. The Plan will raise awareness of feral deer impacts and control options to encourage early action on all small, isolated populations, as well as large populations in priority areas. The Plan also promotes the need to develop and trial new tools, and to build capacity to detect, cull and prevent further spread of feral deer.

I, Councillor Jennifer Anderson, give notice that at the next Meeting of Council to be held on 22 February 2023, I intend to move the following motion:

Resolution 2023/17

Moved: Cr Jennifer Anderson
Seconded: Cr Janet Pearce

That Council requests the Chief Executive Officer to lodge a submission on behalf of Council to the draft National Feral Deer Action Plan outlining the following:

- 1. Macedon Ranges Shire is a peri-urban Council that contains significant landscapes and biodiversity, and high quality agricultural land that is recognised under the State Government's Distinctive Area and Landscape legislation.**
- 2. The impact of pest animals, including an increase in feral deer, on the environment and agriculture within the shire is an ongoing concern to Council.**
- 3. Council recognises the importance of the need for a coordinated approach to the control of feral deer and supports the development of the National Feral Deer Action Plan.**

4. Supports an integrated national approach to the control of feral deer, including the Victorian State Government declaring deer a pest species rather than their current status as a game species.
5. Looks forward to the release of the final Action Plan and an increased focus on the control of feral deer across Victoria and the Macedon Ranges from National and State authorities.

CARRIED

**NO. 55/2022-23: NOTICE OF MOTION - ASH WEDNESDAY FIRES 40TH
ANNIVERSARY**

I, Councillor Geoff Neil, give notice that at the next Meeting of Council to be held on 22 February 2023, I intend to move the following motion:

Resolution 2023/18

Moved: Cr Geoff Neil
Seconded: Cr Mark Ridgeway

That Council:

1. Recognises the 40th Anniversary of the Ash Wednesday Fires which occurred on Thursday 16 February 2023;
2. Recognises the untiring and unwavering intent of essential services personnel, with residents, to minimise loss of life and property damage, selflessly and literally putting their lives on the line to protect our community. Where, by their action, the fires ferocity and extent was eventually contained;
3. Acknowledges those members of our community who were affected by this event and commends the community's efforts to work together to recover from the disaster; and
4. Recognises the legacy of this event, which still impacts our community to this day.

CARRIED

NO. 56/2022-23: NOTICE OF MOTION - UKRAINE WAR

I, Councillor Anne Moore, give notice that at the next Meeting of Council to be held on 22 February 2023, I intend to move the following motion:

Resolution 2023/19

Moved: Cr Anne Moore
Seconded: Cr Rob Guthrie

That Council as a sign of our continued support and respect to Ukraine and its peoples:

1. Approves the lighting of the Kyneton Town Hall in Ukrainian colours for a period of 7 days from this Friday 24 February 2023, this date being one year since their unprovoked invasion by Russia; and
2. Acknowledges local groups, residents, and Council for their ongoing assistance to Ukrainian refugees in the Macedon Ranges

CARRIED

17 URGENT BUSINESS

NIL

18 CONFIDENTIAL REPORTS

Nil

The meeting closed at 8:25pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 22 March 2023.