

Minutes

**Council Meeting
Wednesday 27 April 2022 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 Jennifer Anderson (Mayor), Cr Rob Guthrie (Deputy Mayor), Cr Dominic Bonanno, Cr Annette Death, 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), Travis Harling (Manager Finance and Reporting)

4 APOLOGIES

Cr Anne Moore

5 CONFLICTS OF INTEREST

Cr Jennifer Anderson declared a conflict of interest in relation to item COM.1 Small Project Grants. The conflict of interest relates to the Woodend Neighbourhood House Repair Café, where her partner is a volunteer.

6 PETITIONS**6.1 PETITION REQUESTING THE SEALING OF NOONAN GROVE AND CHRISTIAN STREET, WOODEND**

Council received a petition with 34 signatures requesting the sealing of Noonan Grove and Christian Street, Woodend.

Resolution 2022/35

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council:

- 1. Receives and notes the petition;**
- 2. Refers the petition to the Director Assets and Operations for investigation and requests a report back on the matter by August 2022;**
- 3. Notifies the petition organisers accordingly.**

CARRIED

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

Nil

8 ADOPTION OF MINUTES**Resolution 2022/36**

Moved: Cr Mark Ridgeway
Seconded: Cr Geoff Neil

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

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - APRIL 2022****Resolution 2022/37**

Moved: Cr Annette Death
Seconded: Cr Rob Guthrie

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****Summary**

Rule 31(a) of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councillors 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 2022/38

Moved: Cr Bill West
Seconded: Cr Geoff Neil

That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report with the following corrections:

- **Bernie O'Sullivan, Chief Executive Officer, attended all meetings in person, with the exception of the 22 March 2022 Councillor Briefing, which he attended via Zoom**
- **Bob Elkington, Coordinator Economic Development, attended the 5 April 2022 Councillor Briefing via Zoom**

CARRIED**11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**

Nil

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 RISK MANAGEMENT POLICY****Summary**

This report seeks Council approval of the revised Risk Management Policy, which has been updated to reflect the latest international risk management standards, as well as the revised Victorian Government Risk Management Framework. The approved Risk Management Policy will guide enterprise risk management across the organisation.

Resolution 2022/39

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council adopts the Risk Management Policy 2022, as attached.

CARRIED

CX.2 CHIEF EXECUTIVE OFFICER EMPLOYMENT AND REMUNERATION COMMITTEE - UPDATED TERMS OF REFERENCE**Summary**

In accordance with the requirements of the *Local Government Act (LGA) 2020*, Council adopted the CEO Employment and Remuneration Policy at the December 2021 Scheduled Council Meeting and endorsed the establishment of the Chief Executive Officer (CEO) Employment and Remuneration Committee (the Committee). Council also noted that the draft Terms of Reference for the Committee, attached as Appendix A to the Policy, would be updated following the appointment of an Independent Advisor.

Officers recommend that the attached CEO Employment and Remuneration Committee Terms of Reference be considered and endorsed.

Resolution 2022/40

Moved: Cr Mark Ridgeway

Seconded: Cr Rob Guthrie

That Council endorses the Chief Executive Officer Employment and Remuneration Committee Terms of Reference, as attached, noting that this will supersede and replace the draft Terms of Reference provided as Appendix A in the Chief Executive Officer Employment and Remuneration Policy.

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 DELEGATIONS FROM COUNCIL TO COUNCIL STAFF****Summary**

Council has a number of delegations in place to ensure efficient working of its operations, including delegations directly from Council to Council staff. These delegations are required to be reviewed within 12 months of a general election of Council (section 11(7) of the *Local Government Act 2020*). The S6 Instrument of Delegation from Council to Council staff was last reviewed by Council in October 2021. This update to the S6 includes legislative updates and changes to staff positions as a result of the recent organisational restructure.

Resolution 2022/41

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council:

1. **Delegates the powers, duties and functions of Council to Council staff, as set out in the attached S6 Instrument of Delegation, subject to the conditions and limitations specified in that instrument, with the following change:**
 - (a) **Section 116 of the *Heritage Act 2017* will be altered to reflect no delegations to any Council officer, inclusive of the Chief Executive Officer**
2. **Revokes the previous S6 Instrument of Delegation, endorsed in October 2021.**

CARRIED

COR.2 CONTRACTS TO BE AWARDED - APRIL 2022**Summary**

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

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

Resolution 2022/42

Moved: Cr Mark Ridgeway

Seconded: Cr Annette Death

That Council:

1. **Notes that the following contract will be awarded by Council officers under delegated authority:**
 - (a) **C22.1162 Superintendent Services For Stages 1B & 2 Shared Trails**
2. **Grants delegated authority to the Chief Executive Officer to award the following contracts:**
 - (a) **C22.1165 Closed Landfill Monitoring and Reporting**

CARRIED

COR.3 DRAFT BUDGET 2022/23**Summary****Resolution 2022/43**

Moved: Cr Geoff Neil
Seconded: Cr Annette Death

That Council:

- 1. Endorses the draft Budget 2022/23, prepared in accordance with Section 94 of the Local Government Act 2020, to be made available for public comment from 28 April until 26 May 2022;**
- 2. Notes the fees, charges, borrowing and capital works discussed as part of this report and as outlined in the draft Budget 2022/23;**
- 3. Notes the rates and charges discussed as part of this report and as outlined in Appendix 1;**
- 4. Undertakes community engagement and consultation in accordance with the Local Government Act 1989, the Local Government Act 2020 and Council's Community Engagement Policy;**
- 5. Schedules a Submitters Delegated Committee meeting for 7pm on Thursday 9 June 2022, to provide an opportunity for any person who wishes to make a verbal presentation in support of their submission on the draft Budget 2022/23 to be heard;**
- 6. Notes that a report and recommendations will be presented to the Scheduled Council Meeting on Wednesday 22 June, to enable Council to consider submissions and adopt the Budget 2022/23.**

CARRIED

COR.4 DRAFT COUNCIL PLAN 2021-2031 (YEAR TWO ACTIONS 2022-2023)**Summary**

The Council Plan forms part of the Strategic Planning and Reporting Framework, as outlined in the *Local Government Act 2020* (LGA). This plan must provide the strategic direction of Council, its objectives, the strategies to achieve these objectives and strategic indicators for monitoring the achievements.

The purpose of this report is to seek endorsement of the draft Council Plan 2021-2031 (Year 2 Actions 2022-2023) for public display in preparation for adoption at Council's June Scheduled Meeting.

Resolution 2022/44

Moved: Cr Dominic Bonanno

Seconded: Cr Rob Guthrie

That Council

1. **Endorses the draft Council Plan 2021-2031 (Year Two Actions 2022-2023) to be made available for public comment from 28 April until 26 May 2022;**
2. **Undertakes community engagement and consultation in accordance with the Local Government Act 1989, the Local Government Act 2020 and Council's Community Engagement Policy;**
3. **Schedules a Submitters Delegated Committee meeting for 7pm on Thursday 9 June 2022, to provide an opportunity for any person who wishes to make a verbal presentation in support of their submission on the draft Council Plan 2021-2031 (Year Two Actions 2022-2023) to be heard;**
4. **Notes that a report and recommendations will be presented to the Scheduled Council Meeting on Wednesday 22 June, to enable Council to consider submissions and adopt the Council Plan 2021-2031 (Year Two Actions 2022-2023).**

CARRIED

14 DIRECTOR COMMUNITY REPORTS

Councillor Jennifer Anderson left the room at 7.30pm having previously declared a conflict of interest in the following item.

Councillor Rob Guthrie assumed the Chair.

COM.1 SMALL PROJECT GRANTS

Summary

The Small Project Grants program supports projects and initiatives that:

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

Council's Small Project Grants budget for 2021/22 is \$30,000 and not-for-profit groups can apply for a maximum of \$1,500 per application.

Applications are assessed against set criteria outlined in the Small Project Grants guidelines. Funding recommendations are presented monthly at a Scheduled Council meeting for review and/or approval.

This report details the process of evaluation and lists recent applications received.

Three applications have been received seeking a total of \$3,535 in funding. The applications have been evaluated against the eligibility criteria and all are deemed to be eligible.

Resolution 2022/45

Moved: Cr Mark Ridgeway

Seconded: Cr Dominic Bonanno

That Council approves the awarding of the:

- 1. Woodend Neighbourhood House Small Project Grants application of \$1,425 for the purchase of training and equipment for the Woodend Repair Café Electrical Appliance Repair Capability.**
- 2. Bullengarook Pony Club Small Project Grants application of \$610 for the purchase of first aid supplies.**
- 3. Macedon Ranges Film Society (MRFS) Inc. Small Project Grants application of \$1,500 as a contribution for the purchase of upgraded projection equipment.**

CARRIED

Councillor Jennifer Anderson returned to the room at 7.32pm and resumed the Chair.

COM.2 COMMUNITY FUNDING SCHEME 2022/23**Summary**

The purpose of this report is to identify a number of administrative and policy changes required for the 2022/23 Community Funding Scheme (CFS), in response to feedback from the 2021/22 CFS and the impact of the *Gender Equality Act 2020*.

These changes include:

- The implementation of the online grants management software SmartyGrants;
- Recommended changes to the 2022/23 CFS Guidelines that will improve accessibility of the 2022/23 CFS Program to a wider range of applications; and
- The introduction of questions in the application form that address gender equality issues.

Additionally, officers have scheduled a comprehensive review of the Community Funding Scheme, which will be presented for Council's consideration later in the year.

Resolution 2022/46

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council

1. **Changes the wording of Section 6 in the 2022/23 Community Funding Scheme Guidelines from 'Only one grant will be allocated per organisation' to, 'Up to two grants will be allocated per organisation';**
2. **Notes the additional question to be included within the Community Funding Scheme Application Form, resulting from the *Gender Equity Act 2020*.**

CARRIED

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

This report informs Council of the progress of the draft Public Toilet and BBQ Strategy.

The draft Public Toilet and BBQ Strategy sets out a framework to guide the future planning and provision of public toilets and BBQ facilities throughout the shire.

Resolution 2022/47

Moved: Cr Janet Pearce
Seconded: Cr Geoff Neil

That Council notes the presentation of the draft Public Toilet and BBQ Strategy for consultation is deferred until the July Scheduled Council Meeting.

CARRIED

AO.2 WOODEND INTEGRATED TRANSPORT STUDY - UPDATE**Summary**

Officers are providing this update to Councillors on the progress and findings of the community survey undertaken on the Woodend Integrated Transport Study.

Resolution 2022/48

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council notes this update and that officers will present the completed Woodend Integrated Transport Study for consideration at the 23 November 2022 Scheduled Council Meeting.

CARRIED

16 NOTICES OF MOTION AND RESCISSION**NO. 42/2021-22: NOTICE OF MOTION - SUPPORT FOR UKRAINE**

I, Councillor Anne Moore, give notice that at the next Meeting of Council to be held on 27 April 2022, I intend to move the following motion:

(Councillor Moore was an apology for this meeting. As per the Governance Rules, another Councillor was able to move this motion on her behalf.)

Resolution 2022/49

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council:

- 1. Stands with Ukraine and their innocent courageous citizens enduring the ravages of an unprovoked war;**
- 2. Provides supportive assistance to Ukrainian refugees who are seeking shelter in the Macedon Ranges Shire;**
- 3. Expresses our gratitude and thanks to members of our community, not for profit organisations, government agencies, telecommunications companies and our council staff who are providing aid to Ukrainian refugees arriving with limited resources;**
- 4. As a sign of our support and respect to Ukraine and its peoples, approves the lighting of the Kyneton Town Hall in Ukrainian colours for a period of 7 days.**

CARRIED UNANIMOUSLY

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS

Nil

The meeting closed at 7.52pm.