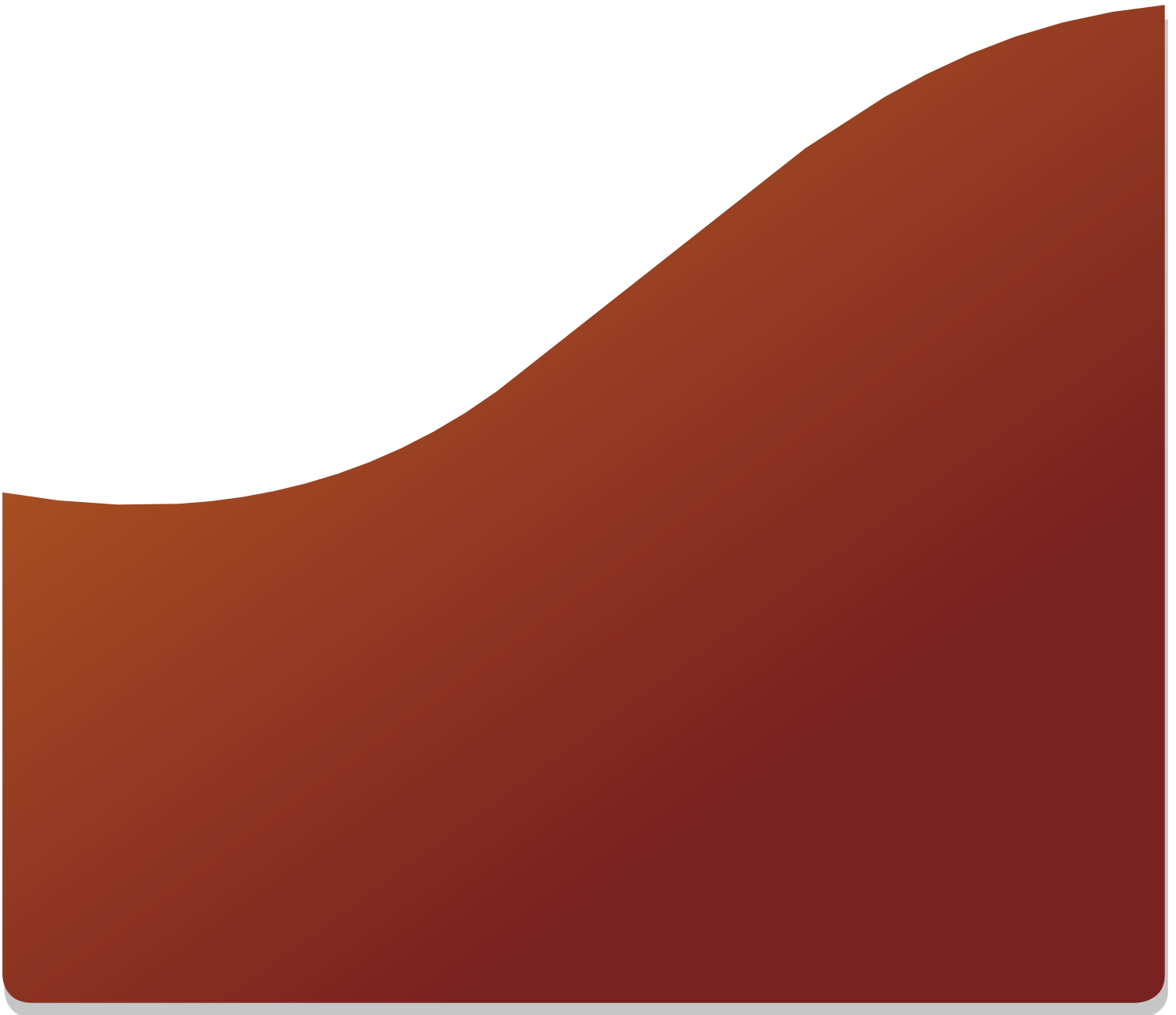


Minutes

Council Meeting
Wednesday 26 July 2023 at 7pm
Gisborne Administration Centre
40 Robertson Street, Gisborne



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1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING

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

3 PRESENT

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

IN ATTENDANCE

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

4 APOLOGIES

Cr Anne Moore

5 CONFLICTS OF INTEREST

Cr West declared a material conflict in relation to item PE.1 due to a family relations by marriage being property owners within the area.

Cr Pearce declared a general conflict in relation to item COM.1 due to an association with the Macedon Ranges Suicide Prevention Action Group.

6 PETITIONS

Nil

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

7.1 QUESTION PROVIDED BY KELVIN GRANGER & DEAN HURLSTON

Question:

Can council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?

Answer:

Information on cost shifting from the Victorian State Government as it applies to Macedon Ranges Shire Council for 2022-23 is not currently available. Officers have been investigating this impact over the recent past and will prepare an estimate of the financial implications incurred by Council due to "cost shifting from State Government" during the 2022/23 Financial Year, which will be provided directly to the requestor once complete, and be made available to the public. It is important to note that officers are currently in the process of compiling data for the Annual Financial and Performance Statements, which will be included in the Annual Report 2022/23 - these statements will provide relevant information to support the finalisation of the response to this request.

7.2 QUESTION PROVIDED BY MARK STONEY

Question:

Thank you for taking my question firstly. I am enquiring of Council what endeavours are being made to have the electoral rolls include all ratepayers with specific reference to business', non-resident owners and the like?

The situation is this - I have asked where I can find the forms to fill out to enrol for the next election 2024 and cannot find them.

The Council has a great website and many forms available but the centrepiece to a truly democratically representative body is non-existent.

Voting and everybody's entitlement to that should be the highest priority for this and every council or democratic body.

Answer:

The *Local Government Act 2020* introduced changes to voting entitlements in two phases. The first included changes for the 2020 local government elections, and the second phase includes changes for the up-coming 2024 local government elections.

For the 2024 elections, non-resident ratepayers, occupier ratepayers, and corporation owners and occupiers will be required to apply to be on the Chief Executive's Voters' Roll, regardless of whether they have previously been on this roll.

All Shire residents who are properly enrolled with the Victorian Electoral Commission will be automatically enrolled for the local government elections.

The two rolls – the Victorian Electoral Commission Voters Roll and Chief Executives' Voters Roll – are combined to form the full voters roll for the local government elections.

Under the legislation, forms for applying to enrol on the Chief Executive's Voters' Roll are yet to be specified, and Council is aware that Local Government Victoria and the Victorian Electoral Commission are currently updating these forms. Once the forms are available, Council will be able to accept applications for enrolment on the Chief Executive's Voters'

Roll. We will update Council's website to explain the enrolment process and provide access to the forms.

Any person contacting Council regarding enrolment on the Chief Executive's Voters' Roll will be added to a register to be contacted when the forms become available.

7.3 QUESTION PROVIDED BY ADRIANNE CARROLL

Question:

Macedon Ranges Shire Council has confirmed to Malmsbury residents that funds have now been allocated for the repair of our Ross Street Bridge, which has been closed now for an unreasonable length of time.

This news is gratifying, however there is no date set for the commencement of works. The residents would like to know if the Council is prioritising the commencement of this repair, and stress that the re-opening of the Ross Street bridge is urgently required.

Extremely poor visibility available at night for motorists turning from the Calder Highway turnoff into Racecourse Road is dangerous. There is no street lighting and no light emanating from neighbouring houses. The turn is sharp, and if missed would result in a vehicle swerving a metre down into muddy terrain. I'm surprised an accident hasn't yet occurred.

The grading of Racecourse Road is required once again. The deep ruts are not only dangerous because they are so plentiful, but are destructive of residents' tyres and suspension.

Can the Council assure Malmsbury residents that they are listening to our concerns, and will urgently prioritise repair of the bridge. The vague suggestion that works may be completed before December is unsatisfactory.

Answer:

Council is committed to the reinstatement of the Ross Street Bridge in Malmsbury and has listened to resident's concerns regarding its closure. As you have noted, Council approved funding for the Ross Street Bridge reinstatement in its 2023/2024 budget. The tender for the works will be released in early August 2023 and it is anticipated that the appointed contactor will complete the works prior to Christmas. At present the timing of the works is dependent on the tender responses and the weather. However officers and councillors have this project as one of high priority and community interest and will complete it as quickly as possible.

The detour route via Racecourse Road and Baldry Road is inspected every month, with maintenance works undertaken as required and in accordance with the intervention levels stipulated within our Road Management Plan. So far grading has occurred on 18 January 2023 and on 7 March 2023. The most recent inspection undertaken on 17 July resulted in Baldry Road placed on the grading list and its grading was completed on 20 July 2023. This inspection and grading regime will continue until Ross Street Bridge reinstatement is delivered.

8 ADOPTION OF MINUTES**Resolution 2023/77**

Moved: Cr Mark Ridgeway
Seconded: Cr Jennifer Anderson

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 28 June 2023 as circulated.

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - JUNE-JULY 2023****Resolution 2023/78**

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

10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - JUNE-JULY 2023
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Summary

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

Recommendation

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

Cr Janet Pearce moved an amended officer recommendation.

Resolution 2023/79

Moved: Cr Janet Pearce
Seconded: Cr Rob Guthrie

That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report with one amendment to include Awais Sadiq (Acting

Manager Statutory Planning) as present at the meeting on 11 July 2023.

CARRIED

11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS

PE.1 DRAFT ROMSEY STRUCTURE PLAN - FOR CONSULTATION

Summary

This report seeks Council endorsement of the draft Romsey Structure Plan for the purposes of community consultation.

The draft Structure Plan identifies that Romsey will grow into a large district town, as per the direction provided in the Macedon Ranges Planning Scheme.

Procedural Note: Having previously declared a conflict of interest in relation to this item, Cr West left the meeting at 7:18.pm.

Resolution 2023/80

Moved: Cr Geoff Neil
Seconded: Cr Dominic Bonanno

That Council endorses the release of the draft Romsey Structure Plan for six weeks of community consultation.

CARRIED

Procedural Note: At 7:35 pm, Cr Bill West returned to the meeting.

PE.2 ENVIRONMENT GROUP SUPPORT GRANTS

Summary

This report seeks Council adoption for two documents connected with Council's Environment Group Support Grants: the Environment Group Support Grant Guidelines (**Attachment 1**); Environment Group Support Grant – Grant Assessment Panel Terms of Reference (**Attachment 2**)

Recommendation

That Council adopts the 2023-24 Environment Group Support Grant Guidelines and the Terms of Reference for the Environment Group Support Grant Assessment Panel.

Cr Jennifer Anderson moved an amended officer recommendation.

Resolution 2023/81

Moved: Cr Jennifer Anderson
Seconded: Cr Mark Ridgeway

That Council adopts the 2023-24 Environment Group Support Grant Guidelines and the Terms of Reference for the Environment Group Support Grant Assessment Panel with the following change:

- The 2023-24 Environment Group Support Grant Guidelines updated to reflect the Macedon Ranges Community Enterprises co-funding an additional \$20,000 for the Biolink Boost Grant.

CARRIED

**PE.3 ANNUAL GRANTS - PANEL RECOMMENDATIONS 2023-2024
EVENTS AND FESTIVALS GRANT PROGRAM**

Summary

The Macedon Ranges Events and Festivals Grant Program provides support to events that deliver social and economic benefit to the community.

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

Resolution 2023/82

Moved: Cr Rob Guthrie
Seconded: Cr Dominic Bonanno

That Council:

1. Endorses the funding recommendations listed in Attachment 1.
2. Notifies all applicants in writing of their grant application outcome, and provide the opportunity to receive feedback.

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 COMMUNITY SATISFACTION SURVEY RESULT 2023****Summary**

This report seeks to update Council on the results of the 2023 Community Satisfaction Survey and to provide a summary of key areas of focus for Council to enhance the perceptions of the community. The full results will be made available on our website for the community to access.

Resolution 2023/83

Moved: Cr Dominic Bonanno

Seconded: Cr Janet Pearce

That Council notes the findings of the 2023 Community Satisfaction Survey.

CARRIED

CX.2 REPORT FROM THE 2023 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT HELD IN CANBERRA BETWEEN 13-16 JUNE 2023**Summary**

This report is presented to Council following attendance by Mayor Annette Death and Chief Executive Officer Bernie O'Sullivan at the 2023 National General Assembly of Local Government which was held in Canberra 13-16 June 2023.

Resolution 2023/84

Moved: Cr Jennifer Anderson

Seconded: Cr Rob Guthrie

That Council notes the report following the attendance by Mayor, Councillor Annette Death and Chief Executive Officer, Bernie O'Sullivan at the 2023 National General Assembly, incorporating the Australian Council of Local Government meeting, which was held in Canberra 13-16 June 2023.

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 JACKSON STREET MACEDON - POTENTIAL ROAD DISCONTINUANCE AND TRANSFER****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 background to this request and provides an overview of the statutory process required for this to occur in accordance with the Victorian *Local Government Acts 1989 and 2020*.

Resolution 2023/85

Moved: Cr Rob Guthrie
Seconded: Cr Dominic Bonanno

That Council:

- 1. Notes that the road known as Jackson Street, Macedon has been determined as not reasonably required as a road for public use.**
- 2. Resolves to commence the statutory process to discontinue part of Jackson Street, Macedon as shown highlighted in the plan included in this report.**
- 3. Undertakes a community consultation process by:**
 - (a) Advertising a notice of intention to sell part of Jackson Street, Macedon in accordance with section 189 of the *Local Government Act 1989* (“the Act”);**
 - (b) Notifying all neighbouring properties of the proposal and seeking submissions; and**
 - (c) Considering all submissions prior to determining to proceed with the sale.**
- 4. Schedules an online Submitters Delegated Committee meeting at 7pm on Wednesday, 20 September 2023, to provide for persons who wish to make a verbal presentation in support of their submission to the consultation process.**
- 5. Should there be no written submissions received to the community consultation process, under Section 223 of the Act, Council resolves to:**
 - (a) Discontinue the road in accordance with section 206, 223 and Schedule 10 of the Act;**
 - (b) Give notice in the Victorian Government Gazette pursuant to clause 3 Schedule 10 of the Act;**
 - (c) Sell the road to the adjoining owner in accordance with Section 189 of the Act; 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.**

CARRIED

COR.2 ACQUISITION OF LAND - 51 COOP DRIVE GISBORNE**Summary**

Council has an opportunity to purchase open space, known as part of 51 Coop Drive Gisborne (previously part of 75 Willowbank Road, Gisborne) for the expansion of Gisborne Fields Park. This report outlines the background to the request and an overview of the necessary steps required as part of the statutory process for this acquisition to occur in accordance with the *Local Government Act 1989* and *2020*.

Resolution 2023/86

Moved: Cr Rob Guthrie
Seconded: Cr Dominic Bonanno

That Council:

1. **Commences the statutory process to acquire the land known as part of 51 Coop Drive, Gisborne, having determined that the land is to be acquired for the purpose of public interest and in accordance with the Development Plan, by undertaking consultation in accordance with Council's Community Engagement Policy under Section 112 of the *Local Government Act 2020*;**
2. **Schedules an online Submitters Delegated Committee meeting at 7pm on Wednesday, 20 September 2023, to provide for any person who wishes to present in support of their submission to the consultation process.**
3. **Authorises the Chief Executive Officer to enter into a Heads of Agreement with the landowner, subject to Council undertaking the necessary statutory processes in accordance with the *Local Government Acts 1989 and 2020*.**
4. **Should there be no written submissions received under Section 223 of the *Local Government Act 1989*, authorises the Chief Executive to:**
 - (a) **Proceed to acquire the property by private treaty;**
 - (b) **Negotiate the acquisition of the property based on a current market valuation obtained by an independent qualified valuer; and**
 - (c) **Sign and seal any associated documentation in relation to the acquisition.**

CARRIED

COR.3 CONTRACTS TO BE AWARDED AS AT JULY 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 2023/87

Moved: Cr Janet Pearce

Seconded: Cr Bill West

That Council:

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
 - (a) **C2023-39 Roof Replacement Hanging Rock Cafe**
 - (b) **C2023-42 Buffalo Stadium Change Room Upgrade**
2. **Grants delegated authority to the Chief Executive Officer to award the following contracts:**
 - (a) **C2024-41 Public Toilet and BBQ Cleaning**

CARRIED

14 DIRECTOR COMMUNITY REPORTS**COM.1 2023/24 COMMUNITY FUNDING SCHEME ALLOCATIONS****Summary**

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

This report details the application evaluation process, in accordance with the scheme guidelines, and lists the projects recommended for funding in 2023/24.

Procedural Note: Having previously declared a conflict of interest in relation to this item, Cr Pearce left the meeting at 8:09pm.

Resolution 2023/88

Moved: Cr Jennifer Anderson

Seconded: Cr Geoff Neil

That Council:

- 1. Endorses the funding recommendations listed in Attachment 1; and**
- 2. Notifies all applicants in writing of their grant application outcome, and provide the opportunity to receive feedback.**

CARRIED

Procedural Note: At 8:11 pm, Cr Janet Pearce returned to the meeting.

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 MACEDON RANGES SHIRE SKATE AND BMX STRATEGY****Summary**

This report seeks Council endorsement to release the draft Macedon Ranges Shire Skate and BMX Strategy (Attachment 1) for four weeks of community consultation. This will inform the direction and development of the final Strategy for Council's consideration.

Resolution 2023/89

Moved: Cr Dominic Bonanno

Seconded: Cr Rob Guthrie

That Council endorses releasing the draft Macedon Ranges Shire Skate and BMX Strategy for four weeks of community consultation.

CARRIED

AO.2 MOBILITY AND ROAD SAFETY STRATEGY 2023-2032**Summary**

This report provides a brief overview of the *Draft Mobility and Road Safety Strategy 2023-2032* and its action plan to achieve *Vision Zero* of deaths and serious injuries related to crashes on our roads. Officers are seeking endorsement to release the final draft of the Strategy for consultation.

Resolution 2023/90

Moved: Cr Geoff Neil
Seconded: Cr Janet Pearce

Council endorses the release of the draft Mobility and Road Safety Strategy 2023-2032 for four weeks of community consultation.

CARRIED

AO.3 PROPOSED ROAD CLOSURE - RAGLAN STREET LANCEFIELD**Summary**

This report provides the background to a request from St Mary's Primary School, Lancefield for a proposed road closure of Raglan Street Lancefield and the statutory process required in line with the Local Government Act 1989.

Recommendation**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.**
-

Procedural Note: At 8:30 pm, Cr Jennifer Anderson left the meeting. At 8:32 pm, Cr Jennifer Anderson returned to the meeting.

Cr Geoff Neil moved an amended officer recommendation.

Resolution 2023/91

Moved: Cr Geoff Neil
Seconded: Cr Bill West

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, if required, 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.

CARRIED

AO.4 CAPITAL WORKS MONITORING

Summary

This report provides a preliminary oversight of the 2022/2023 financial year's capital delivery performance outcomes. It also provides transparency on cost savings on the completed infrastructure projects and cost escalations on projects receiving tender prices exceeding the allocated budget 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 2023/92

Moved: Cr Rob Guthrie
Seconded: Cr Mark Ridgeway

That Council :

1. **Adopts the following changes to the Financial Year 2022/2023 budget relating to the following capital projects:**
 - (a) **Road Repairs – Three Chain Road, Karlsruhe: Return \$82,936.91 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
 - (b) **Drainage – Farrell Street, New Gisborne: Return \$35,000.00 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
 - (c) **Bridge – Mission Hill Road, Baynton: Return \$10,715.00 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
 - (d) **Drainage – Sutherlands Road, Riddells Creek (2): Return \$6,275.00 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
 - (e) **Draining – Sutherlands Road, Riddells Creek (1): Return \$10,543.60 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
 - (f) **Renewal – kerb and Channel: Return \$115,994.84 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
 - (g) **Drainage – Calthorpe Street, Gisborne: Return \$10,726.20 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
-

- (h) **Bridge – Main Road Eastside Romsey: Return \$24,511.37 to the consolidated capital works program budget as the design and investigation is complete, with construction costs estimated well above the budget requiring a separate business case;**
 - (i) **Gisborne Aquatic Centre – Modular Change Room Upgrade: Provide an additional budget of \$150,000.00 to cater for the revised design with the opportunity for future relocation and reuse;**
 - (j) **Footbridge – Wood Street, Woodend: Return \$13,500.00 to the consolidated capital works program budget as the project is complete leaving with an unspent surplus;**
2. **Notes that recommendation 1 (above) currently provides a surplus of \$377,598.61 to the financial year 2022/2023 Capital Works budget, which will be brought forward into the financial year 2023/2024 Capital Works Budget and reviewed as part of the mid-year budget review process.**
3. **Provides additional funding to complete the following projects:**
- (a) **School Bus Stop Shelter - Romsey: Provide an additional budget of \$76,200, funded through surplus from LRCI Stage 2;**
 - (b) **Sauer Road, New Gisborne: Provide an additional budget of \$155,861.94, funded through the Commercial Development Reserve;**
 - (c) **Kettlewells Road Sealing, Romsey: Provide an additional budget of \$394,745.00, funded through the Gravel Pit Operations Reserve.**

CARRIED

16 NOTICES OF MOTION AND RESCISSION

NO. 60/2023-24: NOTICE OF MOTION - THE VOICE TO PARLIAMENT

I, Councillor Annette Death, give notice that at the next Meeting of Council to be held on 26 July 2023, I intend to move the following motion:

Resolution 2023/93

Moved: Cr Jennifer Anderson
Seconded: Cr Mark Ridgeway

That Council:

1. **Acknowledges the Australian Government’s proposal for constitutional recognition for Aboriginal and Torres Strait Islanders through a Voice to Parliament, and will share information to enable residents to make their own considered and informed choice in the referendum; and**
2. **Notes the organisation’s Positioning Statement on The Voice to Parliament, which is aligned with Council’s Reconciliation Action Plan 2021–23 and enclosed as Attachment 1.**

CARRIED

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS

Nil

The meeting closed at 8.44pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 23 August 2023.