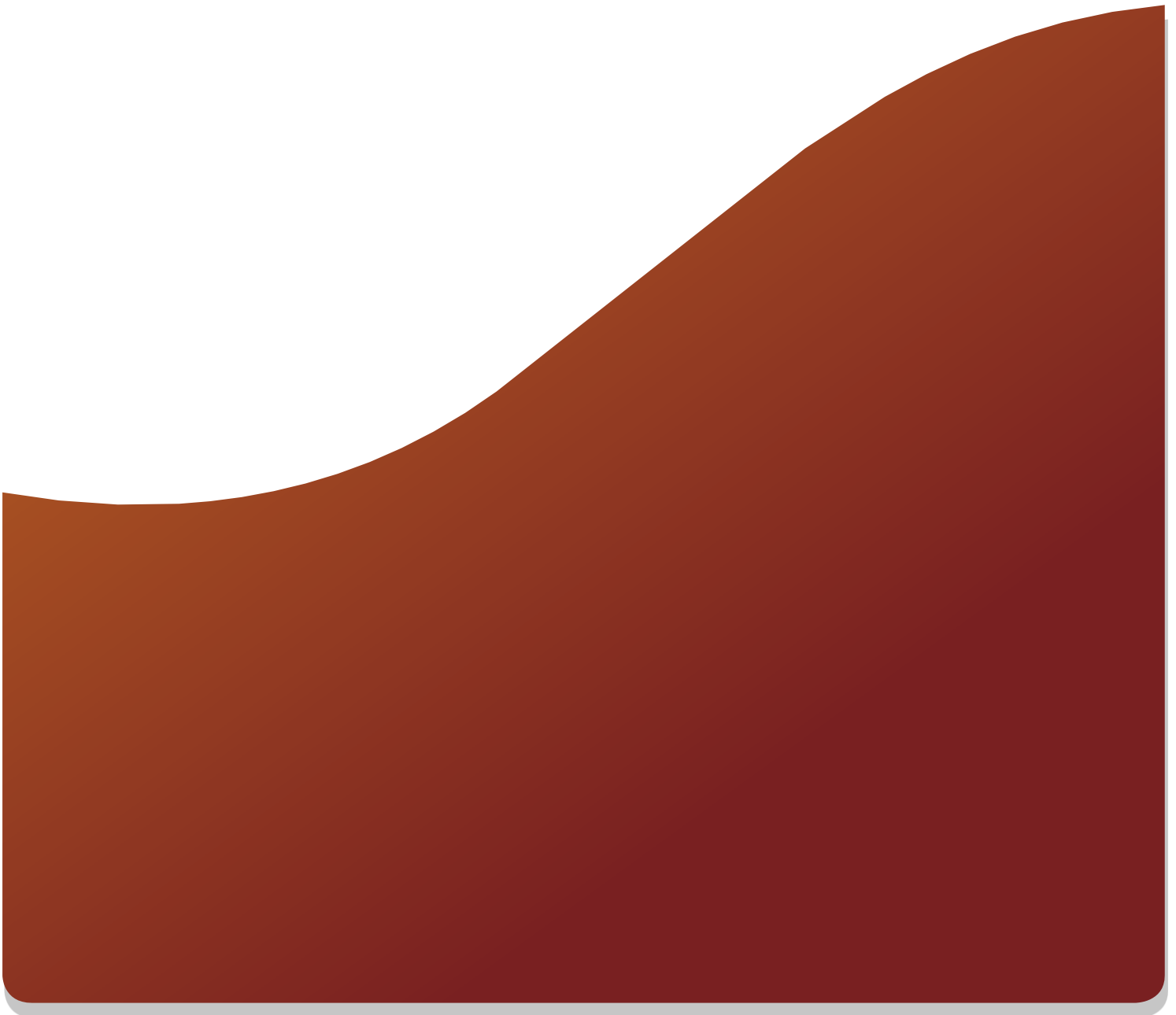


# Minutes

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



## Order of business

<b>1</b>	<b>Acknowledgement of Country</b> .....	<b>3</b>
<b>2</b>	<b>Recording of live streaming of this Council meeting</b> .....	<b>3</b>
<b>3</b>	<b>Present</b> .....	<b>3</b>
<b>4</b>	<b>Apologies</b> .....	<b>3</b>
<b>5</b>	<b>Conflicts of interest</b> .....	<b>3</b>
<b>6</b>	<b>Petitions</b> .....	<b>3</b>
<b>7</b>	<b>Deputations and presentations to Council</b> .....	<b>4</b>
	7.1 Recognition of Australia Day Honour Recipient.....	4
<b>8</b>	<b>Adoption of minutes</b> .....	<b>4</b>
<b>9</b>	<b>Mayor's report</b> .....	<b>4</b>
	9.1 Mayor's Report - February 2022.....	4
<b>10</b>	<b>Record of meetings of Councillors and Council staff</b> .....	<b>5</b>
	10.1 Record of Meetings of Councillors and Council Staff - December 2021 to February 2022.....	5
<b>11</b>	<b>Director Planning and Environment reports</b> .....	<b>6</b>
	PE.1 Agribusiness Forum.....	6
	PE.2 Domestic Animal Management Plan 2021-2025.....	7
<b>12</b>	<b>Chief Executive Officer reports</b> .....	<b>7</b>
	CX.1 Hanging Rock Strategic Plan Update.....	7
	CX.2 Chief Executive Officer Employment and Remuneration Committee - Appointment of Independent Advisor.....	8
	CX.3 Change of date - March 2022 Planning Delegated Committee Meeting.....	8
<b>13</b>	<b>Director Corporate and Community reports</b> .....	<b>9</b>
	CC.1 Quarterly Report for period ending 31 December 2021 and Mid-Year Budget Review.....	9
	CC.2 Contracts to be Awarded February 2022.....	10
<b>14</b>	<b>Director Assets and Operations reports</b> .....	<b>10</b>
	AO.1 Barringo Road and Hamilton Road Intersection Upgrade.....	10
	AO.2 Nature Strip Landscaping Policy 2021 - Review.....	11
	AO.3 Public Toilet and Barbeque Strategy.....	12
<b>15</b>	<b>Notices of motion and rescission</b> .....	<b>13</b>
	No. 40/2021-22: Notice of Motion - Kerbside reform.....	13
<b>16</b>	<b>Urgent business</b> .....	<b>13</b>
<b>17</b>	<b>Confidential reports</b> .....	<b>13</b>
	17.1 Contracts to be Awarded - C 21.1097 Banking and Bill Payment Services.....	13

**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 Geoff Neil, Cr Janet Pearce, Cr Mark Ridgeway, Cr Bill West

**IN ATTENDANCE**

Bernie O'Sullivan (Chief Executive Officer), Shane Walden (Director Assets and Operations), Stephen Pykett (Acting Director Planning and Environment), Gina Lyons (Acting Director Corporate and Community), Allison Watt (Coordinator Governance).

**4 APOLOGIES**

Cr Anne Moore and Carmen Lawrence (Interim Executive Manager People, Culture and Performance) were apologies for the meeting.

**5 CONFLICTS OF INTEREST**

In relation to Notice of Motion 40-2021-22, the Mayor declared that she is the Chair of the Loddon Mallee Waste and Resource Recovery Group Board, an appointment made on behalf of the State Government. The *Local Government Act 2020* Governance and integrity Regulations, section 7, exempts this position from conflict of interest under section 129(g) of the *Local Government Act 2020* under section 2, (b) as a director of a waste and resource recovery group established under the *Environmental Protection Act 1970*.

**6 PETITIONS**

Nil

**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL****7.1 RECOGNITION OF AUSTRALIA DAY HONOUR RECIPIENT****Resolution 2022/1**

Moved: Cr Geoff Neil  
Seconded: Cr Mark Ridgeway

In the 2022 Australia Day Honours Awards, Ms Gillian Metz was a recipient of the Australian Fire Service Medal of Australia (AFSM), in recognition of her outstanding service to the community.

**Recommendation**

**That Council sends a letter to Ms Gillian Metz AFSM, in recognition of her Australia Day Honours Award.**

**CARRIED**

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**8 ADOPTION OF MINUTES****Resolution 2022/2**

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 15 December 2021, as circulated.**

**CARRIED**

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

Moved: Cr Annette Death  
Seconded: Cr Rob Guthrie

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

**CARRIED**

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**10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF****10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - DECEMBER 2021 TO FEBRUARY 2022****Attachments: Record of Meetings involving Councillors and Council staff - December 2021 to February 2022****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 on 15 December 2021.

**Resolution 2022/4**

Moved: Cr Mark Ridgeway

Seconded: Cr Geoff Neil

**That Council receives and notes the record of meetings of Councillors and Council staff from December 2021 to February 2022, as attached to this report with the following correction:**

- **Cr Guthrie did not attend the Lancefield DPO Meeting on 20 December 2021 held via Zoom**

**CARRIED**

**11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS****PE.1 AGRIBUSINESS FORUM****Summary**

The Macedon Ranges Agribusiness Forum (the Forum) was formed in 2013 as an advisory committee to Council. As a result of changes in the group with regard to membership and the level of involvement from the current membership base, it is unlikely the Forum can continue as a functioning committee of Council. An option for the Forum to consider, should stakeholder engagement revitalise, is for it to re-form as a sector based committee/peak body, independent of Council.

**Resolution 2022/5**

Moved: Cr Dominic Bonanno

Seconded: Cr Mark Ridgeway

**That Council**

- 1. Dissolves the Macedon Ranges Agribusiness Forum as a Committee of Council, and;**
  - (a) Thanks members, and those who responded to an Expression of Interest in December 2020, for their interest, involvement and achievements during the Forum's tenure;**
  - (b) Notes that Council officers will continue to deliver on the Agribusiness outcomes and initiatives that are embedded in the Macedon Ranges Economic Development Strategy 2021– 2031;**
  - (c) Encourages Macedon Ranges Agribusinesses to form an independent group and continue to provide valuable input as a sector based representative body.**

**CARRIED**

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**PE.2 DOMESTIC ANIMAL MANAGEMENT PLAN 2021-2025****Summary**

Council is undertaking the development of a new Domestic Animal Management Plan 2021-2025. This report presents a summary of feedback from the two stages of community consultation, and the finalised Domestic Animal Management Plan 2021-2025 for adoption.

**Resolution 2022/6**

Moved: Cr Janet Pearce

Seconded: Cr Rob Guthrie

**That Council:**

- 1. Adopts the Domestic Animal Management Plan 2021-2025, as attached;**
- 2. Submits the Domestic Animal Management Plan 2021-2025 to the Secretary of the Department of Jobs, Precincts and Regions by 31 March 2022.**

**CARRIED**

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**12 CHIEF EXECUTIVE OFFICER REPORTS****CX.1 HANGING ROCK STRATEGIC PLAN UPDATE****Summary**

This report provides an update to Council on the Hanging Rock Ministerial Advisory Group, consistent with Council's resolution to receive reports provided by the group at the next available Council Meeting.

**Resolution 2022/7**

Moved: Cr Rob Guthrie

Seconded: Cr Janet Pearce

**That Council:**

- 1. Receives and notes this report as an update from the Hanging Rock Ministerial Advisory Group.**
- 2. Requests that the CEO no longer provide quarterly reports from the Hanging Rock Interim Project Control Board to Council Meetings, as this information is now widely circulated and available to the public via the Department of Environment, Land, Water and Planning website.**

**CARRIED**

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**CX.2 CHIEF EXECUTIVE OFFICER EMPLOYMENT AND REMUNERATION COMMITTEE - APPOINTMENT OF INDEPENDENT ADVISOR****Summary**

The Local Government Act (LGA) 2020, requires that Council establishes a Chief Executive Officer Employment and Remuneration Committee (the Committee) and that an Independent Advisor is appointed as one of the Committee members. This report details the recruitment process followed to select an Independent Advisor and recommends that Council endorse the appointment of the preferred candidate.

To protect the privacy of candidates, the recruitment panel's appointment recommendation is included as a confidential attachment to this report. The successful candidate's details will be made public once the appointment is approved by Council.

**Resolution 2022/8**

Moved: Cr Rob Guthrie  
Seconded: Cr Mark Ridgeway

**That Council:**

- 1. Approves the appointment of the John Nevins as Independent Advisor, as detailed in the confidential attachment to this report.**
- 2. Endorses the payment of the Independent Advisor of the Chief Executive Officer Employment and Remuneration Committee at the rate of \$400 per half day (four hour) meeting or \$100.00 per hour, noting these payments are to cover all costs relating to the member's participation and attendance at Committee meetings.**

**CARRIED**

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**CX.3 CHANGE OF DATE - MARCH 2022 PLANNING DELEGATED COMMITTEE MEETING****Summary**

It is proposed that Council reschedule the March meeting of Planning Delegated Committee from Wednesday 9 March 2022 to Thursday 10 March 2022.

**Resolution 2022/9**

Moved: Cr Mark Ridgeway  
Seconded: Cr Bill West

**That Council reschedules the March meeting of the Planning Delegated Committee from Wednesday 9 March 2022 to Thursday 10 March 2022.**

**CARRIED**

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**13 DIRECTOR CORPORATE AND COMMUNITY REPORTS****COR.1 QUARTERLY REPORT FOR PERIOD ENDING 31 DECEMBER 2021 AND MID-YEAR BUDGET REVIEW****Summary**

The Quarterly Report for the period ended 31 December 2021 is presented for Council's consideration and information. This report includes the following:

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

The report also provides a high-level summary of the organisation's performance to 31 December 2021.

**Resolution 2022/10**

Moved: Cr Geoff Neil  
Seconded: Cr Rob Guthrie

**That Council :**

1. **Notes the Quarterly Report for the period ended 31 December 2021; and**
2. **Endorses the budget changes identified as part of the mid-year budget review**
3. **Approves the following transfer of reserve funds for eligible projects that were identified in the mid-year budget review and adjust the document accordingly:**
  - **Gisborne Development Contributions Plan Reserve to contribute \$500,000 to the New Gisborne Industrial Estate – Sauer Road works.**
4. **Notes that \$1,546 originally sought for Gisborne SES lights is no longer required. This amount to be returned to the budget.**

**CARRIED**

**COR.2 CONTRACTS TO BE AWARDED FEBRUARY 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 2022/11**

Moved: Cr Mark Ridgeway

Seconded: Cr Annette Death

**That Council:**

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
  - (a) **C22.1148 Essential Safety Measures, Audit and Report**
  - (b) **C22.1152 Kyneton Museum Minor Works**

**CARRIED**

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**14 DIRECTOR ASSETS AND OPERATIONS REPORTS****AO.1 BARRINGO ROAD AND HAMILTON ROAD INTERSECTION UPGRADE****Summary**

This report presents three design options considered to upgrade the Barringo Road and Hamilton Road intersection. This intersection will be a key gateway to the Macedon Ranges Regional Sports Precinct (MRRSP), and traffic will increase on completion of the Sports Precinct. Two primary schools are located nearby this intersection and cause traffic congestion during school drop-off and pick-up times. This report below summarises the key features and risks of the three options and recommends an intersection design solution.

**Resolution 2022/12**

Moved: Cr Rob Guthrie

Seconded: Cr Dominic Bonanno

**That Council endorses the detailed design, tender and construction of a roundabout at the intersection of Barringo Road and Hamilton Road, New Gisborne in accordance with Option 3.**

**CARRIED**

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**AO.2 NATURE STRIP LANDSCAPING POLICY 2021 - REVIEW****Summary**

Officers reviewed the Nature Strip Landscaping Policy 2019 (the policy) and provided an updated draft version for community consultation over six weeks between 26 October 2021 and 7 December 2021.

Council's resolution from the 25 August 2021 Scheduled Council Meeting requested a report for Council's consideration at the February 2022 Scheduled Council Meeting. Council resolved:

*That Council:*

1. *Seeks community feedback on the Draft Nature Strip Landscaping Policy 2021 through a six-week consultation period; and*
2. *Receives a report at the February 2022 Scheduled Council Meeting to consider the feedback received and the effectiveness of the 2019 policy since its inception and to adopt the reviewed policy.*

Due to extenuating capacity issues, the officer could not complete this report for consideration at the February 2022 Scheduled Council meeting. It will now be presented at the 23 March Scheduled Council Meeting.

**Resolution 2022/13**

Moved: Cr Geoff Neil

Seconded: Cr Bill West

**That Council notes the Nature Strip Landscaping Policy will be presented for adoption at the March 2022 Scheduled Council Meeting.**

**CARRIED**

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**AO.3 PUBLIC TOILET AND BARBEQUE STRATEGY****Summary**

At the Scheduled Council Meeting of 25 August 2021 Council requested officers present the draft Public Toilet Strategy (draft strategy) at the February 2022 Scheduled Council Meeting. Council resolved:

*That Council:*

1. *Requests a business case be prepared for consideration in the 2022/23 financial year budget to design and plan a new toilet block providing a unisex All Abilities toilet and two other toilets with services and connecting pathways at St Agnes Place Kyneton.*
2. *Requests a business case be prepared for consideration in the 2022/23 financial year budget to design and plan a new toilet block providing a unisex DDA toilet and two other toilets, services and connecting pathways at Quarry Reserve Kyneton.*
3. *Requests a business case be prepared for consideration in the 2022/23 financial year budget for sealing Campaspe Crescent, Kyneton to address the expected increase of traffic to the park, due to recommendation 2 above.*
4. *Requests the presentation of the draft Public Toilet Strategy to Council at the February 2022 Scheduled Council Meeting for consideration, noting this will inform recommendations 1,2 and 3 above.*

This report provides an update on the delay in developing the draft strategy.

**Resolution 2022/14**

Moved: Cr Mark Ridgeway

Seconded: Cr Janet Pearce

**That Council notes the delay in presenting the draft Public Toilet and Barbeque Strategy, and that it will now be presented at the April 2022 Scheduled Council Meeting.**

**CARRIED**

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**15 NOTICES OF MOTION AND RESCISSION****NO. 40/2021-22: NOTICE OF MOTION - KERBSIDE REFORM****Resolution 2022/15**

Moved: Cr Dominic Bonanno  
Seconded: Cr Rob Guthrie

**That Council writes to the Victorian Government requesting that the full cost of setting up the kerbside glass collection be covered by the Victorian Government, given that the Container Deposit Scheme is being introduced in 2023. Council also requests that the early-adopters of the glass collection scheme have their costs reimbursed.**

**CARRIED UNANIMOUSLY**

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**16 URGENT BUSINESS**

Nil

**17 CONFIDENTIAL REPORTS****Resolution 2022/17**

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*:**

**17.1 Contracts to be Awarded - C 21.1097 Banking and Bill Payment Services**

**CARRIED**

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**Confidential reasons****17.1 Contracts to be Awarded - C 21.1097 Banking and Bill Payment Services**

This matter is considered to be confidential under Section 3(1) - a and g(ii) 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released and private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**The meeting closed to the public at 7.46pm.**