

Minutes

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



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1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that Macedon Ranges Shire is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Countries. Council acknowledges that we are gathering today on the land of Wurundjeri Woi Wurrung peoples. Council pays its respects to their Elders past, present and emerging and the Elders from other communities who may be here today.

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 Jennifer Anderson (Mayor), Cr Rob Guthrie (Deputy Mayor), Cr Dominic Bonanno, Cr Annette Death, Cr Janet Pearce, Cr Mark Ridgeway, Cr Bill West

IN ATTENDANCE

Bernie O'Sullivan (Chief Executive Officer), Shane Walden (Director Assets and Operations), Maria Weiss (Director Community), Rebecca Stockfeld (Director Planning and Environment), Gina Lyons (Interim Director Corporate), Carmen Lawrence (Interim Executive Manager People, Culture and Performance), Joe Spiteri (Senior Governance Consultant) Christo Crafford (Coordinator Statutory Planning)

4 APOLOGIES

Cr Anne Moore and Cr Geoff Neil were apologies for the meeting.

5 CONFLICTS OF INTEREST

Nil

6 PETITIONS

Nil

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

Resolution 2022/18

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council suspends standing orders in order to hear from representatives to Council.

CARRIED

Standing orders were suspended at 7.03pm

Two questions were received from members of the public, one of whom did not wish to be named. The questions and responses provided by Council officers were read by the Mayor.

Question - from Mark Clement:

Is it possible for the Council to force the Romsey Pub owner to remove the corrugated Iron from the building? It is an eyesore and degrades the whole towns appearance?

Response:

Thank you for your question and interest in the broader appearance of Romsey.

The corrugated iron along the Romsey Pub building is providing protection to the building from being vandalised and unlawful entry.

Vandalism and unlawful entry could result in damage to the building. Damage to the building, in particular a fire, may result in demolition being sought. Protection of the building is appropriate. Council's Heritage Advisor supports the view that the iron is an appropriate hoarding.

The Mayor provided further background that it is up to an individual landowner what they wish to do with their property, and the time in which to do that. Council too would like to see this site revitalised within the town of Romsey, and have had a Council resolution to work with the owner, and are happy to continue to work with the owner of the site to get a good outcome for this site for the community of Romsey.

Question – from a resident who did not wish to be named:

I am asking that the consultation time frame of the Romsey Structure Plan be extended to the end of July, due to the new census data that will be available in June 2022. This will give a clearer picture of where Romsey is at in regards to current population. It is important to get this right for the future of Romsey and the residents.

Response:

Thank you for your question.

Currently Council is undertaking consultation on the Emerging Options Paper to inform the Draft Romsey Structure Plan. The Emerging Option Paper has been out for community consultation since 21 February 2022 and will close on 1 April 2022, running for a total of 6 weeks, this is consistent with Council's Community Engagement Policy, which identifies that each community engagement activity must run for at least 28 days unless specified by Council.

To date, a draft Romsey Structure Plan has not been prepared. Council will continue to display all consultation material on Council's website.

The Mayor noted that further information is available on the Have Your Say section of Council's website: mrsc.vic.gov.au/haveyoursay

Our project team welcomes ongoing engagement with residents outside of the formal consultation period and will accept submissions beyond the formal consultation period. If anyone needs assistance with their submission or has questions in relation to the Romsey Structure Plan project and this current phase of community engagement, they are welcome to contact Council's Strategic Planning team and they are happy to assist.

There will be further community engagement. Should we have a Romsey Structure Plan, that will involve further consultation.

If endorsed by Council, the Structure Plan must again go through mandatory consultation as part of a planning scheme amendment process that will implement the recommendations of the structure plan such as rezoning land where required.

Council is aware the census data begins the first stage of release at the end of June 2022. There will also be a stage in October 2022 and early-to-mid 2023.

The Romsey Structure Plan Economic Assessment (November 2021, prepared by Tim Nott) outlines a likely population between 4,330 and 4,720 in 2021.

The current estimated population of Romsey (excluding land outside of the current township boundary) as of 2020 is 4,315 people (<https://profile.id.com.au/macedon-ranges/about?WebID=230>).

Council is confident that the staged approach to the Romsey Structure Plan will be able to review and analyse the 2020 Census data when it becomes available.

The Mayor noted that we need to be mindful of Australian Bureau of Statistics data when it is released, because it often involves statistical areas, which can be larger than the township boundary itself.

Resolution 2022/19

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council resumes standing orders in order to consider items on the agenda this evening.

CARRIED

Standing orders resumed at 7.09pm

8 ADOPTION OF MINUTES**Resolution 2022/20**

Moved: Cr Mark Ridgeway
Seconded: Cr Janet Pearce

That Council confirms the minutes of the Scheduled Council Meeting of Macedon Ranges Shire Council held on 23 February 2022, as circulated.

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - MARCH 2022****Resolution 2022/21**

Moved: Cr Rob Guthrie
Seconded: Cr Bill West

That Council receives and notes the Mayor's report.

CARRIED

10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF

10.1	RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - FEBRUARY TO MARCH 2022
Attachments:	Record of Meetings involving Councillors and Council staff - February to March 2022

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.

Resolution 2022/22

Moved: Cr Annette Death
Seconded: Cr Janet Pearce

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

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**PE.1 PLN/2019/391 LOT 6 AND 371 COBB AND CO ROAD CARLSRUHE - FREEWAY SERVICE CENTRE****Summary**

The application proposes the redevelopment of the site for a Freeway Service Centre. The application also includes the alteration of the access from the Calder Freeway, vegetation removal on the freeway road reserve and a two lot re-subdivision.

The application was advertised and five objections were received.

Key issues to be considered relate to the suitability of the proposed site for a Freeway Service Centre, amenity impacts and compliance with the relevant planning scheme provisions.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is considered appropriate. On balance it is considered that the subdivision is in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, overlay, particular provisions and general provisions. It is recommended that the application be approved subject to the following conditions.

Resolution 2022/23

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

A. That Council issues a Notice of Decision to Grant a Permit for Use and development of a Freeway Service Centre, removal of road reserve trees, two lot re-subdivision and alteration of an access to a Transport Zone 2, earthworks, less than 100 metres from a waterway, wetlands or designated flood plain for the land at LOT 7 PS 434802R P/Woodend, LOT 6 PS 434802R P/Woodend, Cobb & Co Road, Carlsruhe, subject to the conditions below:

1. Before the development commences, amended plans in an electronic format to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
 - a) A Site Plan delineating the existing service station, with a notation stating "To be decommissioned in accordance Conditions 6 and 7";
 - b) Any modifications to the development in accordance with Northern Central Catchment Authority condition 32 to 34 (inclusive);
 - c) The secondary slip lane from the Calder Freeway modified on all relevant plans consistent with Site Plan TP006 prepared by TRDesign dated 03 August 2021;
 - d) A comprehensive Landscape Plan in accordance with Condition 4 and Coliban Water Condition 38;
 - e) Extension of the end of the parking aisle by 1.0 metre to allow vehicles parked in the last space of a dead-end accessway to exit in a forward direction with one manoeuvre;
 - f) Increase the parking aisle width to 6.4 metres.
 - g) Pavement areas (driveways, parking spaces, footpaths and otherwise) to be treated with muted colours or tinting.
 - h) A full schedule of building materials and colour finishes/treatments for the external cladding and surfaces of approved buildings and works utilising muted and natural colour tones to ensure visual recessing within the surrounding rural and natural landscape (light or brightly coloured or reflective surface treatments are discouraged).
 - i) Details of all rooftop service infrastructure and including enclosures or other visual screening devices.
 - j) Details of external lighting to be installed including maximum illumination levels for each light source and the means of baffling to avoid light spill beyond the subject land.

When approved, these plans will be endorsed and will form part of this permit.

2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. The two lot re-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.

Amenity conditions

4. Before the development commences, or any trees or vegetation removed, an amended landscape plan (an electronic copy) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The amended landscape plan must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
 - a) A planting schedule where pot sizes are explicitly detailed and of minimum semi-mature size associated species, with canopy tree/s to be minimum 40lt size pot when planted;
 - b) Use a symbol system to indicate planning species/type and their respective planting location;
 - c) The use of drought tolerant and plant species found within surrounding area;
 - d) Vegetation screening provision along southern setback immediately adjacent to the car parking, with plant species capable of reaching mature heights of 2.0 metres to assist with screening on-site activities from the public domain;
 - e) Vegetation screening provision behind the truck parking bay, immediately adjacent to proposed trees, with the capability of reaching heights of 4 metres to assist with screening on-site activities from the public domain.
5. Unless with the prior written consent of the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed prior to the occupation of the approved development or an alternative timeframe specified within the endorsed landscape plan, and thereafter maintained to the satisfaction of the Responsible Authority.
6. The existing petrol tanks and any other harmful facilities associated with existing service station must be decommissioned to the satisfaction of Environment Protection Agency and their relevant guidelines.
7. The entire existing service centre building and associated outside works must be completely demolished, with the land appropriately landscaped or alike to the satisfaction of the Responsible Authority.
8. Prior to commencement of the use, all External Lighting must be installed to comply with the relevant Australian Standards, including AS 4282.
9. All moving or flashing lights are prohibited.
10. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin;

11. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.
12. Private waste management collection is to occur during weekdays between hours of 7am – 6pm with no collection on public holidays or weekends.
13. No external sound amplification equipment or speakers are permitted to be used for the purpose of public announcement, broadcast, playing of music, or otherwise.
14. Noise levels emanating from the premises must not exceed those required to be met under Environment Protection Regulations under the Environment Protection Act 2017.
15. All air conditioning, exhaust ventilation and other external plant and equipment must be acoustically treated or placed in sound proof housing to avoid detriment to the amenity of the locality.
16. Local and regional tourist information must be provided so as to be available at all times and at no cost to customers in a convenient and prominent location within the approved freeway service centre.

Tree protection conditions

17. Before the development commences, a Site Environmental Management Plan (SEMP) must be submitted to and endorsed by the Responsible Authority. The Site Environmental Management Plan must detail environmental management of the land during development works occurring and include the following information:
 - a) Tree protection fencing provided for retained vegetation within the subject land and the adjacent road reserves for the Calder Freeway and Springvale Road and in accordance with the requirements of Conditions 18, 19 and 20 of this permit.
 - b) Details of works within the Calder Freeway and Springvale Road reserves to be undertaken in a manner to avoid detrimental impacts to roadside vegetation and nearby waterways and water bodies. Where any works or other activities including the extension of stormwater drainage infrastructure or the extension of reticulated infrastructure services are to be undertaken within the adjoining road reserves, an ecological assessment of the habitat of the roadside and any adjacent impacted land, including recommendations for the minimisation and avoidance of detrimental impacts to native vegetation and habitat will be required to be submitted to and approved by the Responsible Authority. Trenching within areas of remnant native vegetation within the Calder Freeway and Springvale Road reserves must be avoided.
 - c) Locations for the parking and storage of vehicles, materials or equipment within the subject land.
 - d) All machinery and equipment must leave work sites weed free. An appropriate wash-down area must be identified. To prevent the spread of weeds listed under the Catchment and Land Protection Act 1994, all vehicles and equipment associated with the approved

development must be made free of soil, seed and plant material before being taken to the works site and again before being removed from the works site to the satisfaction of the Responsible Authority.

18. Development works on the land must be undertaken in accordance with the endorsed Site Environmental Management Plan to the satisfaction of the Responsible Authority. All contractors involved in the development must be made aware of the requirements of the endorsed SEMP.
19. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the tree protection fencing must be erected to the satisfaction of the Responsible Authority in accordance with the approved tree protection zone(s). The fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level, and include signage clearly marked "Tree Protection Zone – No Entry" on all sides. The erected tree protection fences must be inspected and approved by the Responsible Authority prior to the commencement of development.
20. Once erected and approved by the Responsible Authority, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority. Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection such as bridging over with timber).

Engineering conditions

21. Prior to 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 land to a stormwater drain.
 - d) Opening, altering or repairing a road.
 - e) Opening, altering or repairing a drain.
 - f) Accessing a building site from a point other than a crossover.
 - g) Construct/repair/widen/remove any crossover.
22. Prior to the commencement of works, 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) Details of the car park.

- d) Upgrade of an existing vehicle crossing to suit the accessway of the car park.
 - e) Removal of a redundant vehicle crossing and reinstatement of naturestrip.
 - f) Underground stormwater drainage to all buildings and paved areas.
23. Prior to the commencement of use, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.
24. The development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- a) The development 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. All new drainage is to be connected via underground piping into Council's existing drainage network.
 - b) Storm water runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
25. Before the development commences, an amended Stormwater Management Plan prepared by Cardno TGM dated February 2020 must be submitted to and approved by the Responsible Authority. The management plan must show:
- a) That the invert level of the outlet culvert is higher than the 10% AEP flood level.
 - b) Devices to capture hydrocarbon on site.
26. Before the development commences, 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 is to be stored/stockpiled during construction;
 - d) Where access to the site for construction vehicle traffic will occur;
 - e) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
 - f) The location of any temporary buildings or yards
27. Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.
28. Prior to the commencement of 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.
 - f) Car spaces, access lanes and driveways must be kept available for these purposes at all times.
29. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.
30. The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
31. 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 in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) to the satisfaction of the Responsible Authority and Environmental Guidelines for Major Construction Sites (EPA 1995).

Northern Central Catchment Authority conditions

32. All buildings and works must be wholly located outside the 1% AEP flood extent of the Campaspe River.
33. Excepting the entrance and exit driveways, all buildings and works must be setback a minimum of 15 metres from the top of bank of the waterway that traverses the southern boundary of the property. Prior to the commencement of works amended design plans must be submitted to the responsible authority and the North Central CMA for approval that demonstrate one of the following:
- a) The development is either modified or shifted back from the southern boundary to achieve this requirement, or
 - b) The waterway along the southern property boundary is realigned within the property boundary to achieve this requirement.
34. The depth of flooding over the proposed carparking areas and road ways must not exceed 0.3 metres. Prior to the commencement of works, engineering plans and computations to determine the 1% AEP flood levels associated with the waterway along the southern boundary and demonstrate how this condition will be achieved must be submitted to the responsible authority and North Central CMA for approval.

Coliban Water conditions

35. Prior to the commencement of the construction of buildings or other works, an application must be made for the proposed works to be fully assessed by EPA through a works approval application under the Environment Protection Act 1970.

36. The wastewater treatment system and disposal area must be installed, and, at all times, must be operated and managed, in accordance with any works approval or a council-issued septic tank permit. Any final wastewater solution must have an appropriate management, monitoring and reporting plan into the Macedon Ranges Shire Council domestic wastewater management system.
37. The disposal area, and any recommendations for fencing or the prevention of trafficable access to the disposal area, which are provided for through a works approval, must be shown on the site plans that form part of the permit.
38. Prior to the commencement of the construction of buildings or other works, a comprehensive Landscape Plan that provides for the enhancement of the environment and protection of the Eppalock special water supply catchment. The plan must be approved by the responsible authority and Coliban Water and be endorsed under the permit.

Goulburn Murray Water conditions

39. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
40. No buildings or works may be erected or carried out within 30 metres of a waterway or on any drainage lines (where applicable).

Department of Transport conditions

41. Prior to the commencement of use hereby approved in this permit, the applicant must enter into a Road Reserve Licence (Access Agreement) with Head, Transport for Victoria (Department of Transport, DoT) permitting access to and from the adjoining land only. The Road Reserve Licence (Access Agreement) will be in the form of DoT's standard documentation including but not limited to:
 - Annual market rent
 - Maintenance and operational obligations
 - Insurance requirements
 - Outgoings
 - Reinstatement
 - Works and required consent
 - Costs

Please contact Melissa Dunk – Statutory and Specialised Asset Manager on 03 98542447.

42. Unless otherwise agreed in writing by the Head, Transport for Victoria, prior to the endorsement of plans, a Functional Layout Plan and functional stage Road Safety Audit by a VicRoads' prequalified contractor must be submitted and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale and be generally in accordance with the plans prepared by TR Design dated 3 August 2021 (Project no. BC017.1, Sheet

no. 006-007) and concept plans prepared by TrafficWorks dated 25 March 2020 (Drawing no. 180643-CTP-05, 06 and 07 (Issue P6)) but modified and annotated to show:

- a) A dedicated left turn deceleration lane into the Freeway Service Centre designed in accordance with AustRoads Guidelines.
 - b) The proposed roundabout and access point on Springvale Road to be designed in accordance with AustRoads Guidelines.
 - c) Associated road signage and linemarking in accordance with AustRoads Guidelines and VicRoads Tourist Signing Guidelines and Speed Zoning Guidelines.
 - d) Removal and reinstatement of redundant crossovers on Cobb and Co Road to the satisfaction of the Responsible Authority.
 - e) Swept path diagrams demonstrating the largest design vehicle is able to enter and exit the Freeway Service Centre from both the Calder Freeway and Springvale Road safely without straddling multiple lanes or kerbs.
 - f) Location of the existing earthen mound on Springvale Road and the extent of impact of the proposed roundabout works to it (if any).
 - g) Extent of roadside vegetation to be removed (if any).
 - h) Mitigating measures to offset or address impacts to the existing earthen mound and roadside vegetation to the satisfaction of the Head, Transport for Victoria and the Responsible Authority.
 - i) External lighting designed in accordance with AS/ NZS 1158 and AS/ NZS 4282.
43. The number and location of the access proposed on the Calder Freeway as shown on the endorsed plans must not be altered without the written consent of the Head, Transport for Victoria.
44. Subsequent to the approval of the Functional Layout Plans and prior to the commencement of any roadworks required by the Head, Transport for Victoria under this permit, the permit holder must submit detailed engineering design plans, along with a detail design stage Road Safety Audit, prepared by a VicRoads prequalified contractor to the Head, Transport for Victoria for review and obtain written approval. The detailed design plans must be generally in accordance with the approved Functional Layout Plan. Any identified issues in the Road Safety Audit must be addressed in the detailed design plans to the satisfaction of and at no cost to the Head Transport for Victoria.

Detailed design plans must be accompanied by:

- a) A report from a suitably qualified Geotechnical Engineer outlining the design and construction techniques to be utilised to ensure the proposed Freeway Service Centre adjacent to the Calder Freeway will not impact detrimentally on the surface and undulation of adjacent sections of the Calder Freeway to the satisfaction of and at no cost to the Head, Transport for Victoria.
- b) Prior to the development coming into use, all required roadworks identified in the approved Functional Layout Plan and detailed design

plan must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria.

- c) Prior to the installation of service centre signage, the proponent must apply to the Department of Transport to obtain a tourist sign permit to display Freeway Service Centre signage within the Calder Freeway reserve and ramps.
- d) Within 6 months of the development operating, a post-development Transport Impact Assessment Report must be submitted to and approved by the Head, Transport for Victoria and the Responsible Authority. The Transport Impact Assessment Report must include the following:
 - i. An assessment of the operation of the road network particularly the Calder Freeway interchange post-development.
 - ii. Identification of any road safety and operational issues resulting from the operation of the Freeway Service Centre on Springvale Road and the Calder Freeway.
 - iii. Any mitigation measures required to address the identified road safety and operational issues.
 - iv. Within 12 months of the development operating, or any such time as agreed with the Head, Transport for Victoria, the mitigation measures outlined in the approved post-development Transport Impact Assessment Report must be constructed to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority.
 - v. The discharge of any concentrated drainage or sullage onto the Calder Freeway reserve must not be permitted unless approved in writing by the Head, Transport for Victoria.
 - vi. All vehicles must enter and exit the Freeway Service Centre in a forward direction at all times.
 - vii. No work must be commenced in, on, under or over a road reserve without having first obtained all necessary approval under the Road Management Act 2004, the Road Safety Act 2017 and any other relevant Acts or Regulations created under those Acts.

EPA Conditions

- 45. Petroleum storage tanks must be designed, installed and operated in accordance with the *Guidelines on the Design, Installation and Management Requirements for Underground Petroleum Storage Systems (UPSS)* (EPA Publication No. 888.4, August 2015).
- 46. On cessation of the use, tanks must be decommissioned by suitably qualified professionals, as outlined in EPA Publication 888.4 *Underground Petroleum Storage Systems (UPSSs) 2015* or as amended and the Australian Standards referenced therein.
- 47. A secondary containment system must be provided for liquids which if split are likely to cause pollution or pose an environmental hazard.

48. There must be no emissions of noise and/or vibrations from the premises which are detrimental to either of the following:
 - a) The environment in the area around the premises; and
 - b) The wellbeing of persons and/or their property in the area around the premises.
49. Pollution control devices must be installed to prevent the discharge of waste to the environment and stormwater system.
50. The permit holder must ensure that litter originating from the premises is not present beyond the boundaries of the premises.

Permit Expiry

51. This permit will expire if one of the following circumstances applies:
 - a) The development is not commenced within two (2) years from the date of issue of this permit;
 - b) The development is not completed within four (4) years from the date of issue of this permit.
 - c) The use is not commenced within two (2) years of the completion of the development.
 - d) The plan of subdivision is not certified within two years of the date of this permit.
 - e) The registration of the subdivision is not completed within five years of the date of the certification of the plan of subdivision.

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 Notes

- Future owners of the land must be made aware of the existence of this permit.
- This permit does not authorise on-site signage except those which are exempted by the Macedon Ranges Planning Scheme.
- No assessment has been made of the proposal's compliance with The Tobacco (Amendment) Act 2005 and it is recommended that the applicant obtain independent advice in this regard.
- Any smoking area must comply with the requirements of the Tobacco Act 1987.
- The premises must comply with the Public Health and Wellbeing Act 2008 and the Food Act 1984 (where applicable) and associated Council Local Laws. Council's Environmental Health Department should be contacted regarding these requirements.

- EPA Notes:

- This permit is not an EPA works approval or licence. Before the use or development authorised under this permit starts, the permit holder must ensure that any obligations or duties that arise under the

Environment Protection Act 1970 are met. This may include obtaining a works approval or licence.

- **Department of Transport Notes:**

- The preparation of the functional layout plan, detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Externally Funded Projects" and any other requirements considered necessary depending on the nature of the work.
- The detailed engineering design plans may need to be amended to accommodate any changes that may arise during the detailed design stage review; in response to the road safety audit; in relation to services and their relocation; vegetation; drainage; treatment of hazards within clear zones and other matters.

B. That Council provides a 'consent letter' for the proposed advertising signage to undertake a ministerial amendment through DELWP to permit the proposed signage noting that the 10 metre high sign is to be single sided only.

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

Against: Cr Rob Guthrie

CARRIED 6/1

PE.2 DEFERRAL OF REPORT - PLN/2004/429/A - USE OF THE LAND FOR THE PURPOSE OF FARM PRODUCE MARKET - SERVICE ROAD BETWEEN AITKEN STREET AND HAMILTON STREET, GISBORNE

Summary

This report provides Council with an update in relation to Planning Permit Application PLN/2004/429/A - Use of the Land for the purpose of Farm Produce Market - Service Road between Aitken Street and Hamilton Street, Gisborne. At the Planning Delegated Committee Meeting held on 10 March 2022, it was decided that the application would be considered and decided upon at the 13 April 2022 Planning Delegated Committee Meeting. However, the applicant has since requested that the item be deferred.

Recommendation

That Council notes that recommendations relating to Planning Permit Application PLN/2004/429/A will be prepared, based on all relevant information, including submissions received, for consideration and determination at a future Planning Delegated Committee Meeting.

Resolution 2022/24

Moved: Cr Mark Ridgeway
Seconded: Cr Dominic Bonanno

That Council notes that recommendations relating to Planning Permit Application PLN/2004/429/A will be prepared, based on all relevant information, including submissions received, for consideration and determination at a future Planning Delegated Committee or Council Meeting. This recommendation supersedes the decision made at the Planning Delegated Committee held on 10 March 2022.

CARRIED

PE.3 COUNCILLOR INTERACTIONS WITH EXTERNAL PARTIES ON PLANNING MATTERS POLICY**Summary**

This report recommends that Council adopt a Councillor Interactions with External Parties on Planning Matters Policy. If approved, this policy would apply to requests that Councillors may receive from the community around planning matters, including planning scheme amendments, planning permit applications and objections/submissions to planning applications.

Resolution 2022/25

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council adopts the Councillor Interactions with External Parties on Planning Matters Policy, as attached to this report.

CARRIED UNANIMOUSLY

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 CHIEF EXECUTIVE OFFICER EMPLOYMENT AND REMUNERATION COMMITTEE - TERMS OF REFERENCE REVISED TIMELINE****Summary**

Consistent with the requirements of the *Local Government Act (LGA) 2020*, Council adopted the Chief Executive Officer (CEO) Employment and Remuneration Policy at the December Scheduled Council Meeting 2021 and established the CEO Employment and Remuneration Committee. Council noted that the draft terms of reference for the Committee, provided as Appendix A to the Policy, would be finalised in consultation with the Committee, following the appointment of an Independent Advisor, and tabled at the March Scheduled Council Meeting for endorsement. Council also endorsed the commencement of a recruitment process for the Independent Advisor to the Committee.

Recommendation

That Council notes the amended timeline for the finalisation of the CEO Employment and Remuneration Committee Terms of Reference, which will now be submitted to the April Scheduled Council Meeting for endorsement, followed by the June Audit and Risk Committee Meeting for noting.

Resolution 2022/26

Moved: Cr Annette Death

Seconded: Cr Rob Guthrie

That Council notes the amended timeline for the finalisation of the CEO Employment and Remuneration Committee Terms of Reference, which will now be submitted to the April Scheduled Council Meeting for endorsement.

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 INSTRUMENT OF APPOINTMENT AND AUTHORISATION TO STAFF UNDER THE PLANNING AND ENVIRONMENT ACT 1987****Summary**

It is proposed that Council appoints a number of statutory and strategic planning staff as authorised officers under the *Planning and Environment Act 1987*. Appointments are made by way of instruments of appointment and authorisation, which empower specified persons to exercise the powers granted to authorised officers by law.

The staff proposed to be appointed are:

- Rebecca Stockfeld – Director Planning and Environment
- Krista Patterson-Majoor – Coordinator Environment
- Naaz Begum – Senior Statutory Planning Officer
- Juliet Worm – Statutory Planning Administration Officer
- Amy Swan – Statutory Planning Administration Officer
- Callum Pike – Statutory Planning Officer

Resolution 2022/27

Moved: Cr Janet Pearce

Seconded: Cr Dominic Bonanno

That Council:

1. **In the exercise of the powers under s. 147(4) of the *Planning and Environment Act 1987*, resolves to appoint Rebecca Stockfeld, Krista Patterson-Majoor, Naaz Begum, Juliet Worm, Amy Swan and Callum Pike as authorised officers for the purposes of that Act, in accordance with the Instrument of Appointment and Authorisation (attached).**
2. **Resolves that the appointments remain in force until varied, revoked or the above named officers cease to be an employee of Council, whichever occurs first.**

CARRIED

COR.2 CONTRACTS TO BE AWARDED MARCH**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 2022/28

Moved: Cr Mark Ridgeway

Seconded: Cr Bill West

That Council:

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
 - (a) **C22.1121 Gisborne Fields Stage 2**
 - (b) **C22.1153 Design and Construct Modular Building Gisborne Aquatic Centre**
 - (c) **Q22.1155 Footbridge Reconstruction Main Road Riddells Creek**
 - (d) **C22.1156 Kyneton Bowls Club Window Replacement and Minor Works**
2. **Grants delegated authority to the Chief Executive Officer to award the following contract:**
 - (a) **C22.1158 Supply Panel Minor Works Construction Projects**

CARRIED

COR.3 EAST PADDOCK, HANGING ROCK FOR COMMUNITY CONSULTATION**Summary**

This report seeks Council's endorsement to commence a community consultation process regarding the Victorian Government's offer to purchase 139 South Rock Road, Newham (East Paddock, Hanging Rock) and to provide a further report to Council with a summary of feedback received.

Resolution 2022/29

Moved: Cr Janet Pearce
Seconded: Cr Annette Death

That Council:

- 1. Commences community consultation for 28 days on the offer received from the Department of Environment, Land, Water and Planning to purchase 139 South Rock Road, Newham (East Paddock, Hanging Rock).**
- 2. Notes a report will be presented to Council with a summary of the community feedback for consideration.**

CARRIED

COR.4 REVIEW OF GOVERNANCE RULES**Summary**

Council adopted its Governance Rules in accordance with sections 60 and 69 of the *Local Government Act 2020* (the Act) on 26 August 2020. The Governance Rules include the Election Period Policy. The Governance Rules have been reviewed and this report seeks Council endorsement to release the amended rules for community consultation, in accordance with section 60(4) of the Act.

Resolution 2022/30

Moved: Cr Janet Pearce
Seconded: Cr Rob Guthrie

That Council:

- 1. Endorses the amended Governance Rules for release for community consultation for 28 days.**
- 2. Schedules a meeting of the Submitters Delegated Committee (if required) to be held on Wednesday 11 May 2022 and invites members of the public to attend the meeting to speak to their submissions on the Governance Rules.**
- 3. Receives a final report to adopt the amended Governance Rules by no later than June 2022.**

CARRIED

14 DIRECTOR COMMUNITY REPORTS

Nil

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 DRAFT ASSET PLAN 2021-2031****Summary**

Under the Victorian Local Government Act 2020, Council must create an Asset Plan. Council officers seek the endorsement of the draft Asset Plan to undertake community consultation.

Resolution 2022/31

Moved: Cr Mark Ridgeway
Seconded: Cr Dominic Bonanno

That Council:

- 1. Endorses the draft Asset Plan for six weeks community consultation, noting this will not be via deliberative engagement (as permitted for all Councils under advice from Local Government Victoria);**
- 2. Notes that, following community consultation, officers will provide a report and finalised Asset Plan to the June 2022 Scheduled Council Meeting.**

CARRIED

AO.2 NATURE STRIP LANDSCAPING POLICY REVIEW**Summary**

This report seeks Council adoption of the revised Nature Strip Landscaping Policy, following the review of community consultation and subsequent amendments made.

Resolution 2022/32

Moved: Cr Rob Guthrie
Seconded: Cr Janet Pearce

That Council:

- 1. Endorses the changes made to the Nature Strip Landscaping Policy as a result of submissions received during the public consultation period;**
- 2. Adopts the Nature Strip Landscaping Policy 2022; and**
- 3. Requests officers write to submitters, thanking them for their submissions.**

CARRIED

AO.3 INTEGRATED WATER MANAGEMENT STRATEGIC DIRECTIONS STATEMENT**Summary**

The 2018 Strategic Directions Statement (SDS) articulated all stakeholders' collaborative intent and shared agreement in the Coliban Integrated Water Management (IWM) forum. The Department of Environment, Land, Water and Planning (DELWP) recently prepared a high-level report with all relevant stakeholders on an updated 2022 progress report. The report outlines the forum's activity, changing priorities and future opportunities. It describes the region's water security challenges and opportunities, sets the strategic direction for the next few years, and outlines the 'best endeavours' or ways the IWM is and will be applied through projects proposed, in progress and completed for the region.

Resolution 2022/33

Moved: Cr Janet Pearce
Seconded: Cr Annette Death

That Council endorses the Department of Environment, Land, Water and Planning 'Coliban Integrated Water Management Strategic Directions Statement Draft 2022'.

CARRIED

16 NOTICES OF MOTION AND RESCISSION**NO. 41/2021-22: NOTICE OF MOTION - LANCEFIELD RELAY FOR LIFE
ACKNOWLEDGEMENT**

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

Resolution 2022/34

Moved: Cr Rob Guthrie

Seconded: Cr Bill West

That Council:

- 1. Acknowledges the community's support of the Lancefield Relay for Life event, which was held on 5 March 2022. The 22 participating teams raised \$59,653.36 this year, with a total of \$1.6 million raised over the 19 years that the event has been held.**
- 2. Acknowledges the valuable and active contribution of Council officer Anna Quigley in organising and overseeing Council's participation in this event over many years, and other staff members who continually support and participate in the interests of community wellness.**

CARRIED UNANIMOUSLY

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS

Nil

The meeting closed at 8pm.