

Minutes

**Council Meeting
Wednesday 24 August 2022 at 7pm
Gisborne Administration Centre
40 Robertson Street, Gisborne**

Order of business

1	Acknowledgement of Country	4
2	Recording of live streaming of this Council meeting	4
3	Present	4
4	Apologies	4
5	Conflicts of interest	4
6	Petitions	4
7	Deputations and presentations to Council	4
8	Adoption of minutes	5
9	Mayor's report	5
9.1	Mayor's Report - July to August 2022	5
10	Record of meetings of Councillors and Council staff	5
10.1	Record of Meetings of Councillors and Council Staff July - August 2022	5
11	Director Planning and Environment reports	6
PE.1	Gisborne Futures Phase 3 Consultation Report and Next Steps	6
PE.2	Roadside and Footpath Trading Policy	7
PE.3	School Crossing Supervisor Advocacy Program Participation	7
12	Chief Executive Officer reports	8
CX.1	Community Satisfaction Survey Results 2022	8
13	Director Corporate reports	8
COR.1	Contracts to be Awarded as at August 2022	8
COR.2	Governance Rules Update	9
COR.3	Quarterly Report for period ending 30 June 2022 and Carry Forwards	10
COR.4	Municipal Association of Victoria Rule Review	11
14	Director Community reports	12
COM.1	Community Funding Scheme 2022/23 Allocations	12
COM.2	Small Projects Grants	13
15	Director Assets and Operations reports	14
AO.1	Report in response to petition requesting the sealing of Noonan Grove and Christian Street Woodend	14
AO.2	Riddells Creek Movement Network Study	15
16	Notices of motion and rescission	15
No. 46/2022-23:	Notice of Motion - Barrm Birrm	15
17	Urgent business	16
17.1	Matter for Admission to Confidential Reports	16
18	Confidential reports	16

18.1 Community Service Planning..... 16

18.2 Further Consideration of Bequest..... 16

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 Anne Moore, 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), Patricia Clive (Coordinator Governance), Lucy Webb-Wilson (Senior Governance Officer - Council Business), Haneef Mohammed (Information Systems Officer)

4 APOLOGIES

Cr Geoff Neil

5 CONFLICTS OF INTEREST

Cr Death declared a conflict of interest in item 18.1 in the confidential section of the agenda due a material interest as one of the parties to the matter is a client of her employer.

Note:

- Cr Ridgeway declared that he is a member of the friends of Bald Hill Reserve but has no conflict with item COM.1 Community Funding Scheme 2022/23 Allocations as he is not on the group's committee.
- The Mayor declared that she is a representative to the Municipal Association of Victoria but is not a conflict with item COR.4 Municipal Association of Victoria Rule Review.

6 PETITIONS

NIL

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

NIL

8 ADOPTION OF MINUTES**Resolution 2022/76**

Moved: Cr Mark Ridgeway

Seconded: Cr Bill West

That Council confirms the minutes of the Scheduled Council Meeting of Macedon Ranges Shire Council held on 27 July 2022 and the Unscheduled Council Meeting of Macedon Ranges Shire Council held on 16 August 2022, as circulated.

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - JULY TO AUGUST 2022****Resolution 2022/77**

Moved: Cr Rob Guthrie

Seconded: Cr Annette Death

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 JULY - AUGUST 2022
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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 2022/78

Moved: Cr Janet Pearce

Seconded: Cr Mark Ridgeway

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

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**PE.1 GISBORNE FUTURES PHASE 3 CONSULTATION REPORT AND NEXT STEPS****Summary**

This report presents the Gisborne Futures Phase 3 Consultation Report (Attachment 1) and a summary of key themes, submissions, officer response and further actions to progress work on the second draft of the Gisborne Futures project.

Recommendation**That Council:**

- 1. Endorse the Gisborne Futures Phase 3 Consultation Report and further actions to progress work to update the draft Gisborne Futures plans;**
- 2. Endorse the boundary for further investigation that will include areas 1,2,3,4 and 5 outlined in the Gisborne Futures Phase 3 Consultation Report as the maximum future development scenario, noting that there may be potential for these to be modified subject to further work on the plan;**
- 3. Provide an update to submitters and project subscribers; and**
- 4. Continue quarterly project updates to submitters and project subscribers.**

Procedural Note: Cr Guthrie moved an alternative motion.

Resolution 2022/79

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council

- 1. Notes the Gisborne Futures Phase 3 Consultation Report and endorses the further actions to progress work to update the draft Gisborne Futures plans;**
- 2. Endorses the proposed draft boundary for further investigation that will include areas 1,2,3,4 and 5 outlined in the Gisborne Futures Phase 3 Consultation Report as the maximum future development scenario, noting that these areas may be modified subject to further work on the plan with no further areas to be included;**
- 3. Provide an update to submitters and project subscribers; and**
- 4. Continue quarterly project updates to submitters and project subscribers**

CARRIED

Procedural Note: Cr Guthrie sort leave from the chair to speak to the motion which was granted.

PE.2 ROADSIDE AND FOOTPATH TRADING POLICY**Summary**

The Roadside and Footpath Trading Policy will provide guidance about the placement of temporary items on Council owned and managed land and roads (including footpaths) and sets out guidelines for the operation of mobile trading facilities.

Revisions have been made to the current Roadside and Footpath Trading Policy to update the policy and incorporate policy for mobile trading facilities. These revisions form the draft Roadside and Footpath Trading Policy. It is intended to undertake public engagement about the draft Roadside and Footpath Trading Policy.

Resolution 2022/80

Moved: Cr Janet Pearce

Seconded: Cr Anne Moore

That Council endorse the draft Policy for public consultation in September 2022.

CARRIED

PE.3 SCHOOL CROSSING SUPERVISOR ADVOCACY PROGRAM PARTICIPATION**Summary**

Council has been invited to participate in an advocacy program lead by Monash City Council. The purpose of the program is to advocate for additional funding for Council's School Crossing Program from the State Government. Council currently receives partial funding for the program, however this is provided on a year to year basis and covers less than half the cost of the service. Council is committed to continuing this important service and is seeking a more equitable and sustainable funding model from the state government to help alleviate the cost to ratepayers.

Resolution 2022/81

Moved: Cr Annette Death

Seconded: Cr Mark Ridgeway

That Council

- 1. Join the Monash City Council led advocacy campaign seeking a sustainable funding model for School Crossing Supervisors; and**
- 2. Request that a representative of Macedon Ranges Shire Council staff participate on the representative committee established to lead the advocacy campaign.**

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 COMMUNITY SATISFACTION SURVEY RESULTS 2022****Summary**

This report seeks to update Council on the results of the 2022 Survey and to provide a summary of key areas of focus for Council to enhance the perceptions of the community. The full results will be made available on our website for the community to access.

Resolution 2022/82

Moved: Cr Rob Guthrie

Seconded: Cr Dominic Bonanno

That Council notes the findings of the 2022 Community Satisfaction Survey.

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 CONTRACTS TO BE AWARDED AS AT AUGUST 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:

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

Resolution 2022/83

Moved: Cr Dominic Bonanno

Seconded: Cr Bill West

That Council notes that the following contracts will be awarded by Council officers under delegated authority:

- (a) **C2023-6 Riddells Creek Leisure Centre Extension**

CARRIED

COR.2 GOVERNANCE RULES UPDATE**Summary**

This report is seeking Council to approve amendments to the Macedon Ranges Shire Council Governance Rules to provide for electronic meetings as required by recent amendments to the *Local Government Act 2020*. As Council is making amendments by 2 September 2022, in line with a Ministerial Good Practice Guidelines, there will be no community engagement process on this specific change. However, Council intends to consult with the community, in the near future, on a substantial review of the Governance Rules. At that time the community will be invited to comment on this amendment as part of the process.

Resolution 2022/84

Moved: Cr Mark Ridgeway
Seconded: Cr Janet Pearce

That Council:

1. **Adopts the proposed Macedon Ranges Shire Council Governance Rules in Attachment 1, replacing the existing Governance Rules effective from 25 August 2022.**
2. **Defers the Council Report including the revised draft Macedon Ranges Shire Council Governance Rules to be endorsed for community consultation to the October 2022 Scheduled Council meeting.**

CARRIED

COR.3 QUARTERLY REPORT FOR PERIOD ENDING 30 JUNE 2022 AND CARRY FORWARDS**Summary**

The Quarterly Report for the period ended 30 June 2022 is presented for Council's consideration and information. This report includes the following:

- Section 1 – Quarterly financial statements, including the mid-year budget position
- Section 2 – Capital works 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 30 June 2022.

Resolution 2022/85

Moved: Cr Rob Guthrie

Seconded: Cr Annette Death

That Council:

- 1. Notes the Quarterly Report for the period ended 30 June 2022;**
- 2. Notes the budget carry forwards as attached.**
- 3. Notes the attached carry forwards are the final projects and amounts recognised at 30 June 2022, superseding carry forwards previously recognised for the 2021/22 Budget year;**
- 4. Notes the net budget result for 2021/2022 after carry forwards is a deficit budget; and**
- 5. Notes the potential net cash position outlined in the report, and that the final net cash position will be included in the 2022/23 mid-year budget review, after storm recovery claims are completed.**

CARRIED

COR.4 MUNICIPAL ASSOCIATION OF VICTORIA RULE REVIEW**Summary**

The Municipal Association of Victoria (MAV) is having a Special State Council meeting on Friday 16 September 2022 to consider and adopt changes to the MAV Rules. The current MAV Rules were approved in February 2013 and have been amended over time creating inconsistencies and challenges when applying the Rules. The MAV State Council in May 2021 adopted a resolution to undertake a full review of the MAV Rules. The changes are detailed in State Council Report – Proposed MAV Rules 2022 in **Attachment 1** (from page 43).

Resolution 2022/86

Moved: Cr Janet Pearce

Seconded: Cr Anne Moore

That Council:

1. **Endorses the proposed changes to the Municipal Association of Victoria (MAV) Rules outlined in the MAV State Council Report Proposed MAV Rules 2022 to be considered at the MAV State Council meeting on Friday 16 September 2022; and**
2. **Endorses the Macedon Ranges Shire Council delegate attending (in-person or electronically) the MAV State Council meeting on Friday 16 September 2022 to support the proposed changes to the MAV Rules.**

CARRIED

14 DIRECTOR COMMUNITY REPORTS**COM.1 COMMUNITY FUNDING SCHEME 2022/23 ALLOCATIONS****Summary**

The Community Funding Scheme (CFS) is one of Council's annual grants programs that delivers direct benefit to the community each year.

A total of \$160,000 was advertised as available in the 2022/23 CFS. An additional \$16,968 has been carried forward from unspent 2021/22 Small Project Grant funds. Additionally, a further amount of \$9,638 funding was returned from the 2021/22 CFS due to groups being unable to complete delivery of their projects. This has been included in the final budget for this round, making a total of \$186,606 available for allocation in 2022/23.

In this round, Council received 23 applications with a total combined request of \$184,292. Officers recommend 21 applications for funding, with a combined value of \$174,868.00. A surplus of \$11,738 remains.

This report details the application evaluation process, in accordance with the scheme guidelines, and lists the projects recommended for funding in 2022/23.

Resolution 2022/87

Moved: Cr Bill West

Seconded: Cr Annette Death

That Council:

- 1. Approves the 2022/23 Community Funding Scheme recommendations, as listed in Attachment 1 of this report.**
- 2. Notifies all applicants in writing of their grant application outcome, and provide the opportunity to receive feedback.**

CARRIED

COM.2 SMALL PROJECTS 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; and
- align with Council Plan priorities.

Council's Small Project Grants budget for 2022/23 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.

Two applications have been received, seeking a total of \$3,000 in funding. The applications have been evaluated against the eligibility criteria and all are deemed to be eligible.

Resolution 2022/88

Moved: Cr Mark Ridgeway

Seconded: Cr Rob Guthrie

That Council approves the awarding of:

1. **A Small Project Grant of \$1,500 to Macedon Mount Macedon Community House (MMMCH), for their Garden & Grounds Maintenance Equipment Procurement Project, to support the purchase of gardening equipment for use by volunteers and participants in horticulture based programs being delivered by MMMCH in collaboration with Macedon Ranges Further Education Centre.**
2. **A Small Project Grant of \$1,500 to Sunbury Macedon Ranges Veteran's Cricket Club, for the purchase of team apparel to support the group to expand their membership and enter a new over 70's team.**

CARRIED

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 REPORT IN RESPONSE TO PETITION REQUESTING THE SEALING OF NOONAN GROVE AND CHRISTIAN STREET WOODEND****Summary**

This report responds to a petition received by Council to seal a portion of Noonan Grove, Woodend between Ashbourne Road and 19 Noonan Grove, and Christian Street between Noonan Grove and Corinella Street Woodend.

At the Scheduled Council Meeting of 27 April 2022 as part of Resolution 2022/35 Council requested this report to be received by Council at the August 2022 Scheduled Council Meeting.

Recommendation**That Council :**

- 1. Proceed with undertaking the next steps to prepare a detailed Special Charge Scheme for sealing of the unsealed section of Noonan Grove, for future Council consideration; including further public consultation and direct contact with benefiting residents with as outlined in the Special Charge Scheme for Infrastructure Works Policy;**
- 2. Not proceed with the sealing of the unsealed section of Christian Street, Woodend; and**
- 3. Advise the first named petitioner of this Council resolution.**

Procedural Note: Cr Pearce moved an amended officer recommendation.

Resolution 2022/89

Moved: Cr Janet Pearce

Seconded: Cr Bill West

That Council defer the item for consideration at a future Scheduled Council Meeting.

CARRIED

AO.2 RIDDELLS CREEK MOVEMENT NETWORK STUDY**Summary**

This officer report is to update Council on the outcome of Stage 1 of the Riddells Creek Movement Network Study (RCMNS). Officers completed Stage 1 of the RCMNS in FY21/22 to address community transport and movement concerns. This report also highlights the next steps for Stage 2 activities.

Resolution 2022/90

Moved: Cr Annette Death

Seconded: Cr Anne Moore

That Council notes this report detailing the outcome of Stage 1 of the Riddells Creek Movement Network Study and outlining the next steps for Stage 2 of this study to be undertaken in the current 22/23 Financial Year with the changes noted by Officer Walden.

CARRIED

16 NOTICES OF MOTION AND RESCISSION**NO. 46/2022-23: NOTICE OF MOTION - BARRM BIRRM**

I, Councillor Annette Death, give notice that at the next Meeting of Council to be held on 24 August 2022, I intend to move the following motion:

Resolution 2022/91

Moved: Cr Annette Death

Seconded: Cr Rob Guthrie

That Council:

- 1. Recognises the unique and special environmental and community values of Barrm Birrm;**
- 2. Advocates to the Victorian Government for the public purchase of the privately owned lots within the area known as Barrm Birrm for community benefit;**
- 3. Writes to the Honourable Lily D'Ambrosio MP, Minister for Environment and Climate Action and the Local Member for Macedon the Honourable Mary-Anne Thomas MP, Minister for Health to advise of this motion and Council's advocacy for Barrm Birrm; and**
- 4. Request staff to prepare a report outlining actions that can be undertaken to ensure the appropriate management of Barrm Birrm for the October Scheduled Council Meeting.**

CARRIED

Procedural Note: Cr Death sort leave from the chair to speak to the motion which was granted.

17 URGENT BUSINESS**17.1 MATTER FOR ADMISSION TO CONFIDENTIAL REPORTS****Resolution 2022/92**

Moved: Cr Janet Pearce

Seconded: Cr Anne Moore

I seek leave to introduce that Council agrees to admit a matter regarding a bequest as urgent business due to the time lines involved for providing a response to the parties involved and that the report on the matter be added to the agenda after item 18.1 in the confidential reports section.

CARRIED

18 CONFIDENTIAL REPORTS**Resolution 2022/93**

Moved: Cr Rob Guthrie

Seconded: Cr Anne Moore

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 Community Service Planning; and

18.2 Further Consideration of Bequest

CARRIED

Confidential reasons**18.1 Community Service Planning**

This matter is considered to be confidential under Section 3(1) - a 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.

18.2 Further Consideration of Bequest

This matter is considered to be confidential under Section 3(1) - a 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 e) personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Council did not move out of Closed Council into Open Council again.

The meeting closed at 7:46pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 28 September 2022.