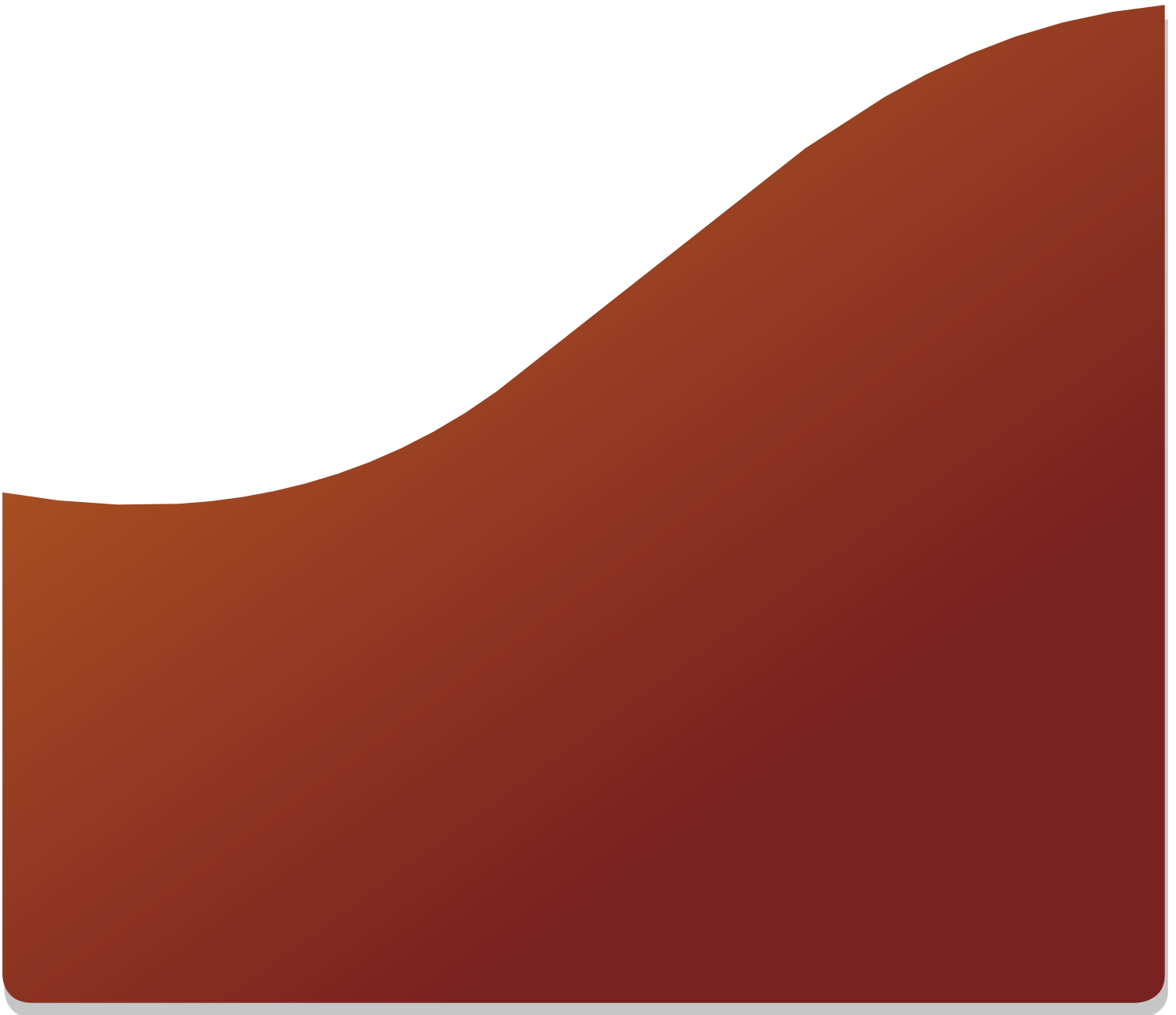


Minutes

**Council Meeting
Wednesday 13 December 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 Janet Pearce (Deputy Mayor), Cr Jennifer Anderson, Cr Dominic Bonanno, Cr Rob Guthrie, Cr Geoff Neil, Cr Mark Ridgeway, Cr Christine Walker, Cr Bill West

IN ATTENDANCE

Bernie O'Sullivan (Chief Executive Officer), Adele Drago-Stevens (Director Corporate), Rebecca Stockfeld (Director Planning and Environment), Shane Walden (Director Assets and Operations), Maria Weiss (Director Community), Patricia Clive (Coordinator Governance), Lucy Olson (Senior Governance Officer - Council Business), Peter Mathews (Outgoing Chair of Audit and Risk Committee)

4 APOLOGIES

Nil

5 CONFLICTS OF INTEREST

Cr Anderson declared a general conflict in relation to item 18.1.

6 PETITIONS

Nil

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL**7.1 PRESENTATION FROM MR PETER MATHEWS**

Council received a verbal presentation from Mr Peter Mathews the outgoing Chairperson of the Audit and Risk Committee wherein he presented the Biannual Report December 2023 of the Audit and Risk Committee.

7.2 PUBLIC QUESTION - LINSEY HART

Question:

What steps will council take before the Christmas shut-down period to advocate to the Victorian and Federal governments on behalf of Macedon Ranges residents for a permanent ceasefire in Palestine and for the Victorian government to end relationships with companies that are known to be implicated in providing arms to Israel that are being used to commit grave war crimes in breach of international humanitarian law?

Answer:

Late last week Council received a petition addressing the same issue. Council has advised the head petitioner that due to the sensitivity and complexity of the matter that the February 2024 Council meeting is the earliest that the petition can be tabled.

As this matter is an international issue, thereby being the responsibility of the Australian Government, and given the time sensitive nature of the matter, I encourage Ms Hart and all concerned, to contact the Federal Members of Parliament within the Macedon Shire.

In September 2023, Council adopted the Cultural Diversity and Inclusion Statement that frames Macedon Ranges Shire Council as a safe space for all and aims to build “A community where diversity is not only accepted but welcomed and celebrated”.

Council thanks the submitter for their passion and question.

8 ADOPTION OF MINUTES

Resolution 2023/145

Moved: Cr Mark Ridgeway

Seconded: Cr Jennifer Anderson

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on 21 November and 22 November 2023 as circulated be confirmed.

CARRIED

9 MAYOR'S REPORT

9.1 MAYOR'S REPORT - NOVEMBER-DECEMBER 2023

Resolution 2023/146

Moved: Cr Jennifer Anderson

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 - NOVEMBER-DECEMBER 2023****Summary**

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

Recommendation

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

Cr Rob Guthrie moved an amended officer recommendation.

Resolution 2023/147

Moved: Cr Rob Guthrie
Seconded: Cr Bill West

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

- 1. Amy Holmes (Manager Community Strengthening) in attendance at the 28 November Council Briefing; and**
- 2. Attendance at the 21 November Council Briefing to note that the Mayor and the Deputy Mayor were elected during the meeting.**

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**PE.1 MACEDON RANGES SHIRE THEMATIC ENVIRONMENTAL HISTORY REPORT FOR ADOPTION****Summary**

The purpose of this report is to present the 'Macedon Ranges Shire Thematic Environmental History (October 2023) for adoption.

Resolution 2023/148

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council adopts the Draft Macedon Ranges Shire Thematic Environmental History (October 2023).

CARRIED

PE.2 STANLEY PARK - ADOPTION OF ENVIRONMENTAL MANAGEMENT PLAN**Summary**

Stanley Park is valued by the Mount Macedon community for its biodiversity and social values. Council has worked with the Stanley Park Community Asset Committee to create an updated Environmental Management Plan for Stanley Park (attached) which will guide future revegetation projects and inform the development of an Infrastructure Master Plan for the park.

Resolution 2023/149

Moved: Cr Rob Guthrie
Seconded: Cr Christine Walker

That Council adopts the draft Environmental Management Plan – Stanley Park, Mount Macedon November 2023 replacing all previous plans.

CARRIED

PE.3 CLIMATE EMERGENCY PLAN**Summary**

The Climate Emergency Plan 2023-30 aims to accelerate action in the Macedon Ranges Shire to address climate change. This plan will guide the work of all parts of Council, and provide inspiration and opportunity for everyone across the community to take action.

After an extensive consultative process of development, the draft Climate Emergency Plan was released for community consultation over a period of four weeks from 27 September to 27 October, 2023.

This report and attachment provides a detailed response to community feedback and presents an updated and finalised version of the Climate Emergency Plan for adoption.

Resolution 2023/150

Moved: Cr Jennifer Anderson
Seconded: Cr Mark Ridgeway

That Council adopts the draft Climate Emergency Plan 2023-2030.

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 AUDIT AND RISK COMMITTEE - APPOINTMENT OF CHAIR FOR 2024, EXTENSION OF INDEPENDENT MEMBER AND ADOPTION OF AUDIT AND RISK COMMITTEE CHARTER****Summary**

The Audit and Risk Committee comprises two Councillors and four independent members from the Macedon Ranges Shire community. This report seeks for Council to consider an extension of an existing independent member and the appointment of Chairperson for 2024.

Also included as part of this report is an amendment to the Audit and Risk Committee Charter to include minor changes at the recommendation of the Committee and Officers.

Resolution 2023/151

Moved: Cr Mark Ridgeway

Seconded: Cr Geoff Neil

That Council:

- 1. Offers an extension to the appointment of independent member Maggie Williams for the period 1 January 2024 to 31 December 2027;**
- 2. Endorses the appointment of independent member, Vinitha Pinto as Audit and Risk Committee Chairperson from 1 January 2024 to 31 December 2024;**
- 3. Approves the attached updated Audit and Risk Committee Charter, to be effective from 14 December 2023, replacing the previous Charter; and**
- 4. Formally recognises Peter Matthews for his valuable service to the Macedon Ranges Shire Council's Audit and Risk Committee since March 2017, as both independent member and Chair.**

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 INSTRUMENT OF DELEGATION TO CHIEF EXECUTIVE OFFICER****Summary**

The purpose of this report is to amend the Instrument of Delegation to the Chief Executive Officer to address legislative compliance. It is necessary to remake the Chief Executive Officer's Instrument of Delegation regularly so that it applies to all legislation current at the time. There are minor amendments to the Instruments that do not change the operation but clarify intention.

Resolution 2023/152

Moved: Cr Rob Guthrie

Seconded: Cr Dominic Bonanno

That Council:

1. **adopts the amended Instrument of Delegation from Council to the Chief Executive Officer at Attachment 1;**
2. **authorises signing of the Instrument of Delegation from Council to the Chief Executive Officer at Attachment 1; and**
3. **notes that the amended Instrument of Delegation from Council to the Chief Executive Officer comes into force immediately upon signing.**

CARRIED

COR.2 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 staff who have recently commenced with Council and existing staff whose position has change. 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 2023/153

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council resolves that in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987:

1. **the Instrument of Appointment and Authorisation for the officers outlined in this report are to be revoked;**
2. **Council Officers named in the Instruments of Appointment and Authorisation provided at Attachment 1 be appointed and authorised;**
3. **any previous Instruments issued to the officers in Attachment 1 by Council are revoked;**
4. **the Instruments of Appointment and Authorisation come into force upon signing and remain in force until Council determines to vary or revoke these; and**
5. **the Instruments of Appointment and Authorisation at Attachment 1 be signed.**

CARRIED

COR.3 CONTRACTS TO BE AWARDED AS AT DECEMBER 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 2023/154

Moved: Cr Dominic Bonanno

Seconded: Cr Bill West

That Council:

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
 - (a) **C2024-56 Provision of Mulching Services**
 - (b) **C2024-57 Asset Reporting Data Validation, Capture and Condition**
2. **Grants delegated authority to the Chief Executive Officer to award the following contracts:**
 - (a) **C2024-55 Design Services Regional Sports Precinct Stage 2**
 - (b) **C2024-58 Supply Panel Emergency Management Response and Recovery**

CARRIED

COR.4 AUDIT AND RISK COMMITTEE BIENNIAL REPORT - DECEMBER 2023**Summary**

The Biennial Report of the Audit and Risk Committee (the Committee) is presented to Council to ensure a transparent summary of the key matters discussed at the Committee during the second half of the 2023 calendar year.

The report also ensures the requirements of the Committee's Charter are met, by providing a biennial report to Council to fully discharge its responsibilities.

The Audit and Risk Committee Biennial Report - December 2023 is attached. The Committee's Chairperson, Mr Peter Matthews, will attend the Council Meeting to present on the report.

Resolution 2023/155

Moved: Cr Geoff Neil

Seconded: Cr Mark Ridgeway

That Council notes the Audit and Risk Committee Biannual Report - December 2023 and thanks the Committee for the report.

CARRIED

14 DIRECTOR COMMUNITY REPORTS

COM.1 NORTH CENTRAL GOLDFIELDS REGIONAL LIBRARY AGREEMENT 2024

Summary

This report seeks Council approval for signing the North Central Goldfields Regional Library Agreement 2024 (attached), following a public notice period from 1 November to 29 November inclusive, during which no submissions were received.

Resolution 2023/156

Moved: Cr Bill West
Seconded: Cr Rob Guthrie

That Council:

1. Notes that Council's intention to sign the Regional Library Agreement 2024 with the North Central Goldfields Regional Library Corporation was advertised from 1 November to 29 November 2023 inclusive, with no submissions received;
2. Authorises the CEO to sign the Regional Library Agreement 2024 on behalf of Council.

CARRIED

COM.2 DRAFT COMPLAINT AND UNREASONABLE BEHAVIOUR POLICY

Summary

The draft Complaint and Unreasonable Behaviour Policy outlines how Council will manage complaints and unreasonable behaviour. The draft policy details improvements in addressing, managing and implementing processes which provide clear guidance for both complainant and Council.

Resolution 2023/157

Moved: Cr Geoff Neil
Seconded: Cr Janet Pearce

That Council endorses the release of the draft Complaint and Unreasonable Behaviour Policy for four weeks of community consultation.

CARRIED

COM.3 SMALL PROJECT GRANTS - DECEMBER 2023**Summary**

The Small Project Grants program supports projects and initiatives that:

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

Council's Small Project Grants budget for 2023/24 is \$30,000 and not-for-profit groups can apply for a maximum of \$3,000 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.

Five applications have been received, seeking a total of \$12,150 in funding. The applications have been evaluated against the eligibility criteria and are deemed to be eligible.

Resolution 2023/158

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council:

1. Approves the awarding of a \$2,309 Small Project Grant to Discovery Science and Technology Centre, for their Curious Kids in the Library project;
2. Approves the awarding of a \$2,059 Small Project Grant to Gisborne Golf Club, for their Nesting Box Installation in trees on the golf course project;
3. Approves the awarding of a \$3,000 Small Project Grant to Kyneton Basketball Association, for their Victorian Junior Basketball League Standard basketballs for our junior teams project;
4. Approves the awarding of a \$1,500 Small Project Grant to Riddells Creek Cool Changes, for their Riddells Creek Enviro Expo project;
5. Approves the awarding of a \$2,000 Small Project Grant to Woodend RSL Sub-Branch, for their First Australians Flag project; and
6. Notifies prospective applicants on Council's Small Project Grants webpage that as all funding for the program has been expended, the current round is closed and a new round will open on 1 July 2024.

CARRIED

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 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 2023/159

Moved: Cr Rob Guthrie
Seconded: Cr Dominic Bonanno

That Council:

1. **Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:**
 - (a) **Project 100141 - Romsey Recreation Reserve Clubrooms: Increase the budget by \$8,132.50;**
 - (b) **Project 100829 - Major Culvert - Martins Road, Bayton: Increase the budget by \$106,078.08;**
 - (c) **Project 100953 - Roads - Chanters Lane Reconstruction Trentham East: Increase the budget by \$79,113.93;**
 - (d) **Project 100772 - Roads - Hamilton Road Reconstruction, New Gisborne: Increase the budget by \$62,385.48;**
 - (e) **Project 100163 - Roads - Darraweit Valley Road and Bolinda-Darraweit Road Darraweit Guim: Increase the budget by \$55,719.63;**
 - (f) **Project 100354 - Brooke and Templeton St, Woodend: Return \$59,701.60 to the consolidated capital works program budget; and**
2. **Notes that the financial year 2023-2024 Capital Works program budget balance is a deficit of \$43,610.97.**

CARRIED

AO.2 DRAFT SPECIAL CHARGE SCHEME POLICY**Summary**

This report aims to provide Councillors with an update on the review and changes proposed to the draft revised Special Charge Scheme Policy.

Resolution 2023/160

Moved: Cr Jennifer Anderson
Seconded: Cr Mark Ridgeway

That Council endorses the release of the draft Special Charge Scheme Policy for four weeks of community consultation.

CARRIED

AO.3 MOBILITY AND ROAD SAFETY STRATEGY 2023-2032

Summary

This report presents the Mobility and Road Safety Strategy 2023-2032 (Attachment 1) for Council consideration and adoption.

The draft Mobility and Road Safety Strategy 2023-2032 has completed the community consultation stage, with feedback considered and incorporated into the final version where appropriate.

Resolution 2023/161

Moved: Cr Janet Pearce

Seconded: Cr Geoff Neil

That Council adopts the Draft Mobility and Road Safety Strategy 2023-2032, effective 14 December 2023.

CARRIED

AO.4 DRAFT FAIR ACCESS POLICY

Summary

This report seeks Council endorsement of the draft Fair Access Policy to undertake a four-week consultation period in February 2024.

The draft policy aims to progressively build the capacity and capabilities of Council to identify and address systemic factors contributing to gender inequality within its policies, programs, communications, and the provision of community sports infrastructure services.

Resolution 2023/162

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council endorses the release of the draft Fair Access Policy for four weeks of public consultation.

CARRIED

16 NOTICES OF MOTION AND RESCISSION

Nil

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS**Resolution 2023/163**

Moved: Cr Rob Guthrie

Seconded: Cr Mark Ridgeway

That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020*, Council closes the meeting to the public to consider the confidential report(s) listed below, which are confidential on grounds provided in Section 3(1) of the *Local Government Act 2020*:

18.1 2024 Community Awards**CARRIED**

Confidential reasons**18.1 2024 Community Awards**

This matter is considered to be confidential under Section 3(1) - f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

At 8:47 pm, Cr Jennifer Anderson left the meeting prior to the consideration of item 18.1 2024 Community Awards in the closed meeting due to having declared a general conflict in that item.

The meeting closed at 8:49pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 28 February 2024.