

Agenda

Council Meeting
Wednesday 25 October 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, present and emerging.

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 is being 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**4 APOLOGIES****5 CONFLICTS OF INTEREST****6 PETITIONS**

Nil

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL**8 ADOPTION OF MINUTES****Recommendation**

That Council confirms the minutes of the Scheduled Council Meeting of Macedon Ranges Shire Council held on Wednesday 27 September 2023, as circulated.

9 MAYOR'S REPORT

9.1	MAYOR'S REPORT - SEPTEMBER-OCTOBER 2023
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Summary

This report provides an update from the Mayor on recent Council activities and initiatives of a Shire wide nature.

Recommendation

That Council receives and notes the Mayor's report.

Mayor's report

We are building towards the busy end of year schedule with multiple community events, Annual General Meetings and various celebrations. The last month the Macedon Ranges has welcomed visitors from all over to enjoy many wonderful programs including:

- **Bolobek Garden Lovers Fair in Macedon on 7 and 8 October**

This is one of the largest garden fairs and is a very popular annual event. With more than 50 high quality and specialist stallholders this event attracts over 3,000 visitors each year. The garden is more than 110 years old and provides everything required for a great outing with family and friends.

- **Production of 'The Wiz' in Kyneton from 29 September to 22 October**

Our beautiful Bluestone Theatre in Kyneton was on full display for this exciting production. Some children were performing alongside their parents for the first time in what was a wonderful cast of local talent. Congratulations to the Kyneton Theatre Company for your achievement.

- **Macedon Ranges Business Breakfast at Gisborne Golf Club on 5 October**

This sell-out event, organised by Tourism Macedon Ranges and supported by Council, was attended by our wonderful local businesses, trader associations, tourism operators and local sponsors. The inspirational guest speaker, Gilbert Rochecouste from the Village Well, generated exciting conversations about the benefits of a coordinated approach to place making. Our local businesses provide the building blocks for our local economy and this event provided an opportunity to network, provide support and discuss new ideas on how we continue to enhance our local communities. Thank you to Tourism Macedon Ranges and all those involved for another successful event.

- **Lancefield Agricultural Show and Megafauna Festival on 14 to 15 October**

Thanks to the Lancefield Agricultural Society for another fantastic show. We are very fortunate in the Macedon Ranges to have local agricultural shows and this event never disappoints. While some events may have been cancelled due to unforeseen circumstances, the show did go on. Congratulations to all those that competed and contributed to making this event possible. It takes a considerable amount of resourcing from volunteers and on behalf of all our community, thank you.

As part of the Community Vision and Council Plan, it is important to support and promote equity and an inclusive environment for our community. Across the Shire important events were held in October to build on these objectives:

- **Supporting Carers Morning Tea (in recognition of National Carers Week) at Dromkeen Gallery on 11 October**

National Carers Week is a time for all Australians to recognise, celebrate and raise awareness for the 2.65 million Australians who provide care and support to a family member or friend. We recognise that it can be very hard work and often means that a carer gives up many other things in their life. When do carers have the time to look after themselves when another person's day to day living depends on them? This important session was to provide carers different strategies and ways to care for themselves. To all carers, we see you and all that you do.

- **Youth Live 4 Life Lap it Up Fundraiser from October 1-15**

LAP it UP is a fitness and fundraising challenge to swim laps for youth mental health awareness and suicide prevention in rural and regional communities. It takes place over 15 days and all funds raised go to Youth Live4Life mental health and suicide prevention initiatives. This event started in Gisborne in 2018 when a father and daughter team hosted a continual 2866 lap relay. This was the number of Australians that had taken their own lives in 2016. To all those that participated you have contributed to a very important cause and if anyone needs any support or assistance, please contact a support service via Lifeline on 13 11 14, Kids Helpline on 1800 55 1800 or Beyond Blue on 1800 512 348.

- **This Girl Can event in Kyneton on 13 October**

This Girl Can celebrates and support women to embrace physical activity in a way that suits the individual person. Our local launch event was held at Kyneton District Soccer Club. This club aims to be the first Victorian club to reach equal numbers of female and male players. The club also introduced a GO Soccer Mum program. This program is a social female only program where participants can meet new people, learn basic skills, and have fun all while being active.

Congratulations to our Deputy Mayor, Cr Jennifer Anderson, on receiving a ten-year service award from the Municipal Association of Victoria (MAV). This is a tremendous milestone and achievement. Thank you for your dedication and commitment to serving our community.

The Macedon Ranges also had four 2023 Queen/King's Scout Award recipients – Jack Perry, Lana Hughes, Bailey Thorne and Toby Birkett. This award is the Peak Award in the Venturer Scout Section (formerly Senior Scouts from 1947) and carries an outstanding reputation within Scouting and the Community. Congratulations to all recipients.

Personally, and on behalf of Council, I would like thank Cr Anne Moore for her service since October 2020. Cr Moore was a passionate advocate for our local community - especially promoting and advancing regional and rural health services, advocating for wildlife safety and Biolinks support, open space and environmental issues. We wish Cr Moore all the very best.

Events

Councillors were also pleased to be invited to the following events/meetings since the last Scheduled Council Meeting:

- Macedon Ranges Rural Australians for Refugees Annual General Meeting in Woodend on 5 October – with guest speaker Abdullah Arifi from the Victorian Afghan Youth Association.

- Rural Councils Victoria Annual General Meeting on 6 October.
- Queen Scout Presentations at Braemar College on 7 October.
- Citizenship Ceremony at Kyneton Town Hall on 10 October.
- Kyneton Senior Citizens Annual General Meeting on 12 October.
- Workspace Annual General Meeting and Board Meeting in Bendigo on 12 October.
- Municipal Association of Victoria (MAV) Annual Conference and Dinner on 12 October.
- Municipal Association of Victoria (MAV) State Council on 13 October.
- Mount Macedon Anzac Day Dawn Service Annual General Branch Meeting on 16 October.
- Election of the Romsey Men's Shed office bearers on 18 October.
- Celebrating Ageing in the Macedon Ranges (in recognition of the Victorian Seniors Festival) in Kyneton on 20 October.
- Teddy Bear Sleepover at the Woodend and Romsey Libraries on 20-21 October.
- Old Kyneton Primary School Site Early Activation Program on 21 October.
- Macedon Ranges Local Safety Committee meeting in Gisborne on 23 October.
- Stanley Park Annual General Meeting on 24 October.

Listening Posts

The West Ward Councillors held successful listening posts outside of the Woolworths supermarket in Kyneton on the evening of 5 October and at Tylden Hall on 21 October. We also hosted a listening post with all Councillors at the Newham Hall on 17 October. This was a great opportunity to hear directly from residents about key concerns, ideas and suggested solutions for local issues. I encourage residents to keep an eye on Council's website for details of all future listening posts being held around the Shire and then come along to have a chat to your local Councillor.

Community Festive Season Decorations

Council have developed a fact sheet providing information for community members or groups seeking to install Christmas, or other festive season decorations in townships and includes details of requirements relating to permit applications, public liability insurance, VicRoads considerations, and dates and description of the installation. The Community festive season decorations fact sheet has been added to the Economic Development webpage of Council's website and can be found at: <https://www.mrsc.vic.gov.au/Live-Work/Business-Economy/Permits-Licences-Laws/Christmas-Decorations>. Council have distributed a fact sheet to community and business groups that have shown an interest in installing decorations in previous years.

Current consultations

- Next chapter for the Old Kerrie School Site: closing Monday 23 October 2023
- Council's first Climate Emergency Plan: closing Friday 27 October 2023
- Gisborne Futures Structure Plan: closing Monday 13 November 2023

Mayor Death Macedon Ranges Shire Council

10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF**10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - SEPTEMBER-OCTOBER 2023****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.

Recommendation

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

Record of meetings

Type of meeting	Council Briefing
Date and time	26 September 2023 9:00am
Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> • Cr Annette Death (Mayor) • Cr Jennifer Anderson (Deputy Mayor) • Cr Dominic Bonanno • Cr Rob Guthrie • Cr Anne Moore • Cr Geoff Neil • Cr Mark Ridgeway • Cr Bill West
Apologies - Councillors	<ul style="list-style-type: none"> • Cr Janet Pearce
Present - officers	<ul style="list-style-type: none"> • Bernie O'Sullivan, Chief Executive Officer • Rebecca Stockfeld, Director Planning and Environment • Travis Harling, Acting Director Corporate • Maria Weiss, Director Community • Shane Walden, Director Assets and Operations • Awais Sadiq, Acting Manager Statutory Planning • Stephen Pykett, Manager Economic Development and Visitor Economy • Leanne Khan, Acting Manager Strategic Planning and Environment

	<ul style="list-style-type: none"> • Jane Peterson, Acting Coordinator Visitor Economy • Patricia Clive, Coordinator Governance • Lucy Olson, Senior Governance Officer (Council Business) • John Perry, Statutory Planning Officer • Cindy Stevens, Business Support Officer
Apologies officers	NIL
Presenters	<ul style="list-style-type: none"> • Glenn Capuano - .id Consulting (via Zoom)
Items discussed	<ul style="list-style-type: none"> • Councillor & CEO Only Session • Update on Autumn Management • Macedon Ranges Census Data • Planning Matters • Revised Budget Report • Planning Delegated Committee Meeting Agenda Review • Agenda Review for Council Meeting • Other Business
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	Cr Anderson declared a conflict with item 9.2 – 56 Howey St, in the Planning Delegated Committee agenda review. Did they leave the meeting? Yes 12:10pm – 12:13pm
Conflicts of interest declared by officers	NIL Did they leave the meeting? N/A

Type of meeting	Council Briefing
Date and time	3 October 2023 9:00am
Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> • Cr Jennifer Anderson (Deputy Mayor) • Cr Dominic Bonanno • Cr Rob Guthrie • Cr Anne Moore • Cr Geoff Neil • Cr Janet Pearce • Cr Mark Ridgeway • Cr Bill West (via Zoom)
Apologies - Councillors	<ul style="list-style-type: none"> • Cr Annette Death (Mayor)

<p>Present - officers</p>	<ul style="list-style-type: none"> • Bernie O'Sullivan, Chief Executive Officer • Rebecca Stockfeld, Director Planning and Environment • Adele Drago-Stevens, Director Corporate • Shane Walden, Director Assets and Operations • Scott Gilchrist, Manager Open Space and Recreation • Steve Williams, Coordinator Recreation • Krista Patterson-Majoor, Manager Strategic Planning and Environment • Amy Holmes, Manager Community Strengthening • Eliza Tipping, Coordinator Emergency Management • Leah Rushford, Flood Recovery Coordinator • Jack Wiltshire, Strategic Planner • Christo Crafford, Acting Coordinator Statutory Planning • Louise Dewberry, Senior Strategic Planner • Rob Ball, Manager Strategic Planning and Environment • Leanne Khan, Coordinator Strategic Planning • Cindy Stevens, Business Support Officer
<p>Apologies officers</p>	<ul style="list-style-type: none"> • Maria Weiss, Director Community
<p>Presenters</p>	<ul style="list-style-type: none"> • Tom Debnam – Playce • Darren White – Baseplate • Rebecca Finn - Urban Fold • Gen Mrost - Urban Fold
<p>Items discussed</p>	<ul style="list-style-type: none"> • Monthly Councillor only session • CEO & Councillor only session • Macedon Ranges Shire-wide Skate Park & BMX Master Plan for Endorsement • Romsey Skate Park – Concept Plans • Annual Environment Report • Draft Municipal Emergency Management Plan • Romsey Structure Plan Infrastructure • Planning Matters • Other Business

Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	NIL Did they leave the meeting? N/A
Conflicts of interest declared by officers	NIL Did they leave the meeting? N/A

Type of meeting	Council Briefing
Date and time	4 October 2023 1:30pm
Venue	Online via Zoom
Present - Councillors	<ul style="list-style-type: none"> • Cr Annette Death (Mayor) • Cr Jennifer Anderson (Deputy Mayor) • Cr Dominic Bonanno • Cr Rob Guthrie • Cr Geoff Neil • Cr Janet Pearce • Cr Mark Ridgeway • Cr Bill West
Apologies - Councillors	NIL
Present - officers	<ul style="list-style-type: none"> • Bernie O'Sullivan, Chief Executive Officer • Adele Drago-Stevens, Director Corporate • Patricia Clive, Coordinator Governance
Apologies officers	NIL
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> • Resignation of Councillor Anne Moore
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	NIL Did they leave the meeting? N/A
Conflicts of interest declared by officers	NIL Did they leave the meeting? N/A

Type of meeting	Council Briefing
Date and time	10 October 2023 9:00am

Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> • Cr Annette Death (Mayor) • Cr Jennifer Anderson (Deputy Mayor) • Cr Dominic Bonanno • Cr Rob Guthrie • Cr Geoff Neil • Cr Janet Pearce (Zoom) • Cr Mark Ridgeway • Cr Bill West
Apologies - Councillors	NIL
Present - officers	<ul style="list-style-type: none"> • Bernie O'Sullivan, Chief Executive Officer • Rebecca Stockfeld, Director Planning and Environment • Adele Drago-Stevens, Director Corporate • Shane Walden, Director Assets and Operations • Maria Weiss, Director Community (Zoom) • Naomi Scrivener, Manager Community Wellbeing • Eng Lim, Manager Engineering and Resource Recovery • Awais Sadiq, Acting Manager Statutory Planning • Christo Crafford, Acting Coordinator Statutory Planning • Benup Neupane, Coordinator Engineering Services • Patricia Clive, Coordinator Governance • Lucy Olson, Senior Governance Officer – Council Business • Cindy Stevens, Business Support Officer
Apologies officers	<ul style="list-style-type: none"> • Vish Tandon, Manager Children, Youth and Family Services • Elaine Pulleine, Inclusive Communities Officer
Presenters	<ul style="list-style-type: none"> • Andy Sheehan, Cardno Vic Pty Ltd
Items discussed	<ul style="list-style-type: none"> • CEO & Councillor only session • PARTICIPATE Annual Update • Woodend Flood Study • SCM reports regarding adding roads to the Public Roads Register • Planning Delegated Committee Meeting Agenda Review

	<ul style="list-style-type: none"> • Council Meeting Agenda Review • Planning Matters • Other Business
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Anderson declared a general conflict with 2-4 Davey Street during the Wooded Flood Study. Did they leave the meeting? Yes 11:46am-11:47am</p> <p>Cr Anderson and Cr Pearce declared general conflicts with 56 Howey Street in the Planning Delegated Committee Meeting Agenda Review. Did they leave the meeting? Yes 12:18pm-12:20pm</p>
Conflicts of interest declared by officers	<p>NIL Did they leave the meeting? N/A</p>

Type of meeting	Council Briefing
Date and time	17 October 2023 2:00pm
Venue	Newham Mechanics Institute
Present - Councillors	<ul style="list-style-type: none"> • Cr Annette Death (Mayor) • Cr Jennifer Anderson (Deputy Mayor) • Cr Rob Guthrie • Cr Geoff Neil • Cr Janet Pearce • Cr Mark Ridgeway • Cr Bill West
Apologies - Councillors	<ul style="list-style-type: none"> • Cr Dominic Bonanno
Present - officers	<ul style="list-style-type: none"> • Bernie O'Sullivan, Chief Executive Officer • Rebecca Stockfeld, Director Planning and Environment • Adele Drago-Stevens, Director Corporate • Shane Walden, Director Assets and Operations • Maria Weiss, Director Community • Jeet Dahal, Manager Assets and Project Management • Stephen Pykett, Manager Economic Development and Visitor Economy • Lauren Wall, Manager Communications and Engagement • Bob Elkington, Coordinator Economic Development Christo Crafford, Acting Coordinator Statutory Planning

	<ul style="list-style-type: none"> Lucy Olson, Senior Governance Officer – Council Business
Apologies officers	<ul style="list-style-type: none"> Awais Sadiq, Acting Manager Statutory Planning
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> Councillor only session CEO & Councillor only session Monthly CAPEX Monitoring report Confidential Holy Cross School land acquisition for Shared Trail Project Confidential Tender report on Macedon Ranges Sports Precinct stage 2 Design & documentation Confidential Tender report on Macedon Ranges Sports Precinct Stage 1 Intersection works Economic Development Strategy progress report 2021-2031 Planning Matters Other Business
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Death declared a general conflict with the negotiator in the Holy Cross School land acquisition for Shared Trail Project.</p> <p>Did they leave the meeting? Yes 3:03pm-3:10pm</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

Type of meeting	Councillor Listening Post
Date and time	17 October 2023 6:00pm
Venue	Newham Mechanics Institute
Present - Councillors	<ul style="list-style-type: none"> Cr Annette Death (Mayor) Cr Jennifer Anderson (Deputy Mayor) Cr Rob Guthrie Cr Geoff Neil Cr Janet Pearce Cr Mark Ridgeway Cr Bill West
Apologies - Councillors	<ul style="list-style-type: none"> Cr Dominic Bonanno
Present - officers	<ul style="list-style-type: none"> Bernie O'Sullivan, Chief Executive Officer

	<ul style="list-style-type: none"> • Rebecca Stockfeld, Director Planning and Environment • Adele Drago-Stevens, Director Corporate • Shane Walden, Director Assets and Operations • Maria Weiss, Director Community • Lauren Wall, Manager Communications and Engagement • Lucy Olson, Senior Governance Officer – Council Business
Apologies officers	NIL
Presenters	<ul style="list-style-type: none"> • Community members
Items discussed	<ul style="list-style-type: none"> • Local Laws • MicroGrid for Darraweit Guim • Community Resilience • New Gisborne Development • Roads • Australia Day • Rubbish Collection • VCAT hearings • Climate Emergency Plan • Sports Clubs • Hanging Rock Cricket Club • Wesley Park
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>NIL</p> <p>Did they leave the meeting? N/A</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS

PE.1	ANNUAL ENVIRONMENT REPORT 2022-23
Officer:	Krista Patterson-Majoor, Coordinator Environment
Council Plan relationship:	1. Connecting communities 2. Healthy environment, healthy people 4. Delivering strong and reliable government
Attachments:	Annual Environment Report - 2022-2023 (under separate cover)

Summary

Each year an Annual Environment Report is prepared which outlines Council's progress toward achieving the vision and the objectives of Council's Environment Strategy. The Annual Environment Report's reporting framework is consistent with the indicators in Council's Environment Strategy - Refreshed 2021.

Highlights from Council's 2022-23 Annual Environment Report include:

- Adoption of the Counting Down to Zero Net Emissions for Council Operations Plan by 2030.
- Installation of additional solar panels and battery capacity to enable Macedon Community Centre and Romsey Recreation Centre to become 'off-grid' relief centres.
- Installation of three electric vehicle charging stations for public use in Kyneton, Lancefield, and Macedon, and electric vehicle charging stations at all key Council offices to support Council's transition to electric fleet vehicles.
- A reduction in total amount of kerbside general waste of 7.5%.
- The Romsey storm waste facility winning the Special Projects Initiative category of the LGPro Awards for Excellence and the Cool Changes program placed as a 'finalist' at the LGPro Awards for Corporate and Community Planning.
- 22,600 wildflowers, grasses, sedges, shrubs and trees planted along priority waterways.

Recommendation

That Council notes the Annual Environment Report 2022 - 2023.

Background

The Annual Environment Report 2022-23 reporting framework focuses on environmental outcomes rather than completed activities or outputs. This approach provides an indication of the shire's ecological condition and progress towards achieving Council's environmental goals.

A list of highlights from the year is also included in the report to capture some of the organisation's environmental activities and achievements. For some indicators, data is currently not available to enable reporting. This data will be collected as a part of future projects and reports.

A copy of the Annual Environment Report 2022-23 is provided at **Attachment 1**.

Discussion

Key highlights from the 2022-2023 Annual Environment Report include:

Climate emergency

- Adopted the Counting Down to Zero Net Emissions for Council Operations Plan by 2030.
- Conducted a comprehensive engagement program ('Cool-ER Changes') for the development of the shire's first Climate Emergency Plan including a launch event attended by over 100 participants.
- Completed community climate change action plans for Kyneton and Macedon / Mt Macedon through the Cool Changes program.
- Cool Changes program placed as a 'finalist' at the LGPro Awards for Corporate and Community Planning.
- Completed an internal Climate Risk Assessment to inform Council's risk register.
- Installed additional solar panels and battery capacity to enable Macedon Community Centre and Romsey Recreation Centre to become 'off-grid' Relief Centres.
- Participated in the Community Carbon Offset pilot program, led by North Central Catchment Management Authority.
- Facilitated the installation three public, fast charging electric vehicle charging stations in Macedon, Kyneton and Lancefield.
- Installed charging stations at Council offices in Gisborne, Kyneton and Woodend and commenced the fleet transition with the purchase of the organizations first fully electric vehicle.
- Purchased four 'Sustainable House Kits' for residents to use free of charge through the Goldfields Library.

Waste

- A reduction in total amount of kerbside general waste of 7.5%.
- The Single-use Plastics policy adopted by Council on 24 May 2023.
- 33 waste education sessions and workshops delivered to over 840 participants (online and in-person).
- Winning the award for Let's Get Sorted in the Outstanding Waste and Resource Recovery Project: Regional category of the Waste Innovation and Recycling Awards in October 2022.
- Winning the award for the Romsey storm waste facility in the Special Projects Initiative category of the LGPro Awards for excellence in May 2023.

Biodiversity

- Captured a Brush-tailed Phascogale on camera during wildlife monitoring program at Hanging Rock Reserve.
- Identified an additional 500 Clover Glycine (*Glycine latrobeana*) plants at Bald Hill Reserve through community surveys.

- Completed an Ecological Assessment and Cultural Heritage Assessment for Barrm Birm in Riddles Creek.
- Completed a Cultural Heritage Assessment in Barringo Reserve.
- Completed the draft Environment Management Plan for Stanley Park
- Delivered an ecological burn at Malmsbury Common over approximately three hectares.
- Delivered the Healthy Landscapes program which included 60 property visits, 23 events and engaged 511 landholders across the region.
- 482 participants in our biodiversity related events and 208 new subscribers added to Environment eNews, bringing the total to 1851 subscribers.
- Supported the formation of the Macedon and Mt Macedon Landcare Group.
- Provided environment responses to 318 planning permit referrals ensuring native vegetation removal is kept to a minimum.

Water

- Completed the Woodend Five Mile Creek Master Plan in partnership with Woodend Landcare.
- Restoration works on Bunjil Creek in Gisborne commenced resulting in some 13,000 wildflowers, grasses, sedges and shrubs planted in partnership with Regional Roads Victoria.
- Revegetation along waterways included 7243 native plants along Smokers Creek in Hanging Rock Reserve and 2358 across five Council managed waterway reserves.
- Works at Gisborne Botanic Gardens and Barkly Square in Kyneton contributed to a reduced demand for recycled water.
- Partnered with Melbourne Water to create a new Water Sensitive Urban Design program in Council.
- Continued involvement in the Healthy Coliban Catchment Project including supporting community and landholder engagement.

Consultation and engagement

No community engagement is required to inform the Annual Environment Report.

Collaboration

Officers collaborate with external agencies as required to source data for the Annual Environment Report.

Innovation and continuous improvement

The Annual Environment Report provides an overview of Council's environmental performance as well as the shire's ecological health. This information helps identify areas for improvement and future focus.

In particular, the outcomes of the Annual Environment Report 2021-22 highlights the following areas for future work:

- Continuing to build relationships with Traditional Owner groups in regard to management of conservation areas and Councils response to the climate emergency.

- Amending Council decision-making processes to account for the impacts of climate change.
- Building capacity across Council to better address the climate emergency and adopt sustainable practices.
- Reducing emissions from use of fuels and gas in council's operations to reverse the increase in emission and minimise the need for offsets in 2030.
- Facilitating the transition to electric vehicles, both for Council fleet and the community.
- Investigating options for a carbon offset program that has co-benefits for biodiversity and local economies.
- Implementing the Climate Emergency Plan that guides Council to take action on climate change in collaboration with community and organisational stakeholders.
- Continuing to improve the biodiversity values and accessibility of Councils conservation reserves.
- Supporting community environment groups to gain momentum and conduct works in priority sites, such as through the new Biolinks Boost grant.
- Building on Council's ability to design and construct water sensitive urban design treatments to improve storm water management and water quality entering rivers and streams.

Relevant law

No legislation is directly relevant to this report. In accordance with the Gender Equality Act 2020, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Relevant regional, state and national plans and policies

No regional, state or national plans or policies are directly relevant to this report.

Relevant Council plans and policies

The Annual Environment Report provides information on the implementation progress of the following Council plans and strategies:

- Environment Strategy - Refreshed 2021
- Counting Down to Zero – Zero Net Emissions Plan for Council operations 2022
- Roadside Conservation Management Plan 2021
- Waste Management and Resource Recovery Strategy 2021
- Biodiversity Strategy 2018

Financial viability

There are no financial implications associated with this report.

Sustainability implications

The Annual Environment Report provides an overview of how Council is progressing towards achieving its environmental and sustainability agenda.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

PE.2	ENVIRONMENT GROUP SUPPORT GRANTS 2023 - PANEL ASSESSMENT
Officer:	Krista Patterson-Majoor, Coordinator Environment
Council Plan relationship:	1. Connecting communities 2. Healthy environment, healthy people
Attachments:	Environment Group Support Grants - Panel assessment notes ↓

Summary

Council offers annual financial support to 35 Landcare and Friends groups and networks that are active across the Macedon Ranges Shire.

Guidelines for the 2023/2024 Environment Group Support Grant program were adopted at the 26 July 2023 Scheduled Council Meeting. This included introducing a new Biolink Boost grant, with co-funding from community partners, Macedon Ranges Community Enterprises Limited (MRCE) and Bendigo Bank.

This report details the application evaluation process, in accordance with the Environment Group Support Grant guidelines, and lists the projects recommended for funding and in-kind support in 2023/24.

Recommendation

That Council endorses the funding recommendations listed in Attachment 1.

Background

Council has long been committed to providing ongoing support and resources to the 35 Landcare and Friends groups and networks active across the Macedon Ranges Shire. These groups play an important role in engaging community and protecting significant native plants and animals on both public and private land.

On 26 April 2023 Council adopted the Community Grants Policy. This policy provides a framework for Council to grant public funds consistently and transparently through its externally facing grant programs.

In response to the Community Grants Policy, the Environment Group Support Grant guidelines were updated. These were formally adopted at the 26 July 2023 Scheduled Council Meeting.

The Environment Group Support Grant program for 2023/2024 offers three categories of funding. Eligible groups can apply for one, two or all three funding streams.

The program retains the existing Landcare and Environmental Friends Group Support Funding (\$800) and the Strategic Weed Partnership Program (\$1500). As has been the case in previous years, all incorporated groups are eligible to receive this funding support provided they meet the criteria set out in the grant guidelines.

The 2023/2024 grant program introduced the new Biolink Boost grant with the aim to support revegetation activities in strategic areas across the shire, and to provide groups with a means to engage with landholders and increase membership. Through this renewed

program, all Landcare, Friends Groups and Networks are eligible to apply for annual grants of up to \$5000.

Council’s Environment Group Support Grant budget for 2023/2024 is a total of \$50,000.

Council and community partners, Macedon Ranges Community Enterprises Limited (MRCE) and Bendigo Bank have collaborated to co-fund the Category 3, Biolink Boost Grant. The MRCE will match council’s funding to the amount of \$20,000, boosting the funding available for the Biolink Boost grant to \$40,000.

A summary of funding categories for the Environment Group Support Grants for 2023/2024 is below:

Funding categories	Maximum funding/project	Council funding available	Matched funding by MRCE	Total available
Category 1				
Landcare, Friends Groups and Network Support Funding	Up to \$800	\$20,000		20,000
Category 2				
Strategic Weed Partnership Program	Up to \$1,500	\$10,000		\$10,000
Category 3				
Biolink Boost Grant	Up to \$5,000	\$20,000	\$20,000	\$40,000

Discussion

The 2023/2024 Environment Group Support Grants were open for applications from 31 July to 27 August 2023. 21 applications for funding were received across the three grant categories from 16 Landcare, friends groups and networks requesting a total of \$63,349.50.

The applications received were assessed by the assessment panel on 31 August 2023. The assessment panel comprised of:

- Krista Patterson-Majoor, Coordinator Environment
- Tanya Loos, Biodiversity Officer
- Kimberley Cook, Programs and Engagement Officer
- Martin Roberts, Bushland Reserves Officer

Following a review of the applications against the eligibility criteria for each category in the Environment Group and Support Grant Guidelines, the assessment panel have set out their recommendations for funding and assessment notes in **Attachment 1**.

Upon decision, staff will notify in writing each of the applicants of their grant application outcome.

Category 1 - Landcare, Friends Groups and Network Support Funding

16 applications were received. Of the 16 applications, the assessment panel’s recommendations are to fund 15 applications. The one application that is not recommended for funding did not meet the eligibility criteria stating that Landcare Support Grants from previous grant funding must be acquitted.

Category 2 - Strategic Weed Partnership Program

Seven applications were received. Of the seven applications, the assessment panel's recommendations are to fund five applications.

One application that is not recommended for funding did not meet the eligibility criteria for works to be undertaken on Council managed land. The second application that is not recommended for funding did not meet the eligibility criteria stating that Landcare Support Grants from previous grant funding must be acquitted.

Category 3 - Biolink Boost

Nine applications were received. Of the nine applications the assessment panel's recommendations are to fund all nine applications.

Consultation and engagement

Eligible groups were invited to apply for the grant program via email and subsequent follow-up reminder emails.

On 9 August 2023, groups were invited to attend a Landcare Forum in Woodend. Held during Landcare Week, the purpose of the forum was to outline the grant opportunities available, introduce the new Biolink Boost grant, and to hear from guest speaker, Janine Duffy from Koala Clancy Foundation.

Throughout the grant application period, officers from the Environment Unit liaised with several groups to provide assistance with their applications and project development. Groups were offered the opportunity to discuss their applications via phone, email, online and in-person meetings.

Support to groups also included trouble-shooting minor technical issues with using the online SmartyGrants platform for the few groups that had not used the platform previously.

Collaboration

Council regularly supports these community groups by attending and presenting at meetings, providing information and resources, and collaborating on joint projects and events. Council has financially supported Landcare and Environmental groups via an annual grant program for many years.

This year, Macedon Ranges Community Enterprises Limited (MRCE) and Bendigo Bank have collaborated to co-fund the Category 3, Biolink Boost Grant.

In any marketing materials, Macedon Ranges Community Enterprises Ltd and Bendigo Bank will be considered as a 'co-funding community partner' of the Biolink Boost Grant. The MRCE logo, generic Bendigo Bank logo and Macedon Ranges Shire Council logos will be used in all project communications.

Innovation and continuous improvement

The Environment Group Support Grant program is reviewed annually and considers feedback provided by the previous year's applicants.

Relevant law

Council's Environment Group Support Grant program complies with requirements listed in the *Local Government Act 2020* related to disbursement of public money and managing conflicts of interest.

The proposal does not limit any rights contained in the Charter of Human Rights and Responsibilities.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was conducted in relation to the development of the Community Grants Policy. In the interest of delivering more inclusive and accessible funded community projects for the Macedon Ranges, the following measures are required under Council's grants programs:

- all funding applications covered by this policy will request information about which diverse groups in the community would benefit from the project, how these groups would be supported to participate in funded programs, and the estimated reach across men, women and gender diverse groups;
- addressing gender equity and inclusion will strengthen an application and will be reflected in the scoring matrix;
- the composition of all assessment panels will include mixed gender representation; and
- the Landcare Forum promoting the grants programs was held at a time and in a central location so as not to disadvantage those with caring responsibilities and/or work commitments.

Relevant regional, state and national plans and policies

The Environment Group Support Grants support groups achieve actions identified in the North Central Regional Catchment Strategy, Melbourne's Water's Healthy Waterways Strategy and Victoria's Biodiversity Strategy.

Relevant Council plans and policies

The Environment Group Support Grants aligns with Council Plan strategic objectives under "Connecting communities" and "Healthy environment, healthy people".

The Environment Group Support Grant guidelines and terms of reference are a clear demonstration of the Council Plan strategic objective of delivering strong and reliable governance.

The Environment Group Support Grants align with Council's Community Grant's Policy, and help to implement the Environment Strategy 2021, Biodiversity Strategy 2018, Roadside Conservation Management Plan 2021, and the various Environment Management Plan for areas where many of the groups have an interest.

Financial viability

Council's Environment Group Support Grants has an annual budget of \$50,000. A further \$20,000 has been committed from Macedon Ranges Community Enterprises Limited (MRCE) and Bendigo Bank.

The total amount recommended to be funded is \$59,549.50. The program will be a funded and administered within approved budget parameters.

Sustainability implications

Social and environmental outcomes are strongly enhanced with the delivery of the Environment Group Support Grants.

Council has long been committed to providing ongoing support and resources to the 35 Landcare, environment groups and networks active across the Macedon Ranges Shire. These groups play an important role in engaging community and protecting significant native plants and animals on both public and private land.

Importantly, the Biolink Boost projects align with a key objective of the 2018 Biodiversity Strategy – to extend and connect native vegetation and fauna habitat. The landscape connectivity plan detailed in the Strategy identified six priority biolink areas and three waterway links that provide important landscape connectivity. The biolinks occur predominately across private land, contain significant habitat patches, have numerous threatened species records, and have a high level of community interest in their enhancement. Improving biolinks across the shire is also being highlighted as a priority action through the development of Council's Climate Emergency Plan.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

Panel Assessment – Community Environment Support Grant 2023

Group Name	SCORE	Funding Request	ASSESSMENT NOTES	RECCOMENDATION
Category 1 – Landcare Friends Groups and Network Support Funding				
1. Pipers Creek & District Landcare Group Inc.	10	\$800	Eligible	Fund
2. Woodend Landcare	10	\$800	Eligible	Fund
3. Macedon & Mount Macedon Landcare	10	\$800	Eligible	Fund
4. Riddells Creek Landcare	10	\$800	Eligible	Fund
5. Ashbourne Landcare	10	\$800	Eligible	Fund
6. Newham and District Landcare Group	10	\$800	Eligible	Fund
7. Friends of Bald Hill Reserve	10	\$800	Eligible	Fund
8. Campaspe River & Land Management Group	10	\$800	Eligible	Fund
9. Campaspe Valley Landcare Group	10	\$800	Eligible	Fund
10. Upper Deep Creek Landcare Network	0	\$800	Not eligible. Did not acquit previous grant.	Funding not recommended

11. Macedon Ranges Seed Savers	10	\$576	Eligible	Fund
12. Tylden Landcare	10	\$800	Eligible	Fund
13. Upper Maribyrnong Catchment Group	10	\$800	Eligible	Fund
14. Friends of Daly Nature Reserve	10	\$717.50	Eligible	Fund
15. Friends of Black Hill	10	\$800	Eligible	Fund
16. Deep Creek Landcare Group	10	\$800	Eligible	Fund
Total		11,693.50		
Category 2 – Strategic Weed Partnership Program				
1. Woodend Landcare	10	\$1500	Eligible	Fund
2. Newham and District Landcare Group	10	\$1500	Eligible	Fund
3. Campaspe River & Land Management Group	10	\$1500	Eligible	Fund
4. Campaspe Valley Landcare Group	0	\$1500	Not eligible. Proposed works not carried out on council managed land.	Funding not recommended
5. Upper Deep Creek Landcare Network	0	\$1500	Not eligible. Did not acquit previous grant.	Funding not recommended
6. Tylden Landcare	10	\$1500	Eligible	Fund

7. Macedon & Mount Macedon Landcare	10	\$1500	Eligible	Fund
Total		\$7,500		
Category 3 – Biolink Boost				
1. Woodend Landcare	9	\$4956	Project: Five Mile Creek Black Gum Biolink Enhancement Project. Protection of large old Black Gums after 2021 storm damage through weed control, revegetation, and mulching. Furthers the implementation of Woodend Five Mile Creek Master Plan. Protection of Nationally Threatened Species.	Fund
2. Ashbourne Landcare	10	\$5000	Project: Project Koala Hope Letters of support from Koala conservation organisations. Project is in the Campaspe River and Headwaters Biolink area, uses Koala as hook to engage new residents.	Fund
3. Newham and District Landcare Group	10	\$5000	Project: Enhancing biodiversity within the Cobaw Biolink. Engagement with new residents is welcome. Engagement with local schools. A broad range of indigenous native species, planted on multiple locations within the Cobaw Biolink, on both public and private land.	Fund
4. Tylden Landcare Group	7	\$5000	Project: Rebuilding connected habitat for lizards, woodland birds and Koalas between Kyneton and Lauriston Part of the Strategic habitat link between Kyneton to Lauriston. Aims to create a new 'Kyneton to Lauriston' Biolink Group, and increase membership in Tylden and Malmsbury Landcare Seed project, one demonstration site.	Fund

			Interested in evaluation of project and measurable outcomes of community action.	
5. Campaspe Valley Landcare Group	7	\$5000	Project: Blackwells -Snipes Creek to Campaspe River junction Project progresses Black Hill to Green Hill Biolink. Enhances river health in the Campaspe River and Headwaters Biolink. Work with group to ensure the community is engaged.	Fund
6. Upper Maribyrnong Catchment Group	7	\$3650	Project: Deep Creek Biolink Project at Darraweit Guim Primary School Planting at Darraweit Guim Primary School. Involves environmental education about the Deep Creek Biolink. Good for community recovery after 2022 flood event. Part of Deep Creek biolink at Darraweit Guim.	Fund
7. Friends of Daly Nature Reserve	8	\$1750	Project: Bunjil's Stepping Stones An urban biodiversity, 'gardens for wildlife' style project, linking the Wombat Pyrete biolink and the Jacksons and Riddells Creek biolink. Seeks to engage 400 residents in the Gisborne area from Daly Nature Reserve to Bunjil Creek, through the provision of a small habitat box of locally indigenous plants, using the Wedge-tailed Eagle as an iconic species	Fund
8. Campaspe River and Land Management group	6	\$5000	Project: Connecting the Kyneton community to the Campaspe River. Campaspe River is part of the Campaspe River and Headwaters Biolink. Recommend fund project upon receipt of specific details on revegetation and proposed and community engagement activities.	Fund

9. Macedon and Mount Macedon Landcare Group	9	\$5000	Project: Tony Clarke Waterways Engages Macedon Primary School students and parents to undertake revegetation along Riddells Creek and Railway Creek with the hope of Platypus returning. Project is a high priority project within the Environmental Works Plan for Waterways.	Fund
Total		\$40,356		
Grand total		\$59,549.50		

12 CHIEF EXECUTIVE OFFICER REPORTS

CX.1	ANNUAL REPORT 2022-2023
Officer:	Lauren Wall, Manager Communications and Engagement
Council Plan relationship:	4. Delivering strong and reliable government
Attachments:	Annual Report 2022-2023 (under separate cover)

Summary

Macedon Ranges Shire Council's Annual Report 2022/2023 has been prepared in accordance with the requirements of the Local Government Act 2020.

The Annual Report provides an account of Macedon Ranges Shire Council's performance in the previous financial year against the Council Plan and Budget. Presenting this publicly helps to keep residents, businesses, employees, stakeholders and other government agencies up-to-date on our performance and future direction.

Recommendation**That Council:**

- 1. Receives the Annual Report 2022/2023; and**
- 2. In accordance with Section 98 of the Victorian Local Government Act 2020, gives public notice that the Annual Report 2022/23 has been prepared and that it will be available on Council's website and at Council offices.**

Background

Macedon Ranges Shire Council's Annual Report informs our community of our performance for the financial year, 1 July 2022 to 30 June 2023. It also provides details of our operations, achievements and challenges. Performance is measured against how well we achieved our goals and objectives outlined in the Council Plan 2021–31 (Year Two).

The report is structured using the Victorian Government's Local Government Performance Reporting Framework. It also includes the audited Performance Statement and Financial Statements.

Discussion

The Annual Report 2022/2023 celebrates a range of achievements this year including the opening of key public spaces such as the Romsey Ecotherapy Park which also won several awards and continues to be recognised as an excellent outcome of partnership and collaboration with our valued community groups.

Council also responded to a significant weather event in October 2022 which heavily impacted parts of our Shire and in particular Darraweit Guim. The flooding caused damage to roads, trails and other Council managed assets and Council continues to manage the repairs of these.

Some other highlights to note are:

- Approximately 200,000m squared of sealed roads and maintenance carried out which is the equivalent of 10 MCG's worth.
- 770km of gravel roads resheeted or graded - the equivalent of travelling to Malmesbury from Gisborne 17 times.
- 3,000+ tonnes of waste diverted from landfill saving an estimated \$880,000.
- 1,644,700 bins collected by Council.
- 8 new or upgraded open spaces.
- 4,925 maternal and child health assessments.
- More than 325,000 library items borrowed.
- 9,500 new native plants planted.
- More than 10 award received across the environment, business and tourism and aquatics and fitness categories.

Council commenced Listening Posts in 2023 which has provided valued opportunities for the public to engage with Councillors and find out about work that Council is doing and provide feedback on a range of issues also.

Council conducted more than 50 separate consultations over the 2022/2023 financial year on a range of matters, plans and strategies and the community were encouraged to help inform these pieces of work through their insights and feedback.

Consultation and engagement

There has been internal consultation on the Annual Report. The Audit and Risk Committee approved the Financial Statements and Performance Statement.

Collaboration

The Annual Report 2022-2023 has been created in accordance with the Local Government Better Practice guide which has been developed to help local government in meeting the statutory requirements for the preparation of the Annual Report.

Innovation and continuous improvement

The Financial Statements have been prepared in accordance with relevant Australian Accounting Standards and Financial Reporting Standards.

Relevant law

This report as presented meets the Legislative requirements of Section 100(1) and 18(1)(d) of the *Local Government Act 2020* (The Act), and was prepared in line with the requirements of Section 99 of The Act.

The Financial Statements have been prepared in accordance with Australian Accounting Standards.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Relevant regional, state and national plans and policies

Nil

Relevant Council plans and policies

In order to ensure Council carries out its requirements in accordance with the Act, this report is provided to acquit those requirements. Delivering on the above requirement ensures that Council delivers on its priority of strong and reliable government.

Financial viability

In terms of financial sustainability, the Financial Statements within the report indicate that the Council remains in a sound financial position.

Sustainability implications

Nil

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

CX.2	CEO EMPLOYMENT AND REMUNERATION COMMITTEE REPORT
Officer:	Annette Death, Mayor
Council Plan relationship:	4. Delivering strong and reliable government
Attachments:	Nil

Summary

To provide the community with a transparent record of the comprehensive process to complete the annual evaluation of the performance of the CEO.

Recommendation

That Council notes the CEO Employment and Remuneration Committee's completion of the assessment of Bernie O'Sullivan's successful performance as Chief Executive Officer of Macedon Ranges Shire Council from 1 July 2022 to 30 June 2023, in accordance with Council's CEO Employment and Remuneration Policy and the Local Government Act 2020.

Background

Mr. Bernie O'Sullivan commenced as the Chief Executive Officer (CEO) of Macedon Ranges Shire Council on 10 May 2021.

Key Performance Indicators (KPIs) for the period 1 July 2022 – 30 June 2023 were agreed at the conclusion of the CEO's first annual review and endorsed by Council in October 2022.

A mid-year performance review was completed in April 2023.

In accordance with the Local Government Act 2020 and the CEO's Employment and Remuneration Policy and process, the 12-month review of the CEO's performance has now been completed by the CEO Employment and Remuneration Committee (ERC).

The ERC consists of Mayor, Councillor Annette Death (Chair), Councillor Jennifer Anderson, Councillor Rob Guthrie, and Independent Member Mr John Nevins.

The membership of the ERC is reviewed annually.

Discussion

The ERC has reviewed and discussed the CEO's progress against the KPIs established and endorsed by Council in October 2022.

The assessment of the CEO's Performance and Remuneration has included:

- Review of performance data as evidence for KPI outcomes, including qualitative and quantitative data from various sources.
- Review of benchmarks on performance and salaries in accordance with section 45(3) of the Act.
- Review of key considerations in the CEO Employment Contract.
- Consideration of any Determination that is currently in effect under section 21 of the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards

Act 2019 in relation to remuneration bands for executives employed in public service bodies. (This consideration is a legislative obligation under Section 45 (3) (b) of the 2020 LG Act)

Consultation and engagement

The Committee met on 5 September 2023 to review and discuss the CEO 360 Degree assessment with the external consultant. This meeting included an analysis of the CEO's performance against KPIs from 1 July 2022 to 30 June 2023.

The Committee met on 12 September 2023 to further discuss the CEO's performance against the KPIs. Mr. O'Sullivan also joined during this meeting to discuss KPI performance. On 19 September 2023, the Committee presented their findings to the whole Councillor group, followed by a session with the CEO and all Councillors.

Following input from all these meetings the Committee finalised their recommendations to Council.

All Councillors have had the opportunity to provide feedback during the review, including on the review process and the outcome of the evaluation.

Collaboration

N/A

Innovation and continuous improvement

Council will continue to monitor each year how the process has occurred and make any improvements they can identify. Apart from the formal review process Councillors and the Mayor meet regularly with the CEO without other staff being present. The regular review process allows both the CEO and Councillors to highlight any opportunities or discuss any challenges for continuous improvement across Council's operations throughout the year.

Relevant law

This report has been prepared in accordance with the Local Government Act 2020 and the Charter of Human Rights and Responsibilities Act 2006.

In accordance with the Gender Equality Act 2020, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Relevant regional, state and national plans and policies

N/A

Relevant Council plans and policies

CEO Employment and Remuneration Policy

Financial viability

N/A

Sustainability implications

N/A

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

13 DIRECTOR CORPORATE REPORTS

COR.1	JACKSON STREET MACEDON - POTENTIAL ROAD DISCONTINUANCE AND TRANSFER
Officer:	Hayley Drummond, Coordinator Property and Valuations
Council Plan relationship:	4. Delivering strong and reliable government
Attachments:	<ol style="list-style-type: none"> 1. Submission 01 - Discontinuance of Jackson Street and Road Transfer - Jackson Street Macedon - 2023-10 ↓ 2. Plan - Jackson Street Macedon - Discontinuance and transfer - 2023-08 ↓

Summary

Council has received a request from the owner of 10 Margaret Street Macedon to purchase part of an unmade road that runs along the back of their property. The road is shown as Jackson Street, Macedon on Title. This report outlines the community consultation process which was undertaken and the proposed statutory process for the discontinuance and transfer to occur in accordance with the Victorian *Local Government Act 1989* (LGA 1989) and 2020.

Recommendation**That Council:**

1. **Notes the submission received in response to the community consultation process which was undertaken.**
2. **Proceed with the process for the discontinuance and transfer of part of Jackson Street, Macedon, as follows:**
 - (a) **Discontinue the road in accordance with section 206, 223 and Schedule 10 of the LGA 1989;**
 - (b) **Give notice in the Victorian Government Gazette pursuant to clause 3 Schedule 10 of the LGA 1989;**
 - (c) **Sell the road to the adjoining owner in accordance with clause 3 Schedule 10 of the LGA 1989; and**
 - (d) **Authorises the Chief Executive Officer to:**
 - (i) **Negotiate the sale of the land;**
 - (ii) **Sign and seal the transfer of land and any additional documentation in relation to the transfer.**

Background

Council received notification of an adverse possession claim made by the owners of 10 Margaret Street Macedon. The land being claimed is part of Jackson Street, Macedon that is an unmade road running along the back of the property at 10 Margaret Street, Macedon.

The owners of the adjoining property had fenced off this land for over 40 years and were seeking to claim ownership via adverse possession.

The site

The land is in a residential area of Macedon and is shown on title as Jackson Street, Macedon. The land is located behind 10 Margaret Street, Macedon that comprises a residential dwelling that was constructed in the mid 1980's. The area of land subject to the claim is approximately 690 square metres and is zoned low density residential. The land is generally cleared and slightly elevated. There is a sewer pit and easement in the south-west corner of the land and there are three large native trees along the western boundary. A plan of the land is attached to this report.

Discussion

Community consultation process

A report was presented to the Council on July 26, 2023, which resolved to undertake a community consultation process in line with Council's Community Engagement Policy. Subsequently, a 28-day consultation period was undertaken. Information regarding the consultation was made accessible on the Council's website, publicised in local newspapers, and adjacent landholders were notified via mail.

Submissions

One submission was received. The submitter expressed support for the discontinuation of Jackson Street and the sale of the land parcel behind 10 Margaret Street to its owners. However, they also strongly advocated for Margaret Street to remain a 'No Through Road' for reasons including child and pet safety. The submitters have requested that the Council consider their views in future land development plans adjacent to 10 Margaret Street.

The submission has been formally acknowledged and there was no request to speak at a proposed Submitters Delegated Committee meeting.

Title issues

The land behind 10 Margaret Street is within a title that is described as Road R1 on PS 14166 in the name of Macedon Ranges Shire Council. The title was originally issued to the developer "Narani Development Company Pty Ltd" during the 1960's when the subdivision originally occurred. At that point in time, the title should have been issued in Council's name, however like many developments of the period, titles for roads remained in the developer's name, despite being described as "Road R1."

In 2019 the title for the road was transferred into Council's name as part of a 'bulk update' list that Council provided to the Titles office for several roads and reserves. The list comprised properties that were still in the original developers' names, despite being roads and reserves following the original subdivisions. The Titles Office instigated the scheme as part of an effort to 'tidy up' titles. Many Councils took part in this scheme and several Macedon Ranges Shire titles were converted into Council's name as part of this process.

Advice was received during this process that the map provided by Council was incorrect. The owners of 10 Margaret Street contacted Land Data to correct the historical mapping error in this case.

Proposal to sell the land

Officers recommend that we continue to work with the owners of 10 Margaret Street to sell the road and discontinue it under the statutory process required under the *Local Government Act 1989* and *2020*, noting the following:

- Margaret Street, Macedon is currently a 'no through road' with the lot at the end of the road being described as Lot 1 on TP897744E. This lot now forms part of 10 Margaret Street and comes under the same ownership.
- Lot 1 is covered by the RO5 Macedon South West Restructure Plan known as the Moyne Park Estate.
- Any subdivision of the land within RO5 must be in accordance with the plan, and a planning scheme amendment would be required to vary the RO5 Restructure Plan.
- Any planning scheme amendments would be subject to community consultation that would include opportunities for surrounding residents to make a formal submission to Council.

Council's Strategic Planning officers also been advised of the submission made in relation to this matter.

Consultation and engagement

In accordance with the legislative requirements of the *Local Government Act 2020* and *1989*, officers have completed a community consultation in line with Council's Community Engagement Policy. This included public consultation and provided an opportunity for submitters to speak in support of their submission at a Submitters Committee Meeting, if required. One written submission was received during the consultation period, and the submitter did not request to speak at the Submitters Committee Meeting.

As there was no request to speak at the Submitters Committee Meeting, officers have prepared this report to present and summarise the submission that was received and to recommend next steps for the negotiation and sale of the land.

Collaboration

Officers will continue to work with the property owner and legal parties as part of this process.

Innovation and continuous improvement

Not applicable

Relevant law

Council will be required to ensure that this road closure and transfer is completed in accordance with the *Local Government Act 1989* and *2020*.

Additionally, in accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment (GIA) has been conducted in relation to the community consultation. The GIA aims to ensure the inclusion of people from all genders and ages in the consultation and engagement activities.

By implementing the recommendations outlined in this GIA, the community consultation process for the sale of the unused road aims to be inclusive, and reflective of the diverse needs and perspectives of the community.

Relevant regional, state and national plans and policies

N/A

Relevant Council plans and policies

- Community Engagement Policy
- Council Plan – Deliver Strong and Reliable Government

Financial viability

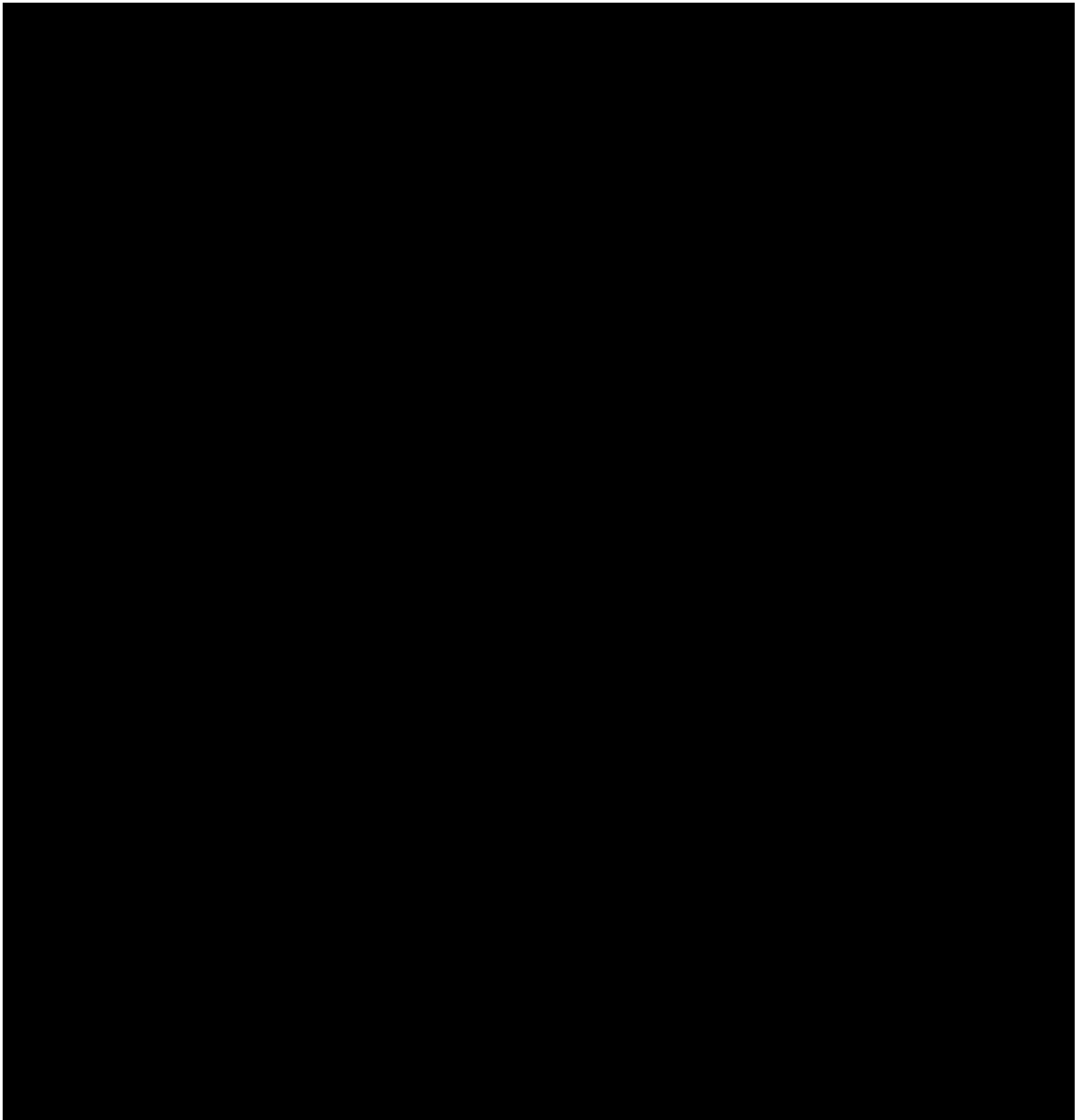
As part of this transaction, Council will be required to pay any conveyancing fees, this is allowed for in Council's operational budget. There will be no additional cost impacts to Council. Revenue from the sale will be placed in Council's Asset Conversion Reserve.

Sustainability implications

Nil

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



Sent: Tuesday, 5 September 2023 10:28 AM

To: Hayley Drummond <hdrummond@mrsc.vic.gov.au>; Macedon Ranges Shire Council <mrscmail@mrsc.vic.gov.au>

Subject: Margaret Street [REDACTED] response to Proposed Land Sale - Jackson Street Macedon

CAUTION: This email originated from outside of Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning Hayley,

Further to our conversation yesterday regarding the discontinuation of Jackson Street and sale by private treaty of the fenced parcel behind 10 Margaret Street to the owners, [REDACTED] we have no objections and support the proposal.

However, that Margaret Street remain a **No Through Road** is an issue we would like noted by Council, regarding the proposed development of the land adjacent to 10 Margaret Street [REDACTED]
Children playing ball games safely at the end of the street, pedestrian and pet safety are delights [REDACTED] to retain.

We have noticed on the discontinuation of Jackson Street plan provided by MRSC, Lot 1 TP897744 is shown as an extension of Margaret Street connecting to Lot 13 TP897744, clearly a street accessed from Smith Street.

[REDACTED] have strong agreement to retaining this **Margaret Street No Through Road** [REDACTED]

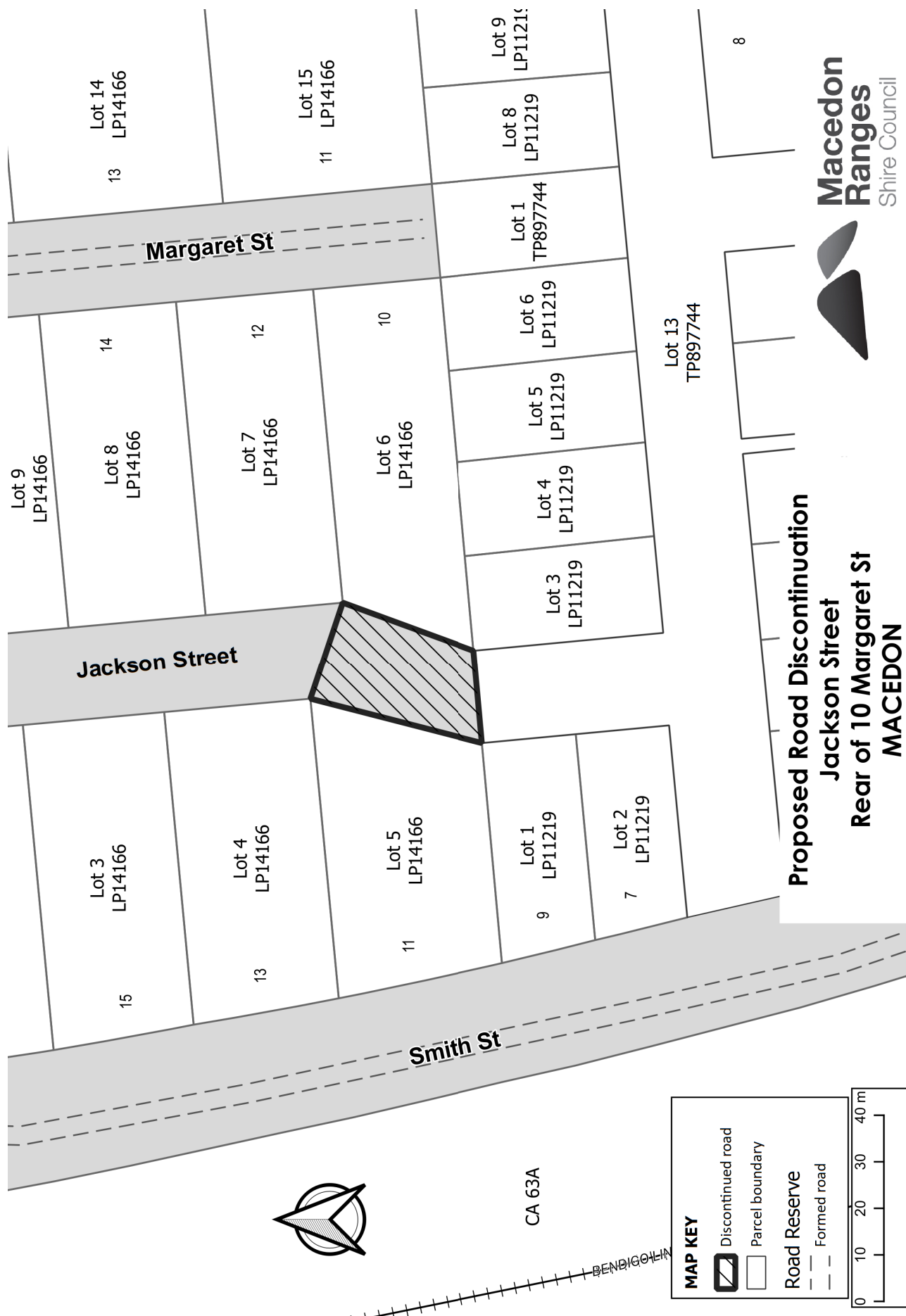
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

We do not feel the need to speak at Council Submitters Committee meeting on 20th September 2023 but would appreciate Council retaining this comment with regards to any future proposals to develop the land adjacent to 10 Margaret Street, LP 11219 and street access, TP 897744

Thank you.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]



COR.2	CONTRACTS TO BE AWARDED AS AT OCTOBER 2023
Officer:	Corinne Farley, Coordinator Contracts
Council Plan relationship:	4. Delivering strong and reliable government
Attachments:	Nil

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.

Recommendation

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

- 1. C2024-49 Provision of Line Marking**
- 2. C2024-50 Collection and Processing of Soft Plastics**
- 3. C2024-51 Kyneton Mechanics Institute North Roof, Footing & Subfloor Restoration**

Background information

Council's delegated authority to its officers to award a contract is controlled by the financial value of the contract. The various financial limits of the authority are specified in Appendix 6 of the Procurement Policy.

Opportunity to review delegated authority

This report provides Council with a brief summary of proposed contracts, which are being advertised and also indicates whether or not delegated authority to award the contract exists.

C2024-49 Provision of Line Marking

This contract replaces the existing contract which expires on 2 December 2023. The contract is for the yearly repainting of all Centre-line pavement marking. And replacing other line marking when required.

The CEO has delegated authority to award this contract.

C2024-50 Collection and Processing of Soft Plastics

This contract is for the collection and processing of soft plastics and other material collected from the three Resource Recovery Facilities located in the Shire.

The CEO has delegated authority to award this contract.

C2024-51 Kyneton Mechanics Institute North Roof, Footing & Subfloor Restoration

This contract is for the delivery of conservation works to the heritage listed Kyneton Mechanics Institute. The purpose of this project is to resolve ongoing leaks and poor sub ventilation in the buildings north side.

The CEO has delegated authority to award this contract.

Consultation and engagement

The nature of this report does not require any consultation or community engagement.

Collaboration

The nature of this report does not require collaboration with other councils, governments or statutory bodies.

Innovation and continuous improvement

Council reviews its Procurement Policy regularly, in accordance with the *Local Government Act 2020*. These reviews consider options for innovation and are part of continuous improvement processes.

Relevant Law

The *Local Government Act 2020* provides for Council to delegate powers to staff, including the power to award contracts.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Relevant regional, state and national plans and policies

There are no regional, state or national plans and policies that are relevant to the subject matter of this report.

Relevant Council plans and policies

The awarding of contracts is undertaken in accordance with the provisions of Council's Procurement Policy.

Financial viability

Funds for all contracts to be awarded, as listed above, have been provided in the operational and capital works budget and future annual budgets.

Sustainability implications

Council's Procurement Policy requires staff to procure goods, services and works from suppliers who actively employ sustainable practices in their operations.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

14 DIRECTOR COMMUNITY REPORTS

COM.1	RECONCILIATION ACTION PLAN – ANNUAL UPDATE
Officer:	Maria Loriente, Community Partnerships Officer
Council Plan relationship:	1. Connecting communities 2. Healthy environment, healthy people 3. Business and tourism 4. Delivering strong and reliable government
Attachments:	Reconciliation Action Plan – annual progress update ↓

Summary

This progress report outlines how Council is tracking against the INNOVATE Reconciliation Action Plan 2021-2023 (RAP) actions in its second year, and informs Councillors of planning underway for the development of Council's next RAP. It highlights achievements against the RAP and challenges in achieving some actions within the designated timelines.

Recommendation**That Council:**

- 1. Notes the actions that have been undertaken in the second year of the INNOVATE Reconciliation Action Plan 2021-2023 (from 31 October 2022 to 30 June 2023), as detailed in this report; and**
- 2. Endorses the extension of the RAP from October 2023 to June 2024.**

Background

Council endorsed the RAP at the Scheduled Council Meeting on 22 September 2021. The first annual progress report was presented and noted at the November 2022 Scheduled Council Meeting.

The RAP is due for completion in November 2023. There have been delays in implementing some actions, resulting from COVID lockdowns and staff resourcing. As a consequence, the RAP Working Group supported seeking a seven month extension to June 2024 from Reconciliation Australia. Reconciliation Australia approved the extension, as a number of other local governments across Australia were also granted extensions for similar reasons. Council officers have continued to work towards achieving the actions of the RAP and details of the progress forms part of the body of this report. It is anticipated that all RAP actions will be completed by June 2024.

Discussion

A detailed record of the progress for each action and the associated deliverables in the RAP can be found in the attachment to this report. The attachment identifies actions as either completed, in progress or not yet achieved, with commentary from the relevant Council department. The majority of actions are complete.

[Summary of highlights 2022-23 \(since November 2022 report\)](#)

- Welcome to Country Ceremonies are embedded in Council practice for significant events and activities.
- Official opening of Macedon and Mount Macedon Community House - Welcome to Country and moving personal acknowledgement of the significance of Mount Macedon with Uncle Ringo Terrick.
- International Women's Day with Wurundjeri and Kuku Yulanji woman, Antoinette Braybrook, CEO of Djirra and Co-Chair of Change the Record.
- Cultural Immersion Staff Program, On Country Experience with Uncle Bill Nicholson at Wil-immee-Moor-ring, Stone Axe Quarry.
- Inclusion of a community Cultural Immersion Experience at Wil-im-mee-Moor-ring, as part of the Autumn Festival.
- Ongoing support of the community driven Reconciliation group – Macedon Ranges Truth and Reconciliation Action Group (MRTRAG), now an incorporated organisation.
- Reconciliation Week events – Be a Voice for Generations. Yoorrook Justice Commission presentation and updates at Kyneton Town Hall and On Country Yarning Circles.
- NAIDOC Week – For Our Elders. Cultural program with Indigenous chef and Elder, Bundjalung Man, Mark Olive.

Guiding RAP principles

In accordance with the structure recommended by Reconciliation Australia, RAP actions were developed based on the core pillars of Relationships, Respect, Opportunities and Governance. In providing a year two progress update report on Council's RAP, achievements and challenges are being presented under these four headings.

Relationships

Officers across the organisation have been working with the three Traditional Owner Groups on a project-by-project basis. Council's Environment team continue to build strong working relationships with Traditional Owners on a number of 'Caring for Country' projects. The Community Development team are continuing to build their relationship, working mostly with the Cultural Heritage teams at the Traditional Owner organisations with a learning and development focus. While officers work to the best of their abilities to engage with the Traditional Owner Groups, Traditional Owner office locations remain a challenge, as all are located external to our shire.

While there are no Aboriginal Controlled Organisations based in the Macedon Ranges, officers have worked with both the Bendigo and District Aboriginal Co-operative (BDAC) and Sunbury Aboriginal Corporation (SAC) to develop a good working relationship. SAC is a small organisation, not funded to deliver in the Macedon Ranges, nevertheless they do provide services to First Nations People living within the municipality, particularly those from Gisborne, Romsey and Riddells Creek. Although programming is delivered in Sunbury, there is some networking and proactive outreach work that takes place within the Macedon Ranges.

Respect

Initial Cultural Safety Training has been delivered to the organisation, including Councillors. This training will continue to be made available for all staff and senior leaders. Cultural Safety training offers foundational knowledge and awareness and incorporates information regarding the impact of racism. The newly developed face to face staff induction program

incorporates information on Traditional Owners and the cultural heritage of the Macedon Ranges. A corporate training calendar is currently being developed for 2024 and a diversity and inclusion series of events will form part of this offering. In addition to this formal training, Lunchbox Sessions have been implemented, offering an informal opportunity for staff to engage and build on their cultural knowledge. Guest speakers have been invited to attend and the sessions will continue to be driven by the learning needs and staff areas of interest.

Reconciliation Week and NAIDOC Week each offer an opportunity for engagement, learning and insights. Programmed events during these weeks create and encourage opportunities to pay respect to First Nations People and Traditional Owners of the land. Reconciliation Week with Yoorrook Justice Commission was open to staff and community; the session gave further insight into Truth-Telling and the impact colonisation has had and continues to have on First Nations People.

NAIDOC Week provided cultural learnings, yarning, truth-telling and an immersive experience into traditional foods and herbs, providing participants with skills and knowledge to integrate bush tucker into their home meal preparation.

Opportunities

As the first year RAP report articulated, there were delays to implementing RAP actions as a result of staffing changes. Officers, however, continue to develop strategies that will enable the organisation to achieve outstanding actions. A recent campaign to allow staff the opportunity to self-identify as Aboriginal and/or Torres Strait Islander was launched. Learning and Development will provide a further anonymous opportunity via a survey later in 2023.

Embedding Reconciliation into Council practices and culture and creating opportunities for participation has increased community awareness and interest, which is reflected in growing community engagement towards Reconciliation. The Community Development team receive numerous enquiries and engage on a regular basis with schools, community groups and organisations around the shire, requesting information on Acknowledgement of Country, understanding which Country they are on, how to organise a Welcome to Country Ceremony, engagement with Traditional Owner Groups and other areas of interest.

Governance

The RAP Working Group (RWG) comprises internal staff and two external First Nations representatives. Each member of the group reports on RAP achievements, challenges and learnings. The First Nations representatives are generous with their advice in meeting challenges. The RWG is committed to achieving RAP actions genuinely and authentically to progress Reconciliation.

In planning for the next RAP, the Working Group have begun to recognise what will be required in both the membership and governance moving forward. The following were identified as key points of consideration: (i) broader membership of internal stakeholders, (ii) expertise in a Cultural Advisory Committee, and (iii) recognition of resourcing and financial commitment required to implement and embed the RAP.

Consultation and engagement

The RWG meets formally bimonthly, with meetings scheduled for the year commencing in February. Formal meetings with RWG and informal meetings with individual Council officers and RWG members has formed the basis of consultation, as strategies to deliver RAP actions are formed and implemented. The Chair of the RWG provides relevant advice, networking contacts and additional specialist information when required. This provides a

good opportunity for staff to seek further support to implement actions that have proved challenging.

Opportunity for staff to join in Cultural Immersion programs, Lunchbox Sessions and other RAP related activities provides an appropriate time to present updates on RAP implementation, as well as support and reinforce the practice of protocols for recognising Traditional Owners. The staff attending are very engaged and frequently share their own learnings with the group.

Collaboration

Council officers continue to work closely with the Macedon Ranges Truth and Reconciliation Action Group, which formed in 2022 following the Community Round Table during Reconciliation Week. Community interest and the desire for more information allows opportunity to collaborate with and support the group with events.

A representative from First Peoples – State Relations Group (Department of Premier and Cabinet) is a member of the RWG. She provides advice to the RWG to assist with implementing RAP actions.

Officers are building relationships with First Nations Service providers. Council is a member of the Central Victorian Local Government Reconciliation Network and actively participates in meetings, having hosted the August meeting in Kyneton. Officers attend Reconciliation Australia workshops and professional development opportunities and actively participate in Maggolee Workshops hosted by Reconciliation Victoria.

Innovation and continuous improvement

The updates in this report demonstrate continuous improvement. By implementing RAP actions, reviewing the process, outcomes and challenges Council demonstrates to Traditional Owners and First Nations residents that the RAP implementation is meaningful, genuine and respectful. It demonstrates Council's commitment to the RAP and the actions therein.

Relevant law

Consideration has been given to relevant state and commonwealth legislation, as is listed below:

- *Charter for Human Rights and Responsibilities Act 2006*
- *Equal Opportunity Act 2010*

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report. It was determined that this progress report concerning Council's Reconciliation Action Plan is defined as gender neutral, designed to deliver a range of outcomes for First Nations Peoples that do not include or exclude on the basis of gender.

Relevant regional, state and national plans and policies

The state government's main reference point for local government is the Victorian Aboriginal and Local Government Strategy 2021-2026, which provides a supportive policy environment for Council's RAP implementation.

Relevant Council plans and policies

Council's RAP is associated with the Council Plan strategic objective Connecting Communities. It is in line with the strategic priority of continuing to deliver improved outcomes for and recognition of our First Nations People.

Financial viability

The implementation of RAP actions is resourced within Council's budget.

Sustainability implications

As part of Council's Caring for Country responsibility, Council has worked closely with the three Traditional Owners and community on various projects which have included Conservation Yarning Circle, discussion on cultural burning, cultural food planting and engagement over cultural heritage assessment.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

RECONCILIATION ACTION PLAN Innovate 2021-2023 (RAP) ACTIONS

LEGEND: COMPLETED/& ONGOING IN PROGRESS DELAYED

RELATIONSHIPS

Building strong relationships with Traditional Owners and local Aboriginal and/or Torres Strait Islander Peoples based on trust and respect is foundational for advancing reconciliation. It enables greater understanding and partnerships and ensures that any actions are relevant and meaningful. Facilitating respectful relationships between Aboriginal and Torres Strait Islander Peoples and all Macedon Ranges residents supports a more inclusive community.

ACTION	DELIVERABLE	STATUS	TIMELINE	PROGRESS COMMENTS	UPDATED RESPONSIBILITY
1. Develop and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander Peoples, communities and organisations to support positive outcomes	Meet with local Aboriginal and Torres Strait Islander stakeholders and organisations to develop guiding principles for future engagement.	In Progress	June 2022	Action has commenced and work continuing.	Community Partnerships Officer
	Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholders and organisations.	In Progress	June 2023	Communication and Engagement across the organisation with Aboriginal and Torres Strait Islander stakeholders and organisations is progressing well. Engagement is meaningful and collaborative.	Community Partnerships Officer
2. Celebrate and participate in National Reconciliation Week by providing opportunities to build and maintain relationships between Aboriginal and Torres Strait Islander Peoples and other Australians	Organise a community National Reconciliation Week event each year to raise awareness and engagement in our local community	Completed	27 May–3 June 2022–23	A number of events have been held over the two years with target attendance achieved.	Community Partnerships Officer
	Register our National Reconciliation Week events on Reconciliation Australia's National Reconciliation Week website.	Completed	27 May–3 June 2022–23	Events registered and listed.	Community Partnerships Officer
	RAP Working Group members to participate in an external National Reconciliation Week event.	Completed	27 May–3 June 2022–23	RAP Working Group members invited to all Reconciliation Events.	Chair, RAP Working Group
	Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate National Reconciliation Week.	Completed	27 May–3 June 2022–23	Invitation issued to all staff, management, executive and Councillors to participate in events.	Manager Community Strengthening
	Provide opportunities for all Aboriginal and Torres Strait Islander staff to participate with their cultures and communities during National Reconciliation Week	Completed	27 May- 3 June annually	Opportunities are open and available to all First Nations staff.	Manager Community Strengthening
	Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	Completed	27 May- 3 June annually	Information distributed to all staff via email and included in Weekly CEO Message and All Staff Meeting.	Manager Community Strengthening
	Explore hosting a youth event during National Reconciliation Week	Completed	27 May- 3 June annually	Youth members have been involved in planning and actively participated in NRW Events.	Coordinator, Youth Development

	Develop a model and partnerships for supporting football-netball clubs in Macedon Ranges shire to conduct an Indigenous round, as part of Reconciliation Week.	Completed	December 2022	Games have been held in both leagues.	Community Partnerships Officer
3. Promote reconciliation through our sphere of influence.	Develop, implement and review a communications plan to promote our Reconciliation Action Plan to all internal and external stakeholders.	Completed	November 2021	Communication Plan developed and implemented.	Community Partnerships Officer
	Communicate our commitment to reconciliation publicly by developing a Council-endorsed statement of reconciliation that is displayed on our website and in our customer service centres.	Completed	November 2021	A dedicated Reconciliation page has been created on the website, other communication and print collateral is displayed in public spaces.	Community Partnerships Officer
	Implement strategies to engage our staff in reconciliation.	Completed	June 2022	Lunchbox session commenced in October 2022.	Manager Community Strengthening
	Explore opportunities to positively influence our external stakeholders to drive reconciliation outcomes.	Completed	December 2022	Conversation is ongoing with key stakeholders and community groups.	Manager Community Strengthening
	Collaborate with RAP and other like-minded organisations to develop ways to advance reconciliation including identifying collaborative opportunities with Reconciliation Victoria	Completed	December 2022	We collaborate with Sunbury Cowbaw Health and other key RAP focused organisation. RAP Circle groups have been established by Reconciliation Australia and staff participate to connect with networks. MRSC also form part of the Central Victorian Local Government Reconciliation Network, which meets quarterly.	Manager Community Strengthening
4. Promote positive race relations through anti-discrimination strategies.	Conduct a review of Human Resources policies and procedures to identify existing anti-discrimination provisions, and future needs.	Completed	January 2022	A Code of Conduct has been implemented, a review of all other People & Wellbeing policies will occur as policy updates occur, this is ongoing.	Manager People, Risk and Wellbeing
	Engage with Aboriginal and Torres Strait Islander staff and/or Aboriginal and Torres Strait Islander advisors to consult on our anti-discrimination policy.	In Progress	June 2022	At this stage self identified staff have indicated that they do not wish to engage. We have not yet developed an anti discrimination policy, but do have an equal opportunity policy in place.	Manager People, Risk and Wellbeing
	Develop, implement and communicate an anti-discrimination policy for our organisation.	Delayed	June 2022	Council has an Equal Employment Opportunity Policy that covers anti discrimination. Engagement with Indigenous staff, in the future will allow for the policy to be reviewed with a cultural lense.	Manager People, Risk and Wellbeing
	Educate senior leaders on the effects of racism.	Completed	June 2022	Cultural Safety Training has been and will continue to be made available for staff and senior leaders.	Manager People, Risk and Wellbeing

RESPECT

Respecting Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights acknowledges their position as Traditional Owners of the land and First Nations people. Respect is key to building strong relationships and by demonstrating and building respect in the community it will enable all Macedon Ranges residents to appreciate and celebrate Aboriginal and Torres Strait Islander Peoples, histories and cultures.

ACTION	DELIVERABLE	STATUS	TIMELINE	PROGRESS COMMENTS	UPDATED RESPONSIBILITY
5. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.	Review the cultural learning needs within our organisation.	Completed	June 2022	A review of the organisations training needs has been completed.	Manager People, Risk and Wellbeing
	Consult with local Traditional Owners on the development and implementation of a cultural learning strategy that incorporates Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung cultural awareness training.	Delayed	June 2023	We have a new senior Learning and Development advisor who will work with the Community Development team to appropriately engage and consult for 2024.	Manager People, Risk and Wellbeing
	Develop and implement an Aboriginal and Torres Strait Islander cultural awareness training strategy which is integrated into Council's Learning and Development Strategy.	Delayed	June 2023	We are in the early stages of developing this, and will seek advice from the traditional owners as part of this process.	Manager People, Risk and Wellbeing
	Raise awareness of, and provide training on, Land Use Activity Agreements from the Recognition and Settlement Agreements and cultural heritage requirements under the Cultural Heritage Act.	Completed	June 2023	Regular training occurs and is organised by the relevant departments.	Manager People, Risk and Wellbeing
	Provide opportunities for RAP Working Group members, Human Resource managers and other key leadership staff to participate in formal and structured cultural learning.	Completed	June 2023	Training has occurred and further series of training will be made available.	Manager People, Risk and Wellbeing
	Incorporate awareness of cultural protocols into our corporate induction process.	Completed	June 2023	The new induction program incorporates information on Traditional Owners and culture heritage of the MRSC land.	Manager People, Risk and Wellbeing
6. Demonstrate respect to Aboriginal and Torres Strait Islander Peoples by observing cultural protocols.	Implement, review and update our Organisational Protocols for recognising Traditional Owners and Aboriginal and/or Torres Strait Islander Peoples.	In Progress	February 2022	Work on the Fact Sheets has commenced with some completed and others are in progress.	Manager Community Wellbeing
	Have an Acknowledgment of Country on all staff email signatures.	Completed	June 2023	This is in place for all staff with a Digital Signature Policy and Corporate email signature template which must be used by all staff.	Manager Communication and Engagement
	Develop a standardised Acknowledgment of Country to be used across all kindergartens.	Completed	June 2023	Acknowledgement of Country occurs with each kindergarten group daily in each of Council's eight kindergarten services.	Manager Children, Youth & Family Services
	Have an Acknowledgment of Country on all online external-facing communications (e.g. tourism website, Council website, intranet, social media site page guideline areas etc.).	Completed	June 2023	In place across all sites and social media platforms. Reviewed quarterly.	Manager Communication and Engagement
	Have an Acknowledgment of Country on Council print material where possible.	Completed	June 2022	In place - reviewed quarterly and with new content.	Manager Communication and Engagement
	Staff and senior leaders provide an Acknowledgment of Country or other appropriate protocols at all public events.	Completed	February 2022	In place and protocols followed at all public events.	Manager Communication and Engagement

	Increase staff understanding of the purpose and significance behind cultural protocols, including Acknowledgment of Country and Welcome to Country protocols.	Completed	February 2022	Process to review protocols and transfer into Fact Sheets has commenced, Fact Sheet: Welcome to Country and Acknowledgement of Country has been published and distributed to all staff across the organisation. This is reinforced in Meetings, and all staff meetings.	Manager Community Wellbeing
	Invite a local Traditional Owner or Custodian to provide a Welcome to Country or other appropriate cultural protocol at significant events each year.	Completed	June 2023	In place. Fact Sheet identifies each Traditional Owner Organisation contact details and when to engage.	Community Partnerships Officer
	Include an Acknowledgement of Country or other appropriate protocols at the commencement of important meetings.	Completed	June 2023	In place and followed by leaders and staff across the organisation.	Community Partnerships Officer
7. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	In consultation with Traditional Owner groups, organise at least one internal and external NAIDOC Week event.	Completed	June 2022	A number of events have been held over the two years with target attendance achieved.	Manager Community Wellbeing
	RAP Working Group to participate in an external NAIDOC Week event.	Completed	June 2023	Invitation sent to all RAP Working Group members.	Chair, RAP Working Group
	Review Human Resources policies and procedures to remove barriers to staff participating in NAIDOC Week.	Completed	June 2023	None noted - also considered during EBA negotiations	Manager People, Risk and Wellbeing
	Promote and encourage participation in external NAIDOC events to all staff.	Completed	June 2023	Staff invited by CEO to attend NAIDOC events. Will continue to consider ways to further promote.	Manager People, Risk and Wellbeing

OPPORTUNITIES
 Opportunities, particularly related to economic development, are central to Aboriginal and Torres Strait Islander Peoples' self-determination. Increasing economic opportunities will support individual autonomy and a greater ability for people to determine their future. Creating opportunities will also allow Council and the community to benefit from Aboriginal and Torres Strait Islander Peoples' unique histories, cultures and knowledge systems. Respect is key to building strong relationships and by demonstrating and building respect in the community it will enable all Macedon Ranges residents to appreciate and celebrate Aboriginal and Torres Strait Islander Peoples, histories and cultures.

ACTION	DELIVERABLE	STATUS	TIMELINE	PROGRESS COMMENTS	UPDATED RESPONSIBILITY
8. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	In Progress	June 2022	Officers are developing culturally safe processes to allow our Indigenous staff to identify if they feel safe to do so.	Manager People, Risk and Wellbeing
	Engage with Aboriginal and Torres Strait Islander staff to consult on our recruitment, retention and professional development strategy.	Delayed	June 2022	Our People and Culture team will work on a recruitment strategy for 2024, and our L&D team will ensure cultural needs and awareness is considered when implementing professional development strategy across the organisation.	Manager People, Risk and Wellbeing
	Develop an Aboriginal and Torres Strait Islander recruitment, retention and professional development strategy which is integrated into Council's Workforce Strategy.	Delayed	December 2022	As above	Manager People, Risk and Wellbeing
	Advertise job vacancies to effectively reach Aboriginal and Torres Strait Islander stakeholders.	Delayed	December 2022	This will form part of a larger recruitment project.	Manager People, Risk and Wellbeing
	Review HR and recruitment procedures and policies to remove barriers to Aboriginal and Torres Strait Islander participation in our workplace.	Delayed	December 2022	Research is currently being undertaken.	Manager People, Risk and Wellbeing
	Increase the percentage of Aboriginal and Torres Strait Islander staff employed in our workforce.	Delayed	December 2022	As we have only recently commenced the optional data collection with our staff, we have been unable to progress this.	Manager People, Risk and Wellbeing
9. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	Review and update procurement practices to remove barriers to procuring goods and services from Aboriginal and Torres Strait Islander businesses.	Completed	December 2021	This strategy has been built into Council's Procurement Policy 2021	Manager Finance and Reporting
	Develop and implement an Aboriginal and Torres Strait Islander procurement strategy which is integrated into Council's procurement policy.	Completed	December 2022	This has been embedded into Council's Procurement Policy 2021.	Manager Finance and Reporting
	Develop and communicate opportunities for procurement of goods and services from Aboriginal and Torres Strait Islander businesses to staff.	Completed	December 2022	Indigenous businesses printed Council's RAP and provided Cultural Safety Training. Other opportunities are currently being investigated. Staff are directed to use Kinaway and Supply Nation.	Manager Finance and Reporting
	Investigate Supply Nation and Kinaway membership.	Completed	December 2022	Membership is only available to Aboriginal & Torres Strait Islander business owners. Information about Indigenous Businesses to be distributed to staff.	Manager Finance and Reporting
	Develop commercial relationships with Aboriginal and/or Torres Strait Islander businesses.	Completed	December 2022	This has been embedded into Council's Procurement Policy 2021, a tracking system for these creditors is being developed to enable required reporting.	Manager Finance and Reporting
10. Establish natural resource management opportunities on Council-managed reserves.	Develop a program with Traditional Owners to map cultural heritage values and develop Aboriginal cultural heritage land management agreements or similar agreements for Council reserves.	Completed	November 2021- November 2023	This has commenced and is in place across the three Traditional Owner organisations and has included Conservations Circles, cultural assessments and interpretation signage.	Coordinator Environment
	Initiate the process to develop Aboriginal cultural heritage land Management agreements or similar agreement with the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung.	Completed	May 2023	Ongong and in place	Coordinator Environment

11. Investigate and develop opportunities for economic and educational outcomes	Undertake a feasibility study to establish the Lancefield Megafauna Interpretation Centre that engages with and includes local Aboriginal histories and cultures.	Completed	June 2022	Will not be completed as written. The Community Funding Scheme has provided funding to the Lancefield Neighbourhood House to support the Mega Fauna Festival.	Coordinator, Arts and Culture
	Incorporate a preference for Reconciliation projects into the Community Funding Scheme.	Completed	June 2023	This has been included in the Review of the Community Funding Scheme and is now included in the Category: Community Cultural and Environmental Projects Grants.	Coordinator, Community Development

GOVERNANCE

ACTION	DELIVERABLE	STATUS	TIMELINE	PROGRESS COMMENTS	UPDATED RESPONSIBILITY
12. Establish and maintain an effective RAP Working group (RWG) to drive governance of the RAP.	Maintain Aboriginal and Torres Strait Islander representation on the RAP Working Group.	Completed	November 2021- November 2023	The RAP Working Group is well established and has commitment from staff and representation of two First Nations community members.	Community Partnerships Officer
	Establish and apply a Terms of Reference for the RAP Working Group.	In Progress	November 2021	Terms of Reference remains in draft form - awaiting full endorsement from Traditional Owners.	Community Partnerships Officer
	Meet at least four times per year to drive and monitor RAP implementation.	Completed	October 2023	The working group has continued to meet regularly.	Community Partnerships Officer
13. Provide appropriate support for effective implementation of RAP commitments.	Define resource needs for RAP implementation and develop business cases for each year's implementation.	Completed	December 2021-2022	Appropriate budget bids are put up each year to facilitate the implementation of the RAP	Community Partnerships Officer
	Engage our senior leaders and other staff, at least four times per year in the delivery of RAP commitments.	Completed	October 2023	RAP frequently discussed at Executive Level facilitated by the RAP champion.	Chair, RAP Working Group
	Define and maintain appropriate systems to track, measure and report on RAP commitments.	Completed	January 2022	A tracking system has been established, it is updated and reviewed regularly with the Working Group and responsible officers.	Community Partnerships Officer
	Appoint and maintain an internal RAP Champion from senior management.	Completed	December 2021	Director Community has been appointed RAP Champion and has been involved in promotion of the RAP, attended various events and advocates at an Executive level.	Chair, RAP Working Group
14. Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.	Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	Completed	30 September 2022-23	RAP Impact Measurement Questionnaire have been completed and submitted to Reconciliation Australia.	Community Partnerships Officer
	Report RAP progress to all staff and senior leaders quarterly.	Completed	October 2023	Reporting process has been defined and an annual report will be provided to Council to update status of Actions in November each year. Quarterly reports to be made through the Councillor Bulletin.	Chair, RAP Working Group
	Publicly report our RAP achievements, challenges and learnings, annually.	Completed	May 2022-23	A reporting process has been defined; reporting to Community will follow annual reporting to Council in November.	Manager Communication and Engagement
	Investigate participating in Reconciliation Australia's biennial Workplace RAP Barometer.	Completed	May 2022-23	Reconciliation Australia's website statement demonstrates that this process is now automatic: "All organisations that either have an endorsed RAP or are currently developing a RAP are invited to participate."	Community Partnerships Officer
15. Continue our reconciliation journey by developing our next RAP.	Register via Reconciliation Australia's website to begin developing our next RAP.	In Progress	January 2023	Planning has already commenced for the development of Council's next RAP. An extension of 9 months has been granted by Reconciliation Australia for the current INNOVATE RAP, to June 2024.	Community Partnerships Officer

COM.2	SMALL PROJECT GRANTS
Officer:	Melissa Telford, Community Project Officer
Council Plan relationship:	1. Connecting communities 4. Delivering strong and reliable government
Attachments:	Nil

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.

Two applications have been received, seeking a total of \$4,000 in funding. The applications have been evaluated against the eligibility criteria and are deemed to be eligible.

Recommendation

That Council:

1. Approves the awarding of a \$3,000 Small Project Grant to Macedon Mount Macedon Community House, for their Governance Training project; and
2. Approves the awarding of a \$1,000 Small Project Grant to Riddells Creek Tennis Club, for their Pickleball Launch project.

Background

Detailed eligibility and scoring criteria are available in the Small Project Grants guidelines which is available on Council's website.

Assessment Process

All applications are assessed by a panel of Council officers that will additionally include Subject Matter Experts, depending on the nature of the application, and assessed in accordance with Council's Community Grants Policy.

Applications will be assessed on four broad criteria, which include:

- Evidence of Need;
- Alignment to Council priorities;
- Community Benefit; and
- Ability to Deliver to Project

Discussion

Two applications have been received, seeking a total of \$4,000 in funding. The applications have been evaluated against eligibility criteria and meet program requirements. These applications include:

Project 1

Title/Organisation: Governance Training/Macedon Mount Macedon Community House

Project Description/summary: The Governance Training project will support the Macedon Mount Macedon Community House to provide a half day training session for volunteer committee members and project leaders to build understanding of governance and support good decision-making and increase confidence to taking on committee roles.

Consultation and Collaboration: Community Partnerships Officer consulted.

Gender Impact Assessment: Gender-sensitive - The Macedon Mount Macedon Community House has a strong foundation for gender equity and diversity as evidenced by code of conduct documents, however no specific actions have been identified to address potential barriers to participation for this project e.g. time of training session.

Officer Comments: \$3,000 has been requested and officers are recommending the full amount be awarded. Project 2

Title/Organisation: Pickleball Launch/Riddells Creek Tennis Club

Project Description/summary: The Pickleball Launch project will support the Riddells Creek Tennis Club to expand their current program offerings to include Pickleball, with the aim to engage new members and provide more accessible options for the community to engage in sports.

Consultation and Collaboration: none.

Gender Impact Assessment: Gender-neutral - This project is intended to increase accessibility, and is open to all genders.

Officer Comments: \$1,000 has been requested and officers are recommending the full amount be awarded, with the condition that further evidence of community interest is provided. Innovation and continuous improvement

Council is committed to innovation and continuous improvement in relation to the Small Project Grants. Officers regularly review the promotion of the program and seek out new ways to encourage new and diverse community groups to access this small grants program.

Relevant law

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report. The results of this have been outlined under project descriptions above.

Relevant regional, state and national plans and policies

Not Applicable

Relevant Council plans and policies

Council Plan 2021-2031

Community Grants Policy

Financial viability

The table below outlines a summary of the applications to date in the 2023/24 financial year.

Applications allocated to date	Funding available	Applications in this report	Amount requested in this report	Amount remaining if approved
\$15,131.50	\$14,868.50	2	\$4000	\$10,868.50

Sustainability implications

Both of these projects have been submitted by groups that undertake activities to support the natural environment. Both have the potential to contribute positively to the local environment and sustainability.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

15 DIRECTOR ASSETS AND OPERATIONS REPORTS

AO.1	CAPITAL WORKS MONITORING
Officer:	Jeetendra Dahal, Manager Assets and Project Management Office
Council Plan relationship:	4. Delivering strong and reliable government
Attachments:	Nil

Summary

This report provides transparency on cost escalations on infrastructure projects and seeks further funding, cancellation or the scope reduction of select projects to manage them within the allocated annual capital works program budget.

Recommendation**That Council:**

- 1. Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:**
 - (a) 100659 New FOGO Bay – Kyneton Transfer Station: approves additional budget of \$49,568.55;**
 - (b) 100827 Kyneton Saleyard Improvements Works: approves the return of \$50,000.00 to the consolidated capital works program budget;**
 - (c) 100167 High Street Footpath Construction, Lancefield: approves the return of \$14,448.78 to the consolidated capital works program budget;**
 - (d) 100156 LRCIP Hamilton Street and Fitzgerald Street Riddells Creek: approves the transfer of savings totalling \$130,000.00 grant funds to the Sheedy Rd project;**
 - (e) 100153 LRCIP Sheedy Road, Gisborne: approves the transfer of savings totalling \$130,000.00 grant funds from the Hamilton Street and Fitzgerald Street Riddells Creek project;**
 - (f) 100571 Ellison Street Woodend Retaining Wall: approves additional budget of \$10,000.00;**
- 2. Notes that recommendation 1 (above) currently provides a deficit of \$1,038.14 to the financial year 2023/2024 consolidated capital works program budget.**

Background

The Council budget build process begins in October of the previous year. This means pricing may change during the nine months before the budget year starts.

Some infrastructure projects will not be tendered until over twelve months after the initial estimates were set. Officers allow a reasonable cost escalation on project costs; however, the cost increases experienced can be outside this estimate. As projects are completed

there will be unspent contingency funds that are returned to the consolidated Capital Works Program Budget.

During the year there may be emergency projects that need funding or grants that require contribution by Council. By transparently and regularly reporting to Council officers are ensuring the Capital Program is delivered with good governance and to best advantage.

Discussion

Each year in October officers create business cases for capital works projects. Budget estimates are built based on previous costings with a percentage added to indicate expected prices escalations prior to the project tender. The project management framework enables project change management up to the initial budget contingency. Any change in price or unexpected cost during construction above the full project budget requires further approval.

There are three reasons why a project may require more funds than budgeted:

- Cost escalations in materials and labour
- Unforeseen circumstances
- Scope irregularities

As each project is allocated a fixed budget, good governance means that any expenditure required above this budget figure needs oversight. The Capital Works Monitoring Report provides a transparent methodology for approving or refusing cost adjustments.

Prior to presentation for review for additional funding the project sponsor and project manager will have investigated methods to value manage the project by reducing the scope, without changing the project. The project scope items are identified as must, should, could and won't items to be included in the project. In value management the 'could' items would first be reviewed and removed if required. 'Should' items would be reviewed, however may need to stay in the scope to reap the full benefit of the project. 'Must' items are required usually for statutory or policy requirements.

This month, officers have identified the following infrastructure projects requiring budget changes:

Infrastructure Project	Progress with Construction	Original budget	Reason for Progression or Non-Progression	Change to the budget – () is an additional cost to the budget
Financial position following previous decisions	N/A	N/A	Bring forward a -\$5,918.37 balance resulting from the resolution of the September 2023 Council meeting	(\$5,918.37)
100658 New FOGO Bay – Kyneton Transfer Station 2024	Yes	\$194,013.00	A grant funding of \$194,013 has been received from the Sustainability Victoria to build a new FOGO Bay. Following the procurement process,	(\$49,568.55)

Infrastructure Project	Progress with Construction	Original budget	Reason for Progression or Non-Progression	Change to the budget – () is an additional cost to the budget
			officers identified that the funding amount covers building a hard surface without walls. Officers have recommended that Council provide additional \$49,568.55 to construct the back and side walls to ensure the safe operations.	
100827 Kyneton Saleyards Improvement Works 2024	Yes	\$400,000.00	Based on the initial/early stage works cost, officers recommend reducing the current budget to \$350,000 (a reduction of \$50,000).	\$50,000.00
100167 High Street Footpath Construction, Lancefield	Practical Completion	\$148,775.00	Project complete and unspent budget is returned to the consolidated capital works budget.	\$14,448.78
100156 LRCIP Hamilton St & Fitzgerald St	Construction Complete	\$695,013.00	Project Complete - resulting in project savings of \$130,000. This project is funded by Local Roads and Community Infrastructure Program (LRCI) and can only be used on approved projects. Officers recommend transferring the \$130,000 to the Sheedy Road Project to continue works further along Fersfield Road past the Bloomfield intersection. This is subject to LRCI final approval.	\$0

Infrastructure Project	Progress with Construction	Original budget	Reason for Progression or Non-Progression	Change to the budget – () is an additional cost to the budget
100153 LRCIP – Sheedy Road, Gisborne	Yes	\$2,277,056.00	The LRCI Program funds this project and officers recommend transferring savings from the LRCI - Hamilton Street project to Sheedy Road project to continue works further past Bloomfield intersection. This is subject to LRCI final approval.	\$0
100571 Ellison Street Retaining Wall 2024	Yes	\$74,310.00	Council awarded this contract last year. However, commencement was delayed due to the negotiations with the property owner, resulting in the contractor not beginning work. Due to delays outside the contractor's control, they have submitted a variation for a material price increase.	(\$10,000.00)
			Net Total	(\$1,038.14)

This recommendation currently results in a budget **deficit of \$1,038.14**.

Consultation and engagement

Within individual infrastructure projects, there will be identified stakeholders. Project Sponsors will liaise with stakeholders of projects that are the subject of this report.

This report is an initiative to ensure transparency in decision-making for infrastructure projects. By publically providing this report in the Scheduled Council Meeting agenda, the community can understand the decisions being made promptly and without the need to await a quarterly, six monthly or annual report.

Collaboration

Council officers share initiatives across many neighbouring Councils – all report similar challenges and impacts from current economic conditions.

Innovation and continuous improvement

This is an innovative approach to the problem of unprecedented infrastructure project price increases. Council would typically address project budget issues via the mid-year budget review. An agile response is required in response to the current economic environment. Preparing a report such as this, for presentation to Scheduled Council Meetings throughout this financial year, provides resolutions with minimal lost time.

Relevant law

There is not a specific law relating to the information provided within this report.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report. Officers have noted gender impact within each business case for infrastructure projects and referred to these regarding determining recommendations for infrastructure project tenders over budget.

Relevant regional, state and national plans and policies

The Council plan relevant to this report is delivering strong and reliable government. Transparently providing timely information for the community should provide confidence in how Council is adapting its infrastructure project delivery within budget.

Relevant Council plans and policies

The Council plan relevant to this report is delivering strong and reliable government. Transparently providing timely information for the community should provide confidence in how Council is adapting its infrastructure project delivery within budget.

Financial viability

The processes described in this report detail how Council is adapting its infrastructure project delivery to ensure it is within budget.

Sustainability implications

There are no direct sustainability impacts resulting from this report.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

AO.2	CONSIDERATION OF A REQUEST FOR INCLUSION ONTO THE PUBLIC ROAD REGISTER - ACCESS LANE BETWEEN MAGNET LANE AND MAGNET HILL RESERVE
Officer:	Benup Neupane, Coordinator Engineering Services
Council Plan relationship:	1. Connecting communities
Attachments:	Nil

Summary

Officers prepared this report in response to a request to include an access track section between Magnet Lane and Magnet Hill Reserve to the Council's Register of Public Roads by the property owner fronting the access track.

In considering this access track for inclusion into the Register of Public Roads, officers assessed it under the *Public Roads Procedure Policy (2018)*.

Council officers recommended adding the access track section between Magnet Hill Reserve (up to the Greater Western Water and Council Reserve access point) to the Register of Public Roads.

Recommendation

That Council resolves to include the access track section between Magnet Lane and Magnet Hill Reserve in the Register of Public Roads.

Background

The access track section between Magnet Lane and Magnet Hill Reserve is approximately 240m long and a dead-end road. This section of the road is a privately maintained access track providing primary access to two dwellings, secondary access to one dwelling, access to Greater Western Water's (GWW) Magnet Hill drinking water facility and access to Council's Magnet Hill Reserve.

The track has a uniform carriageway width of approximately 4.0m with a 10.0m wide road reserve. The road surface is well drained with roadside table drains and culverts on vehicle crossings, and the surface is well compacted with crushed rock. Surface flow is directed towards Magnet Lane.

In addition to providing access to the private dwelling, this section of the access track also provides access to critical public infrastructure.

See Figures 1 to 4 for a locality plan and photos of the access track.



Figure 1 – Locality Plan



Figure 2 - Access Lane looking up hill



Figure 3 – Existing swale drain and culvert on crossing



Figure 4 – Access lane looking down towards Magnet Lane

Discussion

The *Public Roads Procedure Policy* sets out the criteria used to determine whether a non-registered road qualifies for consideration on the *Register of Public Roads* and the process for considering such a request. Council officers provide the assessment below of the access track section between Magnet Lane and Magnet Hill against the criteria for inclusion into the *Register of Public Roads*:

Criteria	Response	Comments
1. At least two or more properties and at least two or more permanent residents are abutting onto the road or requiring the road for access purposes.	Yes	This section of the access track provides access to 3 private dwellings (2 Primary and 1 Secondary) and 2 public assets.
2. Whether or not land abutting onto the road or requiring the road for access has been developed to its highest and best economic use.	Yes	The land abutting this section of road has been developed to the highest and best economic use. This includes a drinking water tank and a conservation reserve.
3. The type of properties abutting the road, including public open space, community facilities, sporting facilities, and car parking areas, are of significant community value.	Yes	Provides access to Magnet Hill Reserve.
4. Whether the road connects into and forms a part of the wider network of public roads.	No	This section of the access track only provides access to abutting properties and public assets and doesn't form part of a wider network of public roads.
5. The usage patterns of the road in relation to the nature and frequency of past, present and likely future use.	No	No significant change or increase in traffic volumes for this access track is anticipated.
6. Whether the road is regularly required for <u>both</u> vehicular and pedestrian use.	Yes	This section of track provides access to three residential dwellings that regularly use it for vehicular access. However, it is unlikely to be regularly used by pedestrians until Magnet Hill Reserve is fully developed.
7. Whether Council or any of its predecessors, or any other public authority, has constructed the road at public expense.	No	Council has no records of the construction of this section of the access track.

Criteria	Response	Comments
8. Whether Council has cared for, managed or controlled the road regularly.	No	There are no records that indicate this road was managed or controlled by Council.
9. Whether the properties which enjoy a frontage to the road or require the road for access purposes have alternative access rights.	No	There is no alternative Council-maintained public road access.
10. Whether there are designated car parking facilities and traffic control signs attached to any public use of the road.	No	There are no car parking facilities or traffic control signs.
11. Whether the road has ever been required to be set aside for public use as a condition of any planning approval.	Yes	There are planning permits issued for the building or subdivision works.
12. Whether the road has ever been formally dedicated or proclaimed to be a public highway under the Local Government Act, 1989 or any predecessor legislation.	No	No record exists that the Council has previously proclaimed this unnamed access track as a public highway.
13. Whether the road has ever been constructed under a special charge scheme or a private street scheme.	No	No record of any special charge scheme initiated by Council or residents for the access track exists.
14. Whether the road has been constructed by a developer or private owner or entity to Council's minimum standards.	Yes	This access track meets Council's minimum standards.
15. Whether the use is occurring "as of right", in particular is re evidence of previous permission.	Yes	Building permits are issued with primary access to the dwelling via this access track.
16. Existing geometric standards and surface conditions are in accordance with Council's requirements	Yes	The existing road geometry and surface condition meet the Council's minimum standards for similar roads.

Criteria	Response	Comments
17. Whether the road contains assets owned and managed by public service authorities, gas, electricity, telecommunications, sewerage water.	Yes	This section of the access track provides critical access to GWW's Magnet Hill Drinking facility.
18. Whether the road has fencing, barriers, signage or associated safety devices.	No	There are no traffic signs or associated safety devices.

The results above support adding an access track section between Magnet Lane and Magnet Hill Reserve for inclusion in Council's *Register of Public Roads*, having received a score of 9 out of 18.

Officers recommend including the access track section between Magnet Lane and Magnet Hill Reserve in the Council's *Register of Public Roads*.

Consultation and engagement

Council officers did not undertake community consultation or engagement at this stage due to the nature of this request.

Collaboration

Council officers did not undertake collaboration with other local governments or statutory authorities as it was not considered necessary for this recommendation.

Innovation and continuous improvement

Council officers prepared this recommendation following Council's *Public Roads Procedure*.

Relevant law

This recommendation does not have any direct or indirect human rights implications.

Under the *Gender Equality Act 2020*, a Gender Impact Assessment was not required relating to the subject matter of this report.

Relevant regional, state and national plans and policies

This recommendation has no direct or indirect policy or legislative implications on regional, state, or national plans or policies.

Relevant Council plans and policies

Council officers prepared this recommendation following Council's *Public Roads Procedure*.

Financial viability

The cost to Council is the ongoing maintenance and operation of the existing asset.

Sustainability implications

No upfront cost and resources are required to include this section of the access track in the Council's Public Road Register.

Officer declaration of conflicts of interest

All Council officers preparing this report have declared that they do not have a conflict of interest relating to the subject matter.

AO.3	CONSIDERATION OF A REQUEST FOR INCLUSION ONTO THE PUBLIC ROAD REGISTER - ACCESS TRACK BETWEEN HARTS LANE AND SEBASTOPOL ROAD KYNETON
Officer:	Benup Neupane, Coordinator Engineering Services
Council Plan relationship:	1. Connecting communities
Attachments:	Nil

Summary

This report is prepared in response to a request (Customer Request Number 280460) to include an unnamed road between Sebastopol Road and Harts Lane, Kyneton, to Council's Register of Public Roads.

In considering this unmade and unmaintained section of road for inclusion into the Register of Public Roads, officers assessed it under the *Public Roads Procedure*. The road does not meet Council's minimum standards for a Category 6 unsealed local road.

Council officers recommend not adding this section of unmade road to the Register of Public Roads.

Recommendation

That Council resolves not to include the unmade section of the unnamed road between Sebastopol Road and Harts Lane, Kyneton, in the Register of Public Roads.

Background

This section of the unmade road consists of a 1.6km track connecting Sebastopol Road to Harts Lane with a 20m wide road reserve, covered mainly by grass and vegetation, including trees. The lane provides access to some agricultural parcels of land. This request was made by a new owner of one of these blocks.

The requested road section is an unconstructed government road reserve under the management of the Department of Energy, Environment and Climate Action (DEECA). No dwellings and farm properties have primary access points via this road reserve. However, there were visible signs of informal wheel tracks to the farming lots.

See Figures 1 to 6 for a locality plan and photos of the requested road section.

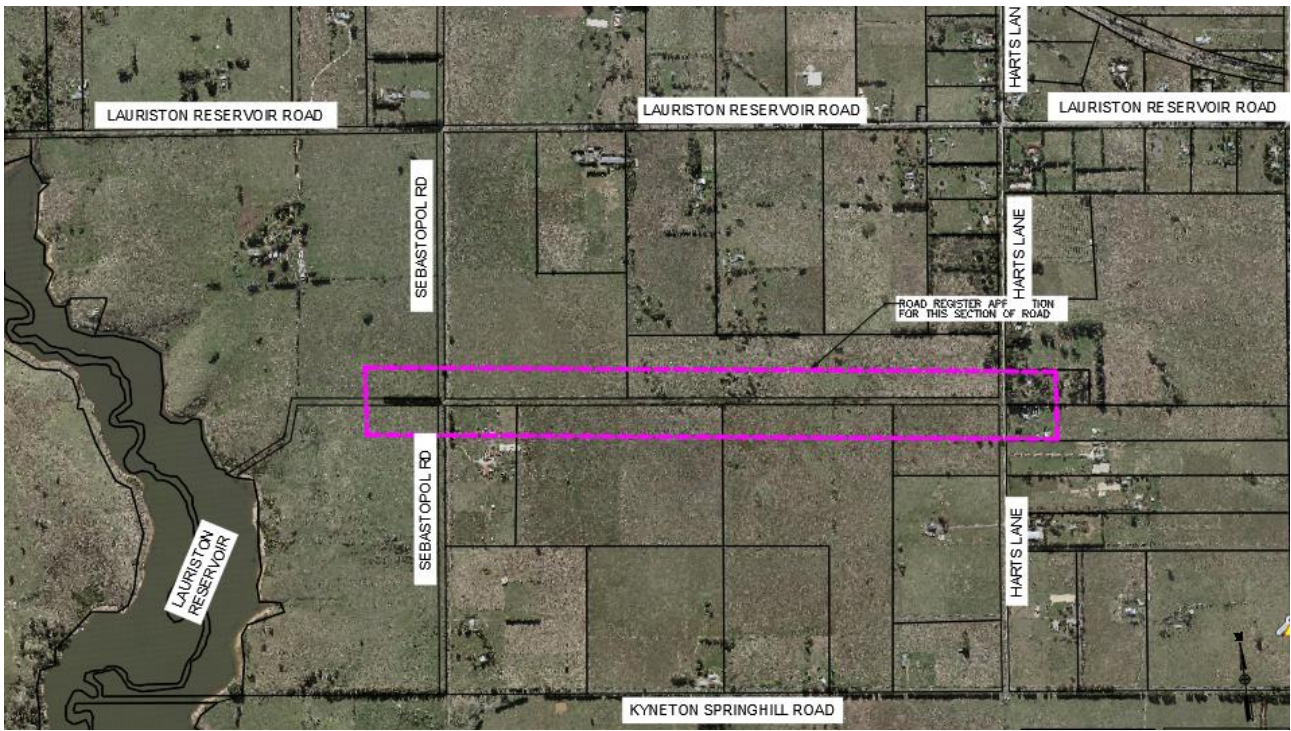


Figure 1: Locality Map



Figure 2 – Intersection of the requested section with Sebastopol Road



Figure 3 – West part of the requested road section



Figure 4 – Requested road section



Figure 5 – Requested road section

Officers observed that the requested road section is not accessible by general passenger vehicles due to clayey road surface material with numerous potholes, drainage issues along its entire length and mature vegetation within the road reserve. This road is subject to ponding of surface runoff and scouring due to major natural flow paths crossing the road. It was visible on the site that people installed rocks in the potholes. Refer to Figure 6 below.



Figure 6 – Typical Potholes and drainage issue

Discussion

The *Public Roads Procedure* sets out the criteria used to determine whether a non-registered road qualifies for consideration on the *Register of Public Roads* and the process for considering such a request.

Council officers provide the assessment below of the unnamed and unmade road section against the criteria for inclusion into the *Register of Public Roads*:

Criteria	Response	Comments
1. At least two or more properties and at least two or more permanent residents are abutting onto the road or requiring the road for access purposes.	No	There are no formal access points to residential properties via this road reserve.
2. Whether or not land abutting onto the road or requiring the road for access has been developed to its highest and best economic use.	No	The land is utilised for mixed farming and grazing.
3. The type of properties abutting the road, including public open space, community facilities, sporting facilities and car parking areas, are of significant community value.	No	There is no public open space or areas of significant community value.
4. Whether the road connects into and forms a part of the wider network of public roads.	No	The requested section of the road doesn't form part of the wider network of public roads.
5. The usage patterns of the road in relation to the nature and frequency of past, present and likely future use.	No	No significant change or increase in traffic volumes in the requested road section is anticipated.
6. Whether the road is regularly required for <u>both</u> vehicular and pedestrian use.	No	It is unlikely to be regularly used by pedestrians and vehicles.
7. Whether Council or any of its predecessors or any other public authority has constructed the road at public expense.	No	Council has no records of the construction of the requested portion.
8. Whether Council has cared for, managed or controlled the road regularly.	No	There are no records that Council has regularly managed or maintained the section of the road.

Criteria	Response	Comments
9. Whether the properties which enjoy a frontage to the road or require the road for access purposes have alternative access rights.	No	There are suitable alternative Council-maintained public roads for access.
10. Whether there are designated car parking facilities and traffic control signs attached to any public use of the road.	No	There is no car parking facility.
11. Whether the road has ever been required to be set aside for public use as a condition of any planning approval.	No	There are no planning permits issued for the building or subdivision works.
12. Whether the road has ever been formally dedicated or proclaimed to be a public highway under the Local Government Act, 1989 or any predecessor legislation.	No	No record suggests that Council has previously proclaimed the requested road section a public highway.
13. Whether the road has ever been constructed under a special charge scheme or a private street scheme.	No	There is no record of any special charge scheme initiated by Council.
14. Whether the road has been constructed by a developer or private owner or entity to Council's minimum standards.	No	The road is significantly below Council's minimum standard.
15. Whether the use is occurring "as of right", in particularised evidence of previous permission.	No	There is no available record of planning permits providing access to this unconstructed government road reserve.
16. Existing geometric standards and surface conditions are in accordance with Council's requirements.	No	The existing surface has numerous potholes, surface scouring, and ponding.
17. Whether the road contains assets owned and managed by public service authorities, gas, electricity, telecommunications, sewerage and water.	No	A request through Before You Dig Australia (BYDA) showed no assets by any public service authorities, including gas, electricity, water.
18. Whether the road has fencing, barriers, signage or associated safety devices.	No	There are no traffic signage or safety devices on the road. However, private farm fencing is along the road reserve/private property boundary.

The results above do not support consideration of the unnamed section of road for inclusion in Council's *Register of Public Roads*, having received a score of 0 out of 18.

Officers recommend not including the requested road section in Council's *Register of Public Roads*.

Consultation and engagement

Council officers did not undertake community consultation or engagement at this stage due to the nature of this request.

Collaboration

Council officers did not undertake collaboration with other local governments or statutory authorities as it was not considered necessary for this recommendation.

Innovation and continuous improvement

Council officers prepared this recommendation following Council's *Public Roads Procedure*.

Relevant law

This recommendation does not have any direct or indirect human rights implications.

Under the *Gender Equality Act 2020*, a Gender Impact Assessment was not required relating to the subject matter of this report.

Relevant regional, state and national plans and policies

This recommendation has no direct or indirect policy or legislative implications on regional, state, or national plans or policies.

Relevant Council plans and policies

Council officers prepared this recommendation following the Council's *Public Roads Procedure*.

Financial viability

If the requested unnamed and unmade section of this road were to be added to the *Register of Public Roads*, it would require considerable construction of the road reserve to meet the minimum construction standards for a Category 6 unsealed local road. The works would include, but are not limited to the following:

- (1) A significant number of tree removal and vegetation clearance, excavation and disposal of clay surface materials;
- (2) Construction of road, as new, from subgrade;
- (3) Multiple culvert crossings along natural flow paths/dry creeks;
- (4) The creation of table drains on both sides of the road carriageway and the installation of culverts at low points.

Therefore, Council direct investment in these works may not provide optimal value to the broader rate-payer community, particularly in light of the absence of direct primary access to residential properties from this specific road segment.

Sustainability implications

This recommendation has no sustainability implications.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

AO.4	CONSIDERATION OF A REQUEST FOR INCLUSION ONTO THE PUBLIC ROAD REGISTER - POHLMAN STREET, KYNETON
Officer:	Benup Neupane, Coordinator Engineering Services
Council Plan relationship:	1. Connecting communities
Attachments:	Nil

Summary

Officers prepared this report in response to a request by the owners of the properties on the western side of Powlett Street, Kyneton, to include an access track (Pohlman Street, Kyneton) to Council's *Register of Public Roads*.

In considering this access track for inclusion into the Register of Public Roads, officers assessed it under the *Public Roads Procedure*. The access track does not meet Council's minimum standards for a Category 6 unsealed local road.

Council officers recommend not adding the access track section of Pohlman Street to the *Register of Public Roads*.

Recommendation

That Council resolves not to include the access track section of Pohlman Street, Kyneton, in the Register of Public Roads.

Background

This section of Pohlman Street, Kyneton, is a 300m long gravel track located on the western side of Powlett Street and is a no-through road. It has a uniform carriageway width of approximately 4m, with a 20m wide reserve, which abuts the Campaspe River corridor along the southern side.

This section of Pohlman Street is a privately maintained access track providing access to three dwellings. As part of the 40 Pohlman Street, Kyneton development, residents have filled and raised the road level using crushed rock, which is not compacted to Council's standard. There is also:

- no sufficient turnaround area
- a significant drop adjacent to the dead-end area
- there are no proper table drains on one side.
- runoff from Pohlman Street properties drains toward the carriageway

See Figures 1 to 6 for a locality plan and photos of Pohlman Street, Kyneton



Figure 1 – Locality Plan



Figure 2 – East part of Pohlman Street requested section



Figure 3 – Pohlman Street requested section



Figure 4 – Pohlman Street end requested section



Figure 5 - Existing dead-end condition showing vegetation and drop



Figure 6 – Culvert draining from Pohlman Street

Discussion

The *Public Roads Procedure* sets out the criteria used to determine whether a non-registered road qualifies for consideration on the *Register of Public Roads* and the process for considering such a request.

Council officers provide the assessment below of Pohlman Street, Kyneton, against the criteria for inclusion into the *Register of Public Roads*:

Criteria	Response	Comments
1. At least two or more properties and at least two or more permanent residents are abutting onto the road or requiring the road for access purposes.	Yes	This section of Pohlman Street provides access to three dwellings.
2. Whether or not land abutting onto the road or requiring the road for access has been developed to its highest and best economic use.	No	The land is utilised for residential purposes.
3. The type of properties abutting the road, including public open space, community facilities, sporting facilities, and car parking areas, are of significant community value.	Yes	This section of track abuts the Campaspe River corridor.
4. Whether the road connects into and forms a part of the wider network of public roads.	No	The requested road intersects with Powlett Street and doesn't connect to the broader public road network.
5. The usage patterns of the road in relation to the nature and frequency of past, present and likely future use.	No	No significant change or increase in traffic volumes on Pohlman Street is anticipated in the future.
6. Whether the road is regularly required for <u>both</u> vehicular and pedestrian use.	No	Three residential dwellings regularly use this section of Pohlman Street for vehicular access.
7. Whether Council or any of its predecessors or any other public authority has constructed the road at public expense.	No	Council has no record of the construction of the requested section of Pohlman Street.
8. Whether Council has cared for, managed or controlled the road regularly.	No	No records suggest that Council has managed or maintained this section of Pohlman Street regularly.

Criteria	Response	Comments
9. Whether the properties that enjoy a frontage to the road or require the road for access purposes have alternative access rights.	No	There is no alternative Council-maintained public road access.
10. Whether there are designated car parking facilities and traffic control signs attached to any public use of the road.	No	There is no car parking facility.
11. Whether the road has ever been required to be set aside for public use as a condition of any planning approval.	Yes	There are planning permits issued for the building or subdivision works. As part of the 40 Pohlman Street planning permit, the developer was required to construct a 3.5 m wide driveway within the unmade road reserve.
12. Whether the road has ever been formally dedicated or proclaimed to be a public highway under the Local Government Act, 1989 or any predecessor legislation.	No	No record exists that the Council has previously proclaimed this section of Pohlman Street a public highway.
13. Whether the road has ever been constructed under a special charge scheme or a private street scheme.	No	There is no record of any special charge scheme initiated by the Council or residents for this section of Pohlman Street.
14. Whether the road has been constructed by a developer or private owner or entity to the Council's minimum standards.	No	This access track does not meet the Council's minimum standards.
15. Whether the use is occurring "as of right", in particular evidence of previous permission.	Yes	Building and planning permits are issued for the properties fronting this section of Pohlman Street.
16. Existing geometric standards and surface conditions are in accordance with the Council's requirements.	No	The existing gravel surface has few potholes and no drainage on one side of the road.
17. Whether the road contains assets owned and managed by public service authorities, gas, electricity, telecommunications, sewerage or water.	Yes	Water network.
18. Whether the road has fencing, barriers, signage or associated safety devices.	Yes	There is traffic signage and safety devices on the road.

Since the assessment in the table above only showed a score of five, and significant investment is required to upgrade the road to meet the Council's minimum road standard, officer's recommend not including the access track section of Pohlman Street in the Council's Public Road Register. Please refer to the financial viability section for further information.

Consultation and engagement

Council officers did not undertake community consultation or engagement at this stage due to the nature of this request.

Collaboration

Council officers did not undertake collaboration with other local governments or statutory authorities as it was not considered necessary for this recommendation.

Innovation and continuous improvement

Council officers prepared this recommendation following Council's *Public Roads Procedure*.

Relevant law

This recommendation does not have any direct or indirect human rights implications.

Under the *Gender Equality Act 2020*, a Gender Impact Assessment was not required relating to the subject matter of this report.

Relevant regional, state and national plans and policies

This recommendation has no direct or indirect policy or legislative implications on regional, state, or national plans or policies.

Relevant Council plans and policies

Council officers prepared this recommendation following the Council's *Public Roads Procedure*.

Financial viability

If this section of Pohlman Street, Kyneton were added to the Register of Public Roads, it would require repairing the potholes, shaping table drains and constructing a cul-de-sac with a road safety barrier. Construction of a cul-de-sac at the end of this section involves the removal of significant vegetation and filling to raise the level to the current road level. Therefore, Council's investment in these works is not considered optimal for the broader rate-payer community.

Sustainability implications

If this section of Pohlman Street, Kyneton, was added to the *Register of Public Roads* in its current condition, works to repair and upgrade the access track would necessitate considerable resources and associated expenses.

Officer declaration of conflicts of interest

All Council officers involved in the preparation of this report have declared that they do not have a conflict of interest relating to the subject matter.

AO.5	PROPOSED ROAD CLOSURE OF RAGLAN STREET, LANCEFIELD
Officer:	Eng Lim, Manager Engineering and Resource Recovery
Council Plan relationship:	2. Healthy environment, healthy people 4. Delivering strong and reliable government
Attachments:	Nil

Summary

This report provides officer recommendations following considering the outcomes of the community consultation undertaken in August 2023 under Section 223 of the *Local Government Act 1989* regarding the discontinuance of part of Raglan Street, Lancefield, as requested by St Mary's Primary School.

Eighty-six (86) submissions were received, of which approximately 91% supported the proposal for road closure, with 9% against the closure. These submissions are presented as an attachment to this report. In accordance with privacy principles, the officers have redacted the submitters' personal details.

Recommendation

That Council:

- 1. Endorses the discontinuance of Raglan Street, Lancefield, between Chauncy Street and 25 Dunsford Street; and**
- 2. Notes that delegated officers will proceed with the formal process to discontinue Raglan Street, Lancefield, between Chauncy Street and 25 Dunsford Street;**

Background

St Mary's Primary School developed their Master Plan in 2019 to address the needs of its growing enrolment. For the past 35 years, Raglan Street, Lancefield, has had boom gates closed during school hours, closing the road to vehicles.

The School foresees a pressing need to construct more buildings on their land west of Raglan Street. Therefore, St Mary's Primary School seeks to utilise the section of Raglan Street and the road reserve abutting the School to facilitate a permanent safe environment for their students.

This proposed road closure will create a safer and better-connected school environment where students can move freely through this area between buildings in the future.

Raglan Street, Lancefield, is Crown Land and not Council-owned.

The School prepared a traffic report and submitted it to the Department of Transport and Planning (DTP). DTP approved it on 10 November 2022 with conditions for the School to undertake civil works at the intersection of Raglan Street and Chauncey Street at the School's cost.

During this same period in 2022, officers also reviewed the traffic report. The traffic report notes that the daily volume of around 100 vehicles on this section of Raglan Street will not result in any detrimental impact on other surrounding streets if the road is discontinued.

Discussion

At the 26 July 2023 Scheduled Council meeting, under Section 223 and Schedule 11 of the *Local Government Act 1989*, Council resolved the following:

That Council:

- 1. Endorses the commencement of a four-week community consultation process on the proposed Road Closure of Raglan Street Lancefield;**
- 2. Schedules an online Submitters Delegated Committee meeting at 7 pm on Wednesday, 20 September 2023, to provide the community with an opportunity for verbal presentation in support of their submission on the proposed road closure of Raglan Street, Lancefield;**
- 3. Notes following the consultation and Submitters Delegated Committee (if required), officers will provide a report on the proposed Road Closure of Raglan Street, Lancefield to a future Scheduled Council Meeting.**

Consultation and engagement

The following actions were taken as part of the community consultation plan following Council's Community Engagement Policy and Section 223 of the *Local Government Act 1989*:

- A public notice was published in the local newspaper Midland Express on 1 August 2023;
- The project webpage was created on Council's Have Your Say website to seek feedback for 28 days from 1 to 28 August 2023;
- St Mary's Primary School organised two drop-in sessions at the School on Wednesday, 16 August 2023 (from 2.30 pm to 4.00 pm) and Sunday, 20 August 2023 (from 10.30 am to 12 pm);
- Notification letters were sent to all adjoining property owners and occupiers on Raglan Street as well as owners and occupiers in the nearby area (Dunsford Street and bounded by High Street in the north, Foy Street in the west, Chauncey Street in the south and The Crescent in the east) who are likely to be affected by this closure, advising them of the proposal and the consultation process;
- Emergency services were informed via emails on the impact of the road closure seeking their feedback;
- Interested community members were informed to make written submissions on their views on the road closure, and if they wish, clearly state their request to be heard by Council within their written submission.
- Community consultation has been undertaken under Section 223 of the *Local Government Act 1989* for Council's Public Notice to close part of Raglan Street in Lancefield, as requested by St Mary's Primary School. Following Section 223 of the *Local Government Act 1989* as part of Council's Community Engagement Policy, those who make submissions are allowed to present at a Submitters Delegated Committee.

St Mary's Primary School has advised that no one attended the Wednesday drop-in session the School organised, and only one person attended the Sunday drop-in session. The single attendee came from Three Chain Road in Newham and was concerned about the access by the local community to the nearby Uniting Church and emergency services to access Raglan Street in case of an emergency. The school staff advised them that the pedestrian gates would be opened outside of school hours, that locals would continue to be

able to use the footpath to walk to church and that emergency services would have alternative access via Foy Street or The Crescent. The attendee was also provided with a copy of the presentation materials and the traffic report prepared by the School for them to take back to the church for further review. They were also advised to write formally to the Council on their support or opposition to the proposed closure.

A total of eighty six (86) submissions were received at the end of the 28-day submission period which commenced on 1 August and closed at 5 pm on 28 August 2023. These submissions are presented as an attachment to this report. In accordance with privacy principles, the submitters' personal details have been redacted. Councillors have been separately provided with an unredacted version of each submission.

At the 20 September 2023 Submitter's Meeting, Councillors heard from five submitters, all speaking in favour of the road discontinuance.

Summary of submissions

Of the 86 submissions Council received, 78 favoured the proposed closure of the subject section of Raglan Street, and eight did not. Approximately 91% of the respondents voiced their appreciation for this initiative. A common theme in responses highlighted its potential to enhance the safety of children and provide a more secure environment for students.

Below is a compilation of the most recurrent feedback received:

Feedback	Number of Respondents	Supporting Closure (Y/N)
The closure will facilitate the School's operation more seamlessly and safely for their children. This will allow for two sections of the School to become one whole space where students can move freely through this area between buildings that, in the future, will be on both sides of the road.	51	Y
The closure will facilitate a safer operation of the School and allow them to focus on the education and personal development of the students.	33	Y
The permanent closure of Raglan Street is important and enables the primary School to develop its facilities in a greater capacity to support future enrolments and will also provide improved safety for children currently attending St Mary's Primary School. Include permanent fences across the road reserve where the boom gates currently are with no public vehicle access at any time.	14	Y
The safety benefits for the school community outweigh the negligible impact and disruption on the broader community since it essentially formalises and makes the existing boom gate arrangement permanent.	6	Y
The closure will create a great sense of safety and comfort for the students and create a setting where the students can play carefree while supporting teaching staff to monitor the students playing in the yard during break times.	3	Y

Feedback	Number of Respondents	Supporting Closure (Y/N)
Raglan Street is a through road that connects the shopping precinct's top end to Chauncey Street; hence, closing all access from Raglan Street to Chauncey Street will disrupt the connective walkable town layout.	3	N
Raglan Street closure has been a subject of ongoing discussion for many years.	2	Y
The gates work perfectly well and are a reasonable compromise during school hours.	2	N
The permanent road closure will increase traffic through Chauncey Street and other nearby streets, particularly due to drop-off and pick-up traffic.	2	N
The road closure may limit the movement of emergency vehicles, including fire trucks and ambulances.	2	N
The safety of children at the School should be paramount.	1	Y
The closure will benefit only a small section of the community, and the irreversible change will impact the Lancefield grid road layout and affect the accessibility, safety and overall functionality of the nearby streets.	1	N
The closure of the road does not improve safety for the children as the boom gates already achieve that purpose and only give convenience to the Catholic School which operates on a constrained site, where their convenience is at the expense of the entire community.	1	N
Lancefield is a well-planned country town with a long history often known as the Centre of Victoria, and denying full public use of Raglan Street at weekends will be a failure of the Macedon Shire to the Ratepayers of Lancefield Community.	1	N

Submitters Delegated Committee Meeting

The Submitters Delegated Committee meeting was held online at 7pm on Wednesday, 20 September 2023, where five (5) individuals spoke in support of the proposed road closure of Raglan Street, Lancefield.

The key reasons for their support are summarised below:

- The proposed road closure will significantly enhance the safety and security of school children, parents, and the community;
- The proposed road closure will have no adverse impact on the businesses operating in the area;
- The proposed road closure will foster a greater sense of well-being among students, staff, and families;
- The proposed road closure will align with the School's growth and operational needs, marking a positive step towards long-term sustainability;

- The School has maximised its available space to accommodate demand, and this closure will support potential future growth for both the School and the township;
- The community has advocated for the closure of Raglan Street for an extended period;
- The closure of Raglan Street will create a more welcoming, persuasive and safer environment for the community.

Councillors inquired whether Raglan Street is used as a pick-up and drop-off zone. The submitters confirmed that Raglan Street is not currently used for pick-up and drop-off purposes, and there are no plans for it to be used in this manner in the future.

Officers have reviewed all eight six (86) submissions and carefully considered the feedback from those who objected to the proposal to close part of Raglan Street.

Objections	Officer Comment
Raglan Street is a through road that connects the shopping precinct's top end to Chauncey Street; hence, closing all access from Raglan Street to Chauncey Street will disrupt the connective, walkable town layout.	There are nearby alternative routes to the town centre. There will be pedestrian access during non-school hours.
The gates work perfectly well and are a reasonable compromise during school hours.	There is little impact on traffic (approx. 100 car movements per day). Maintaining the status quo means St. Mary's master plan is not feasible, impacting the School and community.
The permanent road closure will increase traffic through Chauncey Street and other nearby streets, particularly due to drop-off and pick-up traffic.	The traffic report indicated a daily volume of approx. 100 vehicles use this section of Raglan Street, if closed, it will not negatively impact other surrounding streets. There will be a minimal impact of drop-off and pick-up in the area. Officers will monitor this for any issues. There may be a need in the future for 'no standing' signs outside the Raglan Street frontage of 25 and 27 Dunsford Street.
The road closure may limit the movement of emergency vehicles, including fire trucks and ambulances.	Council has received a letter of 'no objection' from the CFA, indicating that this closure would not adversely affect their operations.
The closure will benefit only a small section of the community, and the irreversible change will impact the Lancefield grid road layout and affect the accessibility, safety and overall functionality of the nearby streets.	The traffic report indicated a daily volume of approx. 100 vehicles use this section of Raglan Street, if closed, it will not negatively impact other surrounding streets. The grid layout is still functionally intact even without this section of Raglan Street.
The closure of the road does not improve safety for the children as the boom gates	The closure of this section of Raglan Street increases the safety of children

Objections	Officer Comment
already achieve that purpose, and it only gives convenience to the Catholic School, which operates on a constrained site, where their convenience is at the expense of the entire community.	and aids in the School's child safe responsibility. It also provides a convenience for the School in delivering their masterplan, however, the impact on the wider community is minimal.
Lancefield is a well-planned country town with a long history, often known as the "Centre of Victoria", and denying full public use of Raglan St at weekends will be a failure of the Macedon Shire to the Ratepayers of Lancefield Community.	There are nearby alternative routes to and within the town centre. The inconvenience to Lancefield community is minimal at most.

Having reviewed the community feedback, officers recommend the proposed discontinuance of Raglan Street, between Chauncy Street and 25 Dunsford Street as this will bring more benefits than inconvenience to the community.

Collaboration

The proposed road closure is a request from St Mary's Primary School (Catholic Archdiocese of Melbourne), where the Department of Transport and Planning (DTP) is involved in considering the traffic report, the Department of Energy, Environment and Climate Action (DEECA) is involved in issuing of a license for the School to use Crown Land (the subject section of Raglan Street) and Council providing support in its role of the road manager with authority to discontinue the road in line with the Local Government Act 1989.

Innovation and continuous improvement

Not applicable.

Relevant law

Local Government Act (1989)

The exercise of Council's power to discontinue or close a road remains under the *Local Government Act 1989* and Schedule 11 and Section 223 applies.

Under the *Local Government Act 1989*, Schedule 11 (Powers of Council's over traffic), it states that in part 9:

9 Power to place obstructions or barriers on a road permanently

- (1) A Council may block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road;
- (2) A Council must not exercise this power unless it has considered a report from the Head, Transport for Victoria concerning the exercise of the power.

Council has undertaken the community consultation process and public notice as required under Section 223 of the *Local Government Act 1989* and as part of Council's Community Engagement Policy, those that make submissions are provided the opportunity to be heard at the Submitters Delegated Meeting held on 20 September 2023.

Gender Equality Act (2020)

Following the *Gender Equality Act 2020*, a Gender Impact Assessment was undertaken relating to the road discontinuance before the community consultation. It was assessed that

there is no significant difference in the impact of road closures on a specific gender. During the community consultation in August, officers received no feedback on specific gender-based.

Relevant regional, state and national plans and policies

No regional, state, or national plans or policies relate to this matter.

Relevant Council plans and policies

- *Community Engagement Policy 2021*
- *Road Discontinuance Policy 2014*
- *Engineering Requirements for Infrastructure Construction Policy 2010*
- *Pedestrian Access Strategy 2010*

Financial viability

As St Mary's Primary School requested the proposed road closure, Council has not funded this project. Where Council is not the party requesting the road discontinuance, our process states that the requesting party bears the costs. The School will pay Council a capped amount regarding out-of-pocket expenses related to this process.

Also, as part of the November 2022 approval from the Department of Transport and Planning (DTP), the department stipulated conditions for the School to undertake civil works at the intersection of Raglan Street and Chauncey Street, with the costs borne by the School. There are no additional cost impacts to Council.

Sustainability implications

This report impacts social sustainability, and officers believe proceeding with the road discontinuance process supports social sustainability.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

AO.6	WOODEND FLOOD STUDY - INFORMATION SESSION WITH SELECT PARTIES
Officer:	Benup Neupane, Coordinator Engineering Services
Council Plan relationship:	2. Healthy environment, healthy people
Attachments:	Woodend Flood Study (under separate cover)

Summary

This report informs Councillors on the planned community information sessions to be organised to inform residents and businesses of the updated findings of the Woodend Flood Study.

Recommendation

That Council endorses the community information sessions, to be held in Woodend during November 2023.

Background

In 2019, Macedon Ranges Shire Council (MRSC) received a grant of \$140,000 from Emergency Management Victoria's *Natural Disaster Resilience Grants Scheme* to undertake the Woodend Flood Study Project for the Woodend township.

This project will provide updated flood information for use by various stakeholders for land use planning, flood management planning, emergency response and flood education.

This project involved conducting a flood study and a comprehensive technical investigation of flood behaviour, providing the main technical foundation for developing a robust floodplain risk management plan. It explains the full range of flood behaviour and consequences in the Woodend study area.

It also considered the local flood history and available collected flood data and developed hydrologic and hydraulic models that are calibrated and verified, where possible, against historic flood events and determined the full range of flood behaviour.

The bulk of the flood study was completed by 2021. It is noted that there was a flood event in October 2022, whilst the data for this flood is not included in the study the application of climate change data resulting in the minor mapping changes adequately captures events such as these.

Discussion

Woodend is located on the Melbourne - Bendigo railway line and just off the Calder Freeway, approximately 70km northwest of Melbourne and 80km southeast of Bendigo. The township sits within a gentle hillside valley around Five Mile Creek and is split by the creek with several waterways/primary overland flow paths located throughout the township. Woodend is defined as a district town in the Macedon Ranges Settlement Strategy (2011) with just over 3,400 residents, but since then, its population has grown to 6,730 based on 2021 Australia Bureau of Statistics (ABS) data.

With continual development in the Woodend township, there is a need to update information relating to flood levels and risk to the lands that may be subject to further development to inform land-use planning better. There is also the need to routinely update available flooding

information, which is used to review plans, schemes and responses to flooding events and to consider and evaluate options to mitigate flood risk to existing development.

The last flood mapping study was undertaken in 1997, limited to Five Mile Creek near the township and one constructed trunk drain that extends through the commercial centre and residential areas to the south. Past modelling was undertaken using HEC-2, a software program that is used for computing water surface elevations for rivers, streams and other open channel networks.

Within the North Central Regional Floodplain Management Strategy under Regional Priority 3: Address gaps in flood knowledge through flood mapping projects, it was identified that the Woodend Flood Study was one of the key action items for the Macedon Ranges Shire Council.

An updated flood study is considered the first critical step in updating planning controls that routinely form part of effective floodplain and drainage management. Future work will be necessary to update Macedon Ranges Shire Council's Planning Scheme and Floodplain Risk Management Plan for the Woodend township. The findings of the flood model will be incorporated into the Macedon Ranges Storm and Flood Emergency Plan (MSFEP) for flood preparedness and emergency management. Figure 1 illustrates the extent of the expanded study area for this study.

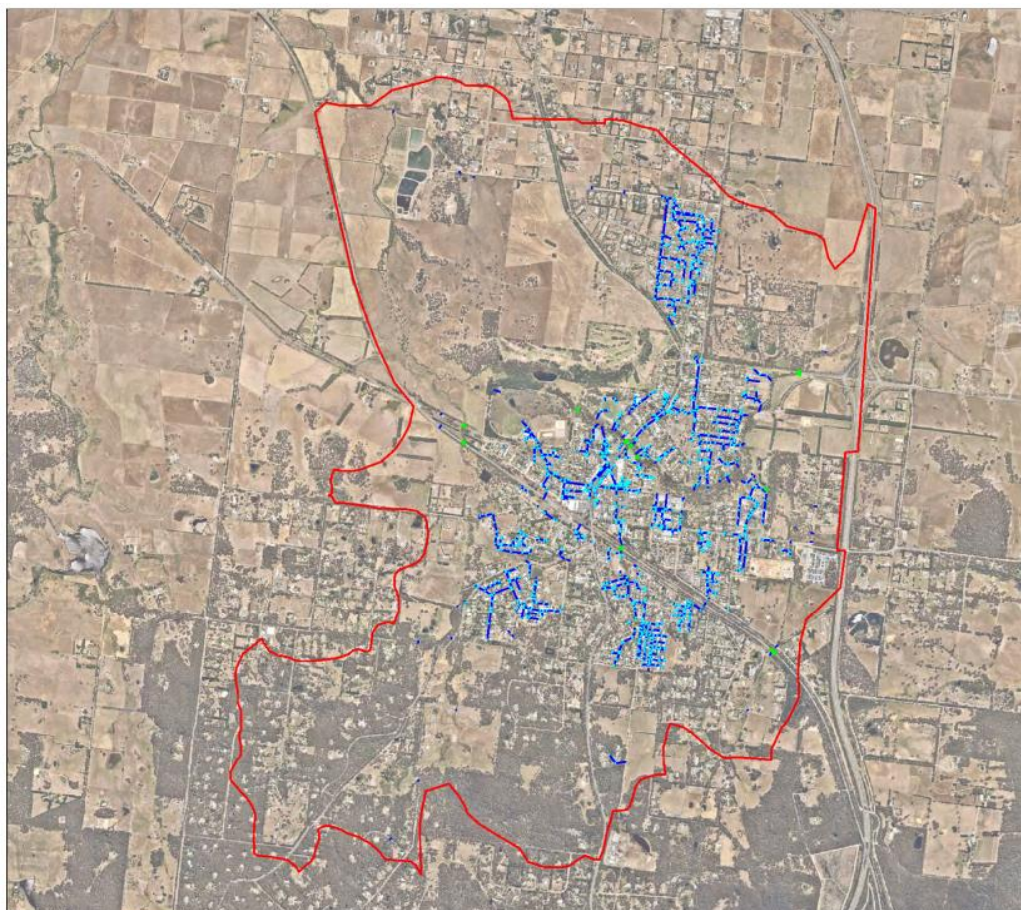


Figure 1: Woodend Flood Study Area

Flood Model and Reporting

Council appointed a consultant to undertake flood modelling through a tender process in 2019. Following the consultant's appointment, Council launched a community consultation, "Help Shape the Woodend Flood Study", from February to March 2020 to gather information

regarding past flooding history and issues. As part of this consultation, landowners were asked to provide information on past flooding behaviour in the township through an online survey. Officers also sent a targeted email to landowners and multiple organisations and there were two Woodend community drop in sessions.

36 online surveys were provided and multiple responses received via email. This information was considered by the consultant as part of the flood modelling in addition to flood hotspots recorded in Council's internal systems.

The first draft report was provided to representatives on 29 October 2020 including North Central Catchment Management Authority (NCCMA), Victoria State Emergency Services (VicSES) and Council-appointed peer reviewer (Moroka) reviewed this report. The consultant presented five (5) iterations of reports to address reviewers' feedback.

Following receipt of the Interim Report (Revision 005), the project working group has narrowed the scope of outstanding items to verifying on-site flood levels compared to the predictive model.

Upon completion of the flood study, a separate project will be required to examine flood mitigation options and to implementation of Flood Overlay as part of the Planning Scheme.

Unfortunately, the COVID-19 pandemic, staff turnover and the October flood events last year significantly delayed this project.

The Engineering team is undertaking Community information sessions and select drop-in sessions for impacted residents and businesses in November 2023.

Community Information Sessions

The Engineering team intends engaging an external consultant to support officers during the two proposed information sessions, noting flooding and flood extension have two significant direct impacts on the Community.

There will be two (2) proposed information sessions, a Community information session and a select drop-in session for impacted residents and businesses by an IAP2-certified practitioner and delivered by a technical lead from the consultant. The intended level of consultation is **'Informing'** as the majority of the report remains consistent with what we previously consulted.

The sequence of remaining actions is as follows:

Community Information Session – November 2023:

Officers and the consultant will prepare content and undertake the Community Information Session in the following steps:

- Step 1: Document the approach within the Community Engagement Plan with the assistance of the Council's Communications team and agree on the preferred method with the consultant;
- Step 2: Prepare relevant content for the Community Information Sessions;
- Step 3: Deliver the Community Information Sessions;
- Step 4: Report on the outcomes of the Community Information;
- Step 5: Brief Council again on the outcome and any actions or further work following the Community Information Session.

The Community information sessions will be held at Woodend Community Centre with the dates and times as follows:

- General presentation and information session on 27 November 2023 (5.30 to 7.30 pm) and
- Selected drop-in session on 29 November 2023 (2.00 to 7.00 pm) for impacted residents/businesses.

After the community information sessions, officers will present the final report to a Scheduled Council Meeting on the outcome of the information sessions which would include seeking the Council's decision to adopt the Woodend Flood Study.

If adopted further actions for consideration include:

- amending Council's Planning Scheme with the updated Flood Overlay. This process requires a separate business case and approval through the Council's budget processes.
- Creation of an action plan, noting any actions will require separate business case and approval through the Council's budget processes.

Consultation and engagement

Officers undertook community consultation "Help Shape the Woodend Flood Study", from February to March 2020 to gather information regarding past flooding history and issues. As part of this consultation, landowners were asked to provide information on past flooding behaviour in the township through an online survey. Officers also sent a targeted email to landowners and multiple organisations and there were two Woodend community drop in sessions.

36 online surveys were provided and multiple responses received via email. This information was considered by the consultant as part of the flood modelling in addition to flood hotspots recorded in Council's internal systems.

The information collected via community engagement has helped Council and Consultant to capture existing flood hotspots and refine the model. The flood study findings can be used to develop mitigation strategies and guide future residential/commercial development proposals to consider any identified flood overlay impact.

Collaboration

This project is funded by Victoria State Emergency Services (VicSES) and is being delivered in collaboration with the catchment authority - North Central Catchment Management Authority (NCCMA).

Innovation and continuous improvement

As per the latest Australian Rainfall and Runoff Guidelines (ARR) 2019, there are two different methods to calculate the percentage increase in rainfall expected by 2100 due to climate change. The assumed increase in rainfall intensity and temperature based on future climate change scenarios has been adopted in the flood model. For this study, the temperature increase method was used as it results in a slightly higher increase in rainfall. Council also engaged in independent peer review to get expert advice.

Relevant law

The following legislations are applicable to this study.

- Water Act 1989
- Local Government Act 1989

- Building Act 1993
- Planning and Environment Act 1987

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not applicable in relation to the subject matter of this report.

Relevant regional, state and national plans and policies

The following plans are applicable to this study.

- North Central Catchment Management Authority (NCCMA) - Regional Floodplain Management Strategy
- Municipal Emergency Management Plan
- State Planning Policy Framework (Clause 13.03 – Floodplains)
- Victorian Floodplain Management Strategy

Relevant Council plans and policies

Strategic objective 2. Healthy environment, healthy people

- Improve the management of water, including flooding risk, water quality of creeks and waterways, and the efficient use of water
- Maintain systems and capacity to manage and respond to emergency events

Financial viability

This report seeks Council endorsement for the planned community information sessions where the resource will be funded via the project budget.

Sustainability implications

The outcomes of the flood study will inform the community about the flood extent and its possible impact. This will help residents, businesses, and authorities to prepare and plan for any future flood event, and develop in such a way as to minimise or avoid any impact of flooding in future.

Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

16 NOTICES OF MOTION AND RESCISSION

Nil

17 URGENT BUSINESS

18 CONFIDENTIAL REPORTS**Recommendation**

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 CEO Employment and Remuneration

Confidential reasons**18.1 CEO Employment and Remuneration**

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.

This report contains personal information relating to performance and remuneration.

