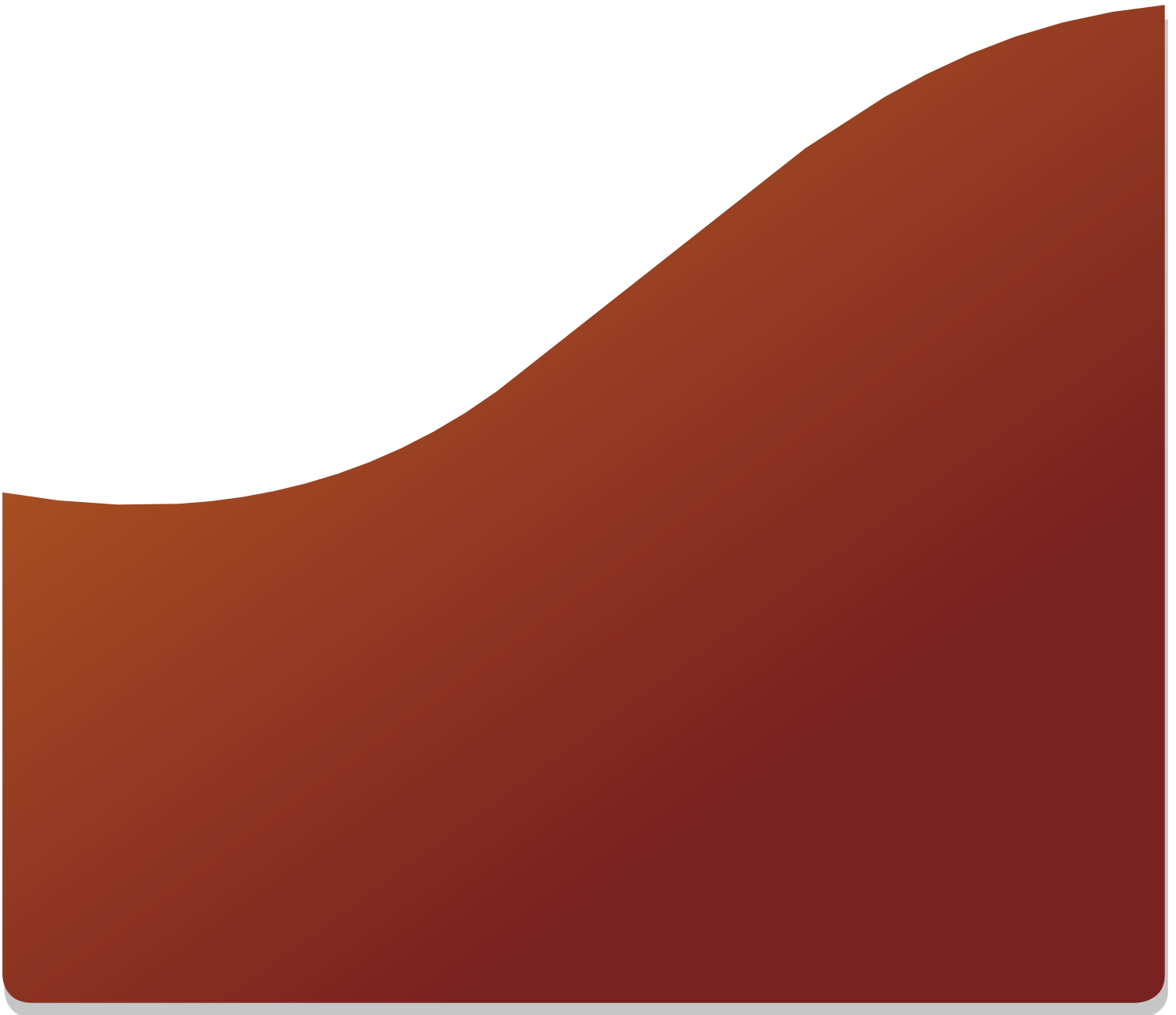


# Minutes

**Council Meeting  
Wednesday 22 November 2023 at 7pm  
Gisborne Administration Centre  
40 Robertson Street, Gisborne**



**Order of business**

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Nil

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Nil

**1 ACKNOWLEDGEMENT OF COUNTRY**

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, and present.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

**2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING**

This meeting was recorded and streamed live on the internet in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings Policy, which can be viewed on Council's website.

**3 PRESENT**

Cr Annette Death (Mayor), Cr Janet Pearce (Deputy Mayor), Cr Jennifer Anderson, Cr Dominic Bonanno, Cr Rob Guthrie, Cr Geoff Neil, Cr Mark Ridgeway, Cr Bill West, Cr Christine Walker

**3.1 CONFIRMATION OF AFFIRMATION OF OFFICE**

The Mayor confirmed the taking of the affirmation of office to the CEO by Councillor Walker at a swearing-in ceremony held on Tuesday 14 November 2023.

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**IN ATTENDANCE**

Bernie O'Sullivan (Chief Executive Officer), Adele Drago-Stevens (Director Corporate), Rebecca Stockfeld (Director Planning and Environment), Shane Walden (Director Assets and Operations), Patricia Clive (Coordinator Governance), Lucy Olson (Senior Governance Officer - Council Business)

**4 APOLOGIES**

Maria Weiss (Director Community)

**5 CONFLICTS OF INTEREST**

Cr Pearce declared a general conflict in relation to item COR.3 due to being a member of the Australian Local Government Women's Association.

**6 PETITIONS**

Nil

## 7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

### 7.1 PUBLIC QUESTION - ROBERT GREEN

#### Question:

*Regarding my questions send registered mail in February 2023 directly to B. O'Sullivan CEO as all other staff had a conflict in the matter, question where in simple dot point form, (Councillors has been given access to all correspondance on the matter) why haven't these simple and clear questions been answered individually and clearly by CEO, O'Sullivan and the organisation?*

#### Answer:

We understand that the Lancefield Development Plan Overlay (or DPO 24) has been a sensitive matter for affected landowners, including Mr Green. This has ultimately resulted in Council resolving at the 22 February 2023 meeting to request the Minister for Planning to remove the Lancefield DPO. This matter is currently with the Minister for decision.

We appreciate that Mr Green has provided correspondence to Council numerous times throughout the long history of this matter, to which we have responded. In response to the correspondence of February 2023, the Director of Corporate responded in February 2023, including a follow-up clarification in the same month, and I responded in June 2023, as did Mayor Death, in August 2023.

The organisation has put in place a streamlined process to efficiently respond to Mr Green's queries on these matters. Additionally, we have encouraged alternative approaches through state government agencies for his outstanding concerns to be independently reviewed.

We have, in good faith, responded to the concerns raised, and the next step is for Mr Green to pursue any further concerns with relevant state government agencies, as has been previously advised.

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## 8 ADOPTION OF MINUTES

### Resolution 2023/132

Moved: Cr Mark Ridgeway  
Seconded: Cr Geoff Neil

**That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 25 October 2023 as circulated be confirmed.**

**CARRIED**

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**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - OCTOBER-NOVEMBER 2023****Resolution 2023/133**

Moved: Cr Rob Guthrie

Seconded: Cr Bill West

**That Council receives and notes the Mayor's report.****CARRIED****10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF**

<b>10.1</b>	<b>RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - OCTOBER-NOVEMBER 2023</b>
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**Summary**

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

**Resolution 2023/134**

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.****CARRIED****11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**

Nil

**12 CHIEF EXECUTIVE OFFICER REPORTS**

Nil

**13 DIRECTOR CORPORATE REPORTS****COR.1 QUARTERLY FINANCIAL REPORT - JULY TO SEPTEMBER 2023****Summary**

The purpose of this report is to provide Council and the community with a report on the financial position of the Macedon Ranges Shire Council to 30 September 2023 for the 2023/2024 financial year (Quarter 1), in accordance with the requirements of the *Local Government Act 2020*.

**Resolution 2023/135**

Moved: Cr Mark Ridgeway  
Seconded: Cr Dominic Bonanno

**That Council receives the Quarterly Financial report as at 30 September 2023, in accordance with the requirements of the Local Government Act 2020.**

**CARRIED**

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**COR.2 COUNCIL MEETING DATES 2024****Summary**

This report seeks approval of the proposed scheduled Council meeting and Planning Delegated Committee meeting dates and formats for the 2024 calendar year.

**Resolution 2023/136**

Moved: Cr Rob Guthrie  
Seconded: Cr Geoff Neil

**That Council:**

- 1. Approves the proposed meeting schedule for the period 1 January 2024 to 31 December 2024 as outlined in Attachment 1; and**
- 2. Notes that Planning Delegated Committee meetings will be held when required on the dates outlined in the schedule at Attachment 1; and**
- 3. Schedules a Submitters Delegated Committee Meeting to be held online on 21 February 2023 at 7pm to consider budget submissions and other matters if required.**

**CARRIED**

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**COR.3 ANNUAL COUNCILLOR APPOINTMENTS AND COUNCIL MEMBERSHIPS****Summary**

This report is presented to Council for determining Councillor representation on internal advisory committees and external organisations from November 2023 till November 2024, refer to Attachment 1.

**Recommendation****That Council:**

1. **Appoints the Councillor delegates from November 2023 to November 2024 to the internal and external committees/organisations as specified in the table in Attachment 1;**
2. **Endorses the ongoing membership to the Victorian Local Governance Association, Central Victorian Greenhouse Alliance, and Rural Councils Victoria Incorporated;**
3. **Endorses the ongoing membership to the Municipal Association of Victoria; and**
4. **Endorses the ongoing membership to Australian Local Government Women's Association - Victorian Branch.**

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Cr Rob Guthrie moved items 1-3 of an amended officer recommendation.

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**Resolution 2023/137**

Moved: Cr Rob Guthrie  
Seconded: Cr Jennifer Anderson

**That Council:**

1. **Appoints the Councillor delegates from November 2023 to November 2024 to the internal and external committees/organisations as specified in the table in the updated and circulated Attachment 1;**
2. **Endorses the ongoing membership to the Victorian Local Governance Association, Central Victorian Greenhouse Alliance, and Rural Councils Victoria Incorporated; and**
3. **Endorses the ongoing membership to the Municipal Association of Victoria.**

**CARRIED**

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Having previously declared a conflict of interest in relation to this item, Cr Pearce left the meeting at 7:24 pm.

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Cr Jennifer Anderson moved item 4 of an amended officer recommendation.

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**Resolution 2023/138**

Moved: Cr Jennifer Anderson  
Seconded: Cr Rob Guthrie

**That Council endorses the ongoing membership to Australian Local Government Women's Association - Victorian Branch.**

**CARRIED**

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At 7:25 pm, Cr Janet Pearce returned to the meeting.

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#### **COR.4 CONTRACTS TO BE AWARDED AS AT NOVEMBER 2023**

##### **Summary**

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

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

##### **Resolution 2023/139**

Moved: Cr Dominic Bonanno  
Seconded: Cr Geoff Neil

##### **That Council:**

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
  - (a) **C2024-54 Gisborne Aquatic Centre Modular Change Room**
  - (b) **C2024-55 Design Services Regional Sports Precinct Stage 2**
2. **Grants delegated authority to the Chief Executive Officer to award contract C2024-53 Construction of a Roundabout at the intersection Barringo Road and Hamilton Road New Gisborne.**

**CARRIED**

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#### **COR.5 AUDIT AND RISK COMMITTEE - REVIEW OF REMUNERATION AND MEMBERSHIP**

##### **Summary**

The Audit and Risk Committee comprises two Councillors and three independent members within the Macedon Ranges Shire. This report reviews the current remuneration provided to the independent members, and to note the recruitment process which will be undertaken to allow for the replacement of an Independent Member as a result of a member ceasing their term on 31 December 2023.

##### **Resolution 2023/140**

Moved: Cr Geoff Neil  
Seconded: Cr Mark Ridgeway

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**That Council:**

1. Endorses the proposed payments to the Audit and Risk Committee Chairperson and Independent Committee Members as outlined in Table 3 of this report.
2. Notes that reasonable out-of-pocket expense reimbursements may be payable to Independent Members of the Audit and Risk Committee.
3. Notes the recruitment process being undertaken to appoint a new Independent Member, with a report and recommendation to be presented to a future meeting of Council.

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**CARRIED**

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**14 DIRECTOR COMMUNITY REPORTS****COM.1 PARTICIPATE POSITIVE AGEING PLAN 2020-2025 ANNUAL UPDATE****Summary**

This report provides Council with an update on progress against actions in Year 3 (2022-23) of Council's PARTICIPATE Positive Ageing Plan 2020-2025, as well as proposed actions for Year 4 (2023-24).

**Resolution 2023/141**

Moved: Cr Janet Pearce  
Seconded: Cr Mark Ridgeway

**That Council:**

1. Notes the PARTICIPATE Positive Ageing Plan - Year 3 Annual Review 2022-23, as presented in the attached; and
2. Approves the PARTICIPATE Positive Ageing Plan - Year 4 Action Plan 2023-24, as presented in the attached.

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**CARRIED**

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**15 DIRECTOR ASSETS AND OPERATIONS REPORTS****AO.1 CAPITAL WORKS MONITORING****Summary**

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

**Resolution 2023/142**

Moved: Cr Rob Guthrie  
Seconded: Cr Bill West

**That Council:**

1. **Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:**
  - (a) **101039 - Kyneton Cricket Club Net Upgrade: Increase the budget by \$7,236.00;**
  - (b) **100148 - Bridge - Ash Wednesday Park Footbridge: Return \$10,550.00 of surplus budget to the Open Space Reserve;**
  - (c) **100822 - Bridge - Mission Hill Road 2024: Increase the budget by \$50,658.81;**
  - (d) **100687 - Upgrade Sports Ground Drainage 2024: Return \$137,015.00 to the consolidated capital works program budget.**
  - (e) **100827 - Kyneton Saleyards Improvement Works 2024: Return \$130,035.00 to the consolidated capital works program budget; and**
2. **Notes that recommendation 1 (above) provides a surplus of \$208,117.05 to the financial year 2023/2024 consolidated capital works program budget.**

**CARRIED**

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**AO.2 MACEDON RANGES SHIRE SKATE AND BMX STRATEGY****Summary**

This report presents the Macedon Ranges Shire Skate and BMX Strategy (Attachment 1) for Council consideration and adoption.

The community consultation stage of the draft Macedon Ranges Shire Skate and BMX Strategy is completed, with feedback considered and incorporated into the final version where appropriate.

**Recommendation**

**That Council adopts the Draft Macedon Ranges Shire Skate and BMX Strategy effective 23 November 2023.**

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Cr Dominic Bonanno moved an alternative motion.

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**Resolution 2023/143**

Moved: Cr Dominic Bonanno  
Seconded: Cr Rob Guthrie

**That Council:**

1. **adopts the draft Macedon Ranges Shire Skate and BMX Strategy effective 23 November 2023;**
2. **writes to the lead petitioner of the 2021 Gisborne Skate Park Petition thanking them for their efforts;**
3. **once the location feasibility study process is finalised, consider including the construction of a new/upgraded Gisborne Skate Facility to Council's priority projects; and**

4. notes there will be minor operational improvements to the infrastructure supporting Gisborne Skate Park.

**CARRIED**

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### **AO.3 ROMSEY SKATEPARK DESIGN PLAN**

#### **Summary**

This report seeks Council endorsement to release the draft Romsey Skatepark Design Plan (Attachment 1) for four weeks of community consultation.

This consultation will inform the direction and development of the final Design Plan for Council's consideration.

#### **Resolution 2023/144**

Moved: Cr Geoff Neil

Seconded: Cr Bill West

**That Council endorses releasing the draft Romsey Skatepark Design Plan for four weeks of community consultation.**

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**CARRIED**

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### **16 NOTICES OF MOTION AND RESCISSION**

Nil

### **17 URGENT BUSINESS**

Nil

### **18 CONFIDENTIAL REPORTS**

Nil

**The meeting closed at 7:54pm.**

**The minutes of this meeting will be confirmed at the Council Meeting held on 13 December 2023.**