

# Agenda

**Council Meeting**  
**Monday 16 September 2024 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 28 August 2024, as circulated.**

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**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - AUGUST-SEPTEMBER 2024****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.**

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**Mayor's report**

I would like to take the opportunity to advise this will be my last Mayor's Report for this term, due to the upcoming Caretaker Period for Local Government elections. Tonight's Scheduled Council Meeting is also being held early to accommodate the relevant election processes and timeframes. Given this, the Mayor's Report is considerably shorter than usual. However, it has still been a very busy two and half weeks with many important events taking place.

**Business Excellence Awards**

I would like to congratulate the finalists in the Josh's Rainbow Eggs Macedon Ranges Business Excellence Awards. Councillors and staff were pleased to attend the awards evening at Mount Macedon Winery on 30 August where the winners were announced. This event celebrated the outstanding achievements of our local businesses and recognises the spirit of innovation, dedication, and resilience that defines the entrepreneurial landscape of the Macedon Ranges. Thanks to Council's Economic Development and Visitor Economy teams for fostering an environment where businesses can thrive, innovate, and prosper. The MC, local Shane Jacobson, was very entertaining and captured the spirit of the event.

**Youth Awards**

The 2024 Youth Awards were held at the Kyneton Town Hall on 4 September. Since 2006, the awards are dedicated to acknowledging and celebrating the achievements and success of young people in the Macedon Ranges Shire. The focus of the awards is to recognise the significant contribution young people make to society, and to encourage young people to strive for their best and continue doing what they love and enjoy. Congratulations to all nominees and award recipients.

**Citizenship Ceremony**

Nine residents made a formal pledge to become Australian citizens on 10 September - the last citizenship ceremony in this term of Council. Together with my fellow Councillors, we welcomed the new citizens and reflected on what it means to make a commitment to Australia as our home. New citizens bring their own background and story and enrich the diversity our community. As is our usual custom in the Macedon Ranges, we acknowledged the importance of building a better understanding of the living culture of the Traditional Owners of the land. Congratulations to all conferees and all the best for your future as an Australian citizen.

**Victorian Greenhouse Alliances Annual Conference**

This event brings together Victorian Local Government Councillors, executive leaders and officers, working on and interested in climate change projects and advocacy. It was a sold-out event with 400 attendees and featured an impressive range of presenters. The conference included multiple break-out rooms to enable in-depth discussion on key issues. A key theme of the conference regarded the psychological impacts of climate change across our communities and discussing the emotional lens of climate change impacts.

### Events

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

- Tour of the Romsey Ecotherapy Park with Mary-Anne Thomas MP, State Member for Macedon and the Australian Institute of Landscape Architects on 30 August
- Tylden Fire Brigade's Annual Dinner in Trentham on 31 August
- Promoting Harmony Amidst Diversity Webinar on 31 August
- Grand opening of the Kyneton Daffodil and Arts Festival on 5 September and subsequent events
- Opening of the new Bendigo Foodshare warehouse on 6 September
- Community walk in recognition of World Suicide Prevention Day in Woodend on 8 September hosted by Macedon Ranges Suicide Prevention Action Group
- Local Government Working Group on Gambling meeting on 11 September
- Mayoral Taskforce Supporting People Seeking Asylum meeting on 11 September
- Wind, Rain, Cloud and Sun session hosted by the Macedon and Mount Macedon Landcare Group on 12 September
- Rural Councils Victoria online Annual General Meeting on 13 September

### **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 - AUGUST-SEPTEMBER 2024****Summary**

Rule 66 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	Councillor Briefing
Date and time	27 August 2024
Venue	Gisborne Administration Centre at 9.00am
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Annette Death</li> <li>• Cr Janet Pearce</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Rob Guthrie</li> <li>• Cr Geoff Neil</li> <li>• Cr Mark Ridgeway</li> <li>• Cr Christine Walker</li> <li>• Cr Bill West</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>• Cr Dominic Bonanno</li> </ul>
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Simon Finlay (Acting Director Assets and Operations)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Travis Fitzgibbon (Manager Communications and Advocacy)</li> <li>• Bodey Dittloff (Coordinator Communications)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> </ul>

	<ul style="list-style-type: none"> <li>• Verity Games (Coordinator Statutory Planning and Subdivisions)</li> <li>• Rees May (Coordinator Statutory Planning and Compliance)</li> <li>• Lipi Patal (Senior Statutory Planning Officer)</li> <li>• Emily Hardy (Senior Statutory Planning Officer)</li> <li>• Rob Ball (Manager Strategic Planning and Environment)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Cindy Stevens (Business Support Officer)</li> </ul>
Apologies officers and presenters	NIL
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> <li>• Councillor &amp; CEO Only Session</li> <li>• Annual Report 2023-2024 Progress Update</li> <li>• Planning Matters</li> <li>• Council Meeting Agenda Review</li> <li>• Other Business</li> </ul>
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	Councillor Briefing
Date and time	3 September 2024
Venue	Gisborne Administration Centre at 9.00am
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Janet Pearce</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Rob Guthrie</li> <li>• Cr Geoff Neil</li> <li>• Cr Mark Ridgeway</li> <li>• Cr Christine Walker</li> <li>• Cr Bill West</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>• Cr Annette Death</li> </ul>

Present - officers	<ul style="list-style-type: none"> <li>• Bernie O’Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Acting Director Assets and Operations)</li> <li>• Rob Ball (Acting Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Tania MacLeod (Coordinator Environment)</li> <li>• Justin Walsh (Sustainability Officer)</li> <li>• Amy Holmes (Manager Community Strengthening)</li> <li>• Caitlin Royce (Coordinator Creative and Connected Communities)</li> <li>• Maria Loriente (Community Partnerships Officer)</li> <li>• Eng Lim (Manager Engineering and Asset Service)</li> <li>• Benup Neupane (Coordinator Engineering Services)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Cindy Stevens (Business Support Officer)</li> </ul>
Apologies officers and presenters	NIL
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> <li>• Councillor &amp; CEO Only Session</li> <li>• Annual Environment Report 2023-2024</li> <li>• Reconciliation Plan 2024-2027</li> <li>• Request for Inclusion of Road into the Public Road Register – Service Lane, Kilmore-Lancefield Road, Goldie</li> <li>• Planning Matters</li> <li>• Council Meeting Agenda Review</li> <li>• Other Business</li> </ul>
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	Councillor Briefing
Date and time	10 September 2024

Venue	Gisborne Administration Centre at 9.00am
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Annette Death</li> <li>• Cr Janet Pearce</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Rob Guthrie</li> <li>• Cr Geoff Neil</li> <li>• Cr Mark Ridgeway</li> <li>• Cr Christine Walker</li> <li>• Cr Bill West</li> </ul>
Apologies - Councillors	NIL
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O’Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Acting Director Assets and Operations)</li> <li>• Rob Ball (Acting Director Planning and Environment)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Cindy Stevens (Business Support Officer)</li> </ul>
Apologies officers and presenters	<ul style="list-style-type: none"> <li>• Maria Weiss (Director Community)</li> </ul>
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> <li>• Councillor Only Session</li> <li>• Councillor &amp; CEO Only Session</li> <li>• Capital Works Monthly Monitoring Report</li> <li>• Planning Matters</li> <li>• Council Meeting Agenda Review</li> <li>• Other Business</li> </ul>
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 during the Councillor and CEO Only Session around the Shared Trail Project.</p> <p>Did they leave the meeting? Yes 9.46am - 9.47am</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**

<b>PE.1</b>	<b>ANZAC DAY COMMEMORATIVE SERVICES</b>
<b>Officer:</b>	<b>Rebecca Pedretti, Coordinator Visitor Economy</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>History of Council support for Anzac Day services <a href="#">↓</a></b>

**Summary**

To seek Council endorsement to develop guidelines for an ANZAC Day Traffic Management Support Fund to help fund traffic management costs associated with ANZAC Day Memorial Services from 2026.

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

- 1. Requests officers proceed with integrating an ANZAC Day Traffic Management Support Fund into the community grants program to help fund traffic management costs associated with RSL sub-branch ANZAC Day Memorial Services from 2026.**
- 2. Requests officers bring the guidelines for an integrated funding program back to Council to a future scheduled Council Meeting for endorsement.**
- 3. Continues to advocate to the Federal and State government to provide funding support to RSL- sub branches.**

**Background**

ANZAC Day Commemorative Services are significant for local communities as they honour and remember the sacrifices made by Australian and New Zealand service members during times of war.

The most common types of ANZAC Day services include the Dawn Service, which involves a ceremony that symbolises the soldiers' landing at Gallipoli in 1915. The March is also a popular service, where members of the community march in support of the returned service men and women. The Commemorative Service, usually held later in the day, involves wreath-laying ceremonies, speeches, and prayers to remember those who have fallen in service to their country.

Due to the location of the war memorials/cenotaphs in our townships, these services are held in road reserves and require a level of traffic management to make them safe events. Prior to 2022 RSL sub-branches who coordinate these events, would use volunteers, or local Emergency Services to assist with traffic management. This practice is no longer allowed, as all traffic management must be designed and conducted by qualified personnel.

This presents challenges for RSL sub-branches as they do not all have the funds to engage qualified traffic management companies, and they look to Council for support.

**Attachment 1 – History of Council Support for Anzac Day Services** outlines the various levels of support for RSL sub-branches that has occurred over recent years.



**Discussion**

RSL sub-branches have an ongoing need for support to assist with the costs associated with traffic management to ensure that ANZAC Day Commemorative Services in the shire comply with road regulations.

Unfortunately, not all RSL sub-branches are currently able to cover the cost of traffic management themselves.

Moving forward a position on Council continuing to provide support needs to be formalised. Officers have considered the situation and suggest there are three options for discussion:

- Do nothing:

The Department of Transport and Planning have over time, changed their requirements and regulations for traffic management, which has had a financial impact on the local RSL clubs.

Council could choose to not provide funding for the RSL Clubs for traffic management plan (noting the financial support to date has been unbudgeted and has resulted in reduced spending in other areas). The impact of this has not been tested with the local RSL clubs.

Council could also advocate for federal or state government funding to support RSL activities on ANZAC Day.

- Do something:

Integrate an ANZAC Day fund into the existing community grant program for RSL's to seek financial support from Council to enable them to engage appropriate traffic management.

This option is Council officers preferred option, should council be prepared to establish a budget for this type of grant, as it will embed traceability and governance principles into the grant scheme.

Provide a specific budget allocation for a targeted ANZAC Day Traffic Management stream to integrate into the community grants program is necessary so that the current budget allocation for the Community Grants Scheme or Events and Festivals Grant Program is not impacted.

- Do everything:

Council would need to allocate a budget for and engage traffic management personnel on behalf of the RSL's. This option would see Council assume the risk of the traffic management at the event itself and assume the risk of potential price increases in future.

To ensure that RSL sub-branches are given adequate time to respond to the potential need to cover their traffic management costs, or part thereof, it is proposed that Council cover traffic management again in 2025 and implement the grant program in time for the 2026 Memorial Services.

**Consultation and engagement**

Officers have been in regular contact with Macedon Ranges RSL sub-branches. This engagement, is mainly in the lead up to ANZAC Day commemorative services, as these groups are assisted through the Event permit process. Officers actively work to enable each RSL sub-branch to conduct these important memorial services and it is through this

engagement that officers have identified an ongoing need for support for traffic management.

Should this recommendation be carried, officers will integrate this fund into the community grants program.

### **Collaboration**

Council officers have conducted benchmarking with neighbouring and near-by LGA's to understand how each LGA supports ANZAC Services in their areas.

Council officers have raised with officers at Department Transport and Planning about concerns that the need for RSL sub-branches to engage pre-qualified traffic management contractors will be challenging from a financial perspective.

Council officers have also advocated for support from State government for this purpose. Officers have actively encouraged the RSL sub-branches to speak to their peak body RSL Australia about this issue.

### **Innovation and continuous improvement**

Council officers have conducted some benchmarking with neighbouring and near-by LGA's to understand how each LGA supports Anzac Services in their areas.

In line with the Local Government Act if financial support is continued, integrating this into the community grants program embeds traceability and good governance principles.

### **Relevant law**

Community Local Law 2023

Road Safety Act 1986

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report.

Based on this assessment, if the integrating of grant funding guidelines is approved by Council, when officers are doing this, consideration would need to be given to the following elements:

- Decision making processes/ governance
- Budgeting/ Cost
- Engagement and communication with the RSL's
- Stakeholder and expectation management
- Gender equity, recognising that RSL's are predominately led by a very narrow demographic, however the reach and inclusion of the specific activities, ANZAC Day Commemorative Services, have broad reach and are attended by a wide range of demographics across the community.

### **Relevant regional, state and national plans and policies**

No known plans or policies applicable to this discussion.

### **Relevant Council plans and policies**

In the integration of guidelines for a potential funding scheme, all of Councils relevant policies will be considered.

### Climate Impact Assessment

How will the recommendation impact on Council's energy usage and greenhouse emissions profile?

The approaches for discussion provide differing levels of control over energy use for Council. Both directly undertaking the tasks and running a grant process enable Council to influence the climate impact considerations of any traffic control contracts.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

There is a greater level of control over impacts with the greater involvement of Council in delivery of services.

How will the recommendation help to prepare the community for future climate scenarios? Where Council has control over funding it has the ability to include climate considerations and Community Preparedness in contracts and information provided.

### **Financial viability**

Providing a budget allocation for an integrated ANZAC Day fund into the community grants program will make this amount of money transparent and allow Council to properly consider what it provides for these services. This is currently unbudgeted beyond 2025. Based on 2024 costs, it is anticipated that a budget of around \$16,749 will be required from Council.

### **Sustainability implications**

Anzac Day Services provide an opportunity for the general public to honour and recognise those who have served and who currently serve in defence of Australia or its interests.

### **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.

**ATTACHMENT 1 – History of Council support for ANZAC Day services by Council**Council support provided to ANZAC Day Commemorations in 2019

At the Ordinary Council Meeting 19 December, 2018, the Governance Team put forward a recommendation regarding the support of ANZAC Day Memorial Services prior to the 2019 event. The recommendation was presented and carried.

**That Council:**

- 1. Contribute \$5,000 towards the 2019 and 2020 Mount Macedon ANZAC Day Dawn Services;**
- 2. Contribute up to \$1,500 for traffic management support to the Kyneton RSL Sub Branch Inc for 2019 and 2020; and**
- 3. Contribute up to \$1,500 for traffic management support for formal ANZAC Day events for 2019 and 2020 subject to an assessment by appropriate Council officer, up to a total sum of \$6,000.**

The recommended funding in 2020 was not needed as events were largely a prohibited activity during the COVID pandemic.

Council support provided to ANZAC Day Commemorations in 2021 - 2022

At the Scheduled Council Meeting 24 March 2021, the Governance team put forward a recommendation to continue the provision of \$5,000 funding for the Mount Macedon ANZAC Day Dawn Service for the period 2021-2024. The recommendation was presented and carried.

## Recommendation

**That Council:**

- 1. Provide funding of \$5,000 for the Mount Macedon ANZAC Day Dawn Services (or equivalent commemoration) for each of the years 2021-2024.**
- 2. Revoke its previous decision to grant \$500 to the Tylden Hall Committee of Management for Australia Day Township celebrations and instead grant \$500 to the Tylden Fire Brigade for Australia Day Township celebrations.**

Note point 2 was a correction of an error on an otherwise unrelated issue. This report detailed that the provision of \$5,000 each year for the Mount Macedon service had been ongoing since 2014. Additionally that requests for funding (other than the 2019-2020 period) were considered on a year to year basis.

The report had commentary that;

*Given Council's long-standing financial support of the Dawn Service, a longer term agreement would provide the Committee and the community with more certainty and a greater ability to plan for future events. This multi-year approval will cover all years of this term of Council.*

Professional traffic management services was additionally organised by Council for the Kyneton RSL for the delivery of their 2022 ANZAC Day Service and March.

Council support provided to ANZAC Day Commemorations in 2023

In 2023, there was increased requirement for formal traffic management by Council and the Department of Transport and Planning. This led to unplanned expenses for some organisers.

In 2023, Council provided a sum of \$5,000 to assist the Mount Macedon Dawn Service, in addition to arranging and covering the costs of traffic management for three other commemorative events in the shire. All other ANZAC Day service organisers were contacted and no additional need for funding was identified or requested.

The costs of supporting the Mount Macedon Dawn Service and managing traffic for the Kyneton March and Service have been ongoing, and were covered by the Governance and Operations units respectively. However, it seems that these expenses were not individually identified in the adopted budget, leading to an unexpected cost particularly where staff changes had occurred.

The Visitor Economy unit provided additional necessary funding for traffic management services following discussions with each organising committee to ensure services could be delivered.

<b>LOCATION</b>	<b>COUNCIL SUPPORT</b>	<b>TRAFFIC MANAGEMENT</b>
Kyneton	\$2800 – Traffic Management - Operations Budget (provided annually since 2018)	West Traffic
Malmsbury	No financial support	Managed by local Police (written confirmation provided)
Lancefield	\$2700 – Traffic Management - Not budgeted, but covered by Visitor Economy Budget	West Traffic
Riddells Creek	No financial support	Event organised and managed by CFA
Mount Macedon	\$5,000 funding (annually till 2024), Governance Budget	Altus Traffic Management. Parking plan for buses at Tony Clarke Reserve.
Woodend	No financial support	Altus – paid for by Woodend RSL
Gisborne	\$700 Traffic Management - Not budgeted but covered by Visitor Economy Budget	West Traffic

Council support provided to ANZAC Day Commemorations in 2024

Support provided to RSL groups for ANZAC Day services in 2024 was managed by the Visitor Economy unit. Woodend RSL group requested the same support provided to Kyneton, Gisborne and Romsey-Lancefield RSL groups. The traffic management for Woodend ANZAC Day Service and March was coordinated through West Traffic and funded by Council, aligning with the support provided to these groups in 2023.

A total of \$11,200 was allocated in the 2023/24 Budget to support ANZAC Day services. However, expenditures exceeded this amount by \$5,547. This variance can be attributed to a moderate annual increase in the overall cost of traffic management and the additional support provided to Woodend RSL.

<b>Location</b>	<b>Council Support</b>
Lancefield ANZAC Day 2024 Traffic Management	\$3,385 - West Traffic paid for by Council
Kyneton ANZAC Day 2024 Traffic Management	\$3,495 - West Traffic paid for by Council
Gisborne ANZAC Day 24 Traffic Management	\$ 959 - West Traffic paid for by Council
Woodend ANZAC Day Traffic Management	\$3,910 - West Traffic paid for by Council
Mount Macedon Dawn Service	\$5,000 - Contribution from Council for traffic management.
<b>Total</b>	<b>\$16,749</b>

<b>PE.2</b>	<b>DRAFT KYNETON URBAN DESIGN FRAMEWORK FOR ADOPTION</b>
<b>Officer:</b>	<b>Louise Dewberry, Senior Strategic Planner</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>1. Draft Kyneton Urban Design Framework (under separate cover)</b>
	<b>2. Response to Submissions (under separate cover)</b>

### Summary

The draft Kyneton Urban Design Framework (UDF) is a strategic plan, setting out a range of proposed public realm improvements for the Kyneton commercial centre, in and around High Street, Mollison Street and Piper Street. The draft UDF was endorsed for community consultation in June 2024, with consultation carried out during July and August 2024. Community interest in the project was high with several transport issues the focus of the majority of community feedback, while the overall plan was generally supported. Community feedback has resulted in a number of changes and improvements to the draft UDF (Attachment One), which is now presented for adoption.

### Recommendation

#### That Council:

- 1. Adopts the draft Kyneton Urban Design Framework.**
- 2. Advises submitters of this decision and thanks them for their valuable feedback.**

### Background

The Kyneton Urban Design Framework (UDF) was identified as an action item in the 2019-2020 Council Plan. Preliminary work commenced on the UDF in late 2019 with an initial round of community consultation conducted during January and February 2021. The intent of this was to gather general feedback on key issues affecting the public realm within the Kyneton commercial centre, with a focus on access and movement, streetscapes, and the design of buildings. The extent of the Commercial 1 Zone in and around Piper Street, High Street and Mollison Street formed the basis of the study area, as well as the public land in and around the Kyneton Mechanics Institute and Old Kyneton Primary School (OKPS) sites.

This consultation informed the development of the draft UDF, which was prepared with the assistance of consultants Urban Fold in 2023-2024.

It was resolved at the 24 June 2024 Scheduled Council Meeting:

**That Council endorses the release of the draft Kyneton Urban Design Framework for four weeks of community consultation, commencing in July 2024.**

The draft UDF provides the following:

- Establishes a future vision for Kyneton's main commercial area
- Identifies opportunities for tangible streetscape and public realm improvements, as well as built form guidelines for new development

- Indicative streetscape and precinct plans identifying the location for proposed projects
- A guide to implementation actions.

It is important to note that the UDF is a high level, strategic document. It identifies guiding principles, key projects and preferred locations based on needs identified by background analysis and community feedback. It does not address detailed design to the level which would be required for construction – this kind of detailed planning is intended to be done later as part of the implementation stage. It is also deliberately focused on physical improvements to the public realm – it does not address land use as this has already been addressed via the Kyneton Structure Plan (2013).

In parallel to this work, officers prepared the Kyneton Movement Network Plan 2024 (KMNP) which was adopted at the 24 June 2024 Scheduled Council Meeting following consultation during April and May 2024. The KMNP provides a strategic plan for upgrades to Kyneton's road, cycling, and pedestrian infrastructure, covering the township as a whole. The study area for the draft UDF is a sub-set of that in the KMNP, and also includes projects to facilitate improved movement and access, particularly for active transport. As such, some projects which are included in the KMNP for the town centre are reflected in the draft UDF, and vice versa.

### **Discussion**

Consultation on the draft UDF was carried out over a four-week period, from 5 July to 4 August 2024. Details regarding promotion of the consultation, consultation activities, and participants are provided in the 'Consultation and engagement' section.

### **Community feedback – key themes**

Of the 79 written submissions received:

- 33 submissions supported the draft UDF or support it with suggested changes.
- 10 submissions requested changes to particular projects but did not express support or otherwise for the draft UDF as a whole.
- 36 submissions did not support the plan. Of these, 26 submissions were solely concerned with bike lanes and/or speed limits (see discussion below), while the remaining 10 objected to the plan overall.

### ***Bicycle lanes and speed limits***

A large proportion of submissions received focused solely on the issues of bicycle lanes and (to a lesser extent) reduced speed limits, rather than on the draft UDF plan in general. To summarise, the draft UDF proposed:

- Bicycle lanes: creation of a network connecting key destinations via side streets as proposed in the recently adopted KMNP.
- Speed limit: reduction on each of the three main streets within the study area to 30kmh as proposed in the recently adopted KMNP.

Both of these proposals are Council policy under the KMNP.

The format of the YourSay submission form was structured to allow submitters to provide open-ended feedback as opposed to answering survey-type questions. The exception was a question regarding options for bike routes, which asked respondents to select one of:

- The proposed draft UDF option.



- An alternative option, to provide space for wider bike lanes on the main streets by removing car parking from one side.
- Other.

An article about the draft UDF appeared in the Midland Express on 29 July 2024 highlighting the speed limit proposal and the 'alternative' bike lane option. The option proposed in the draft (retaining existing parking and providing an alternative bicycle network) was not outlined in the article, nor were any of the other draft UDF projects. The majority of submissions received following the article focused solely on these issues and did not engage with the draft UDF as a whole.

Submitters responded to these issues as follows:

- Bicycle lanes:
  - 89% of all submitters mentioned bicycle lanes in their response.
  - The majority (56%) supported the existing proposal contained in the draft UDF – reasons included side streets being more pleasant and safe for cyclists, the need to provide adequate parking for businesses, and concerns that the alternative would result in more traffic and congestion as people searched for parking.
  - Only 5% of submitters supported the alternative option – reasons included main streets being more direct, cyclist safety and aesthetic reasons.
  - 28% of submitters selected 'other', with most wanting no change. Others who selected this option suggested enhanced signage/line marking of existing bike lanes, enhanced off-street routes only such as the Campaspe River Trail, and undertaking both suggested options (side streets and wider main street lanes).
- Speed limits:
  - 36 submitters mentioned speed limits in their submission.
  - Of these, five supported 30km/h; eight suggested 40km/h instead; 11 said to keep the current speed limit of 50km/h; one requested speed bumps on side streets to mitigate issues from reduction; and 11 said they did not support 30km/h but did not suggest an alternative.
  - Those concerned about 30km/h stated it was unnecessarily slow, would create congestion and push traffic into side streets.
  - Those who supported 30km/h or 40km/h cited pedestrian safety as their main consideration.

Both of these issues are discussed further below.

### ***Other issues – in scope***

The following discussion reflects matters raised with project officers across written submissions, meetings and other face-to-face discussions.

- Consultation timeframes: Concerns have been raised about the length of the community consultation process with requests to extend the consultation period by up to six months.
- Disability access: specifically, the lack of disabled parking spaces on each of the three main streets (see discussion re: KMNP below), as well as in relation to footpaths and building access.

- Kerb outstands and crossings: discussion around the design of these in relation to road space and tree species, pedestrian safety benefits, and impact on traffic.
- Building guidelines: the residential/commercial interface within Commercial 1 Zone and between Commercial 1 Zone and residential zones, and support for proposed building heights and potential for housing diversity/affordability.
- Bluestone gutters: sentiment varied between those who would like to see them left intact for heritage/character reasons (with 'bridges' or similar provided for pedestrians), and those who requested flattening of the profile to improve accessibility and safety for people with limited mobility.
- Public art: support for opportunities to incorporate public art in new designs; engage local artists.
- Street trees and landscaping: support for greenery and the opportunity to present a more 'cared for' appearance that demonstrates investment; the need for shade, canopy and beautification; various suggestions regarding species or type (indigenous, deciduous etc.); possible locations; and impacts on visibility/parking.
- Town square: a number of submitters raised various issues relating to the Kyneton Mechanics Reserve / 'town square' and environs:
  - Footprint – whether the 'town square' should extend beyond the current Kyneton Mechanics Reserve land;
  - Baynton Street road closure – whether this should remain as-is or be extended further west; open space opportunities; impact on the road network and access to parking for Woolworths and Mollison Street businesses.
  - Design – need for functional space for day-to-day use and larger public gatherings; retention of grassed area; accessibility issues (signage and disabled access); relationship to OKPS site and Kyneton Library; lighting; toilets.
  - Lions Kiosk – comments both supportive and not supportive of UDF proposal to relocate this facility; importance of facility to community groups; whether the kiosk is fit-for-purpose and where new location would be.
  - Consultation – importance of community and stakeholder input in detailed design phase.
- Town Hall Plaza: impact of proposal on parking; community significance of 'Minogue's rest' seat.
- Public toilets: location, suitability and availability of these facilities.

### ***Other issues – KMNP***

A number of comments related to matters which are dealt with by or alongside the work program contained in the adopted KMNP, including:

- Active transport connectivity to areas outside of the study area such as Kyneton Railway Station, the education precinct, Campaspe River Trail, Edgecombe Road, and Trentham Road / the Kyneton South growth area.
- Footpaths on residential streets (also addressed via the Shire-wide Footpath Plan).
- Disabled parking provision in and around the study area.

- The need for and/or solutions for intersection upgrades including at Piper/Mollison and Mollison/Jennings – urban design elements of these sit with the UDF while consideration of appropriate solutions are identified as projects within the KMNP.
- Current effectiveness of signal phasing at High/Mollison Streets.

***Issues out of scope***

Some comments related to matters which are outside the scope of the draft UDF, including:

- Planning for areas outside the study area, such as Kyneton South or rural living areas.
- Presentation and features of roads outside the study area such as the Mollison Street freeway overpass and Bourke Street Calder Freeway off-ramp.
- Design and operation of the Old Kyneton Primary School site.
- Maintenance and presentation of existing commercial buildings (in the absence of a new planning permit application).

**Resolution of key issues – updates to the draft UDF**

Following review of all comments received via community and stakeholder consultation, and internal feedback, the following is a summary of key changes to the draft UDF. A more detailed response to individual submissions including proposed changes is provided in Attachment Two.

***General changes***

Updates to the document layout and background information:

- Introduction amended to include:
  - A summary of relevant Council policies
  - An updated consultation summary encompassing Phase 1 and 2.
- Implementation plan amended to:
  - Consolidate the action plan in one table
  - Refine the list of projects
  - Improve project descriptions and note further opportunities for consultation with community and affected stakeholders for each project (as relevant).

***Open space and streetscape proposals***

Changes relating to the wording and scope of particular urban design upgrades:

- Town square and Woolworths car park / Faheys Lane:
  - A new precinct plan has been inserted to illustrate the relationship between these project areas and surrounding uses, including the Old Kyneton Primary School site. The plan shows key connections and notes important considerations for the future design of this area as a significant public space.
  - Woolworths site – concept plan amended to note that any change to the Baynton Street closure area will depend on a number of factors including impact on parking and the road network as well as open space benefits.
  - Wording in Chapter 8 relating to the implementation of these projects has been amended to provide for further community and stakeholder consultation at the

detailed design phase, to ensure that the variety of voices and preferences for these spaces are considered in resolving the final layout and features.

- Wording relating to the Lions Club kiosk has been amended to ensure that the function of kiosk is retained for community benefit while providing flexibility as to its future location within the precinct.
- Town Hall Plaza: design amended to provide for retention of 'Minogue's rest' seat and clarify number of car spaces to be used for footpath expansion.
- Kerb outstands: concept illustration amended to clarify misconceptions that emerged during consultation regarding design, noting that these will still allow for two-way vehicle movements.
- Bluestone gutters: wording amended to confirm that bluestone gutters will be retained, but that flattening the profile may occur in areas of high pedestrian activity / parking demand where the depth or angle causes access or safety issues. In other areas, alternative designs such as pedestrian bridges may be used.
- Public art: amendments to map and text to indicate broader opportunities for the inclusion of public art and creative elements in the design of streetscape improvements.
- Street trees: text amended to note that oak species may be appropriate where there is space for a larger canopy tree and correct a naming error in a photo caption.
- Public toilets: opportunity noted for new public toilet alongside upgrade of car park at corner of Yaldwyn and Ebdon streets.

### ***Movement network proposals***

Changes relating to the wording and scope of key movement network projects, including for consistency with the adopted KMNP:

- Disability access: wording of 'People first' principle amended to better highlight access for all as a priority, is clearly stated as a key priority for upgrades, with access for all as a baseline. The document also notes actions contained in the adopted KMNP to increase the supply of accessible (disabled) parking in the town centre.
- Bicycle lanes and routes: the community response to the options included for discussion as part of the consultation strongly favoured the proposal already contained in the draft UDF, i.e. to create a connected bicycle network via side streets in line with the adopted KMNP. Wording in the draft document has been amended to more clearly state this as the preferred approach.
- Speed limits: reduction of speed limits to 30 or 40kmh in the Kyneton town centre is Council's adopted policy under the KMNP, ranked #1 in terms of priority. Wording has been updated in the draft UDF to reflect this and provide flexibility. The KMNP also proposes a 40kmh speed zone for the area bounded by Piper/Mair, Victoria, Donnithorne/Bodkin and Wedge streets for 40kmh.

### ***Changes not supported***

The following is a selection of requested changes which were ultimately not supported:

- Building guidelines: wording in relation to the commercial / residential interface was not included so as not to duplicate or conflict with existing provisions in the Planning Scheme.

- Detailed design: suggestions for particular detailed design elements have not been included in the final draft document, as these are proposed to be resolved during the implementation phase.
- Expansion of the 'town square' footprint: The concept plan for this project remains limited to the Kyneton Mechanics Reserve and Baynton Street area – Council is not the owner or planning authority for the Old Kyneton Primary School site and cannot direct what happens on this land.

### **Consultation and engagement**

As noted above, consultation ran for four weeks in July and August 2024. A page was created on Council's dedicated online consultation platform, YourSay, which included the draft UDF for download as well as a map and supporting information on the project scope, background and opportunities for feedback. Hard copies of the draft UDF were provided on request.

### **Promotion and awareness**

Information about the project and opportunities to participate in the consultation were promoted via:

- Inclusion in June 2024 Council Meeting wrap-up media release on 27 June, posted to Council's website and circulated to media outlets.
- Posters were designed with QR codes and displayed on Council noticeboards as well as at a number of businesses within the study area.
- Mention in Council's monthly Mayor's video on 28 June 2024, posted to Council's website and shared on social media.
- Mentions in Council's regular fortnightly half-page advertisement in the Midland Express on 16 and 30 July 2024.
- Social media posts on 8, 15 and 21 July 2024 flagging the consultation, including 'walkshops' (see below).
- A banner was added to the home page of Council's website.
- Facebook and Instagram 'stories' on 9 and 26 July 2024 flagging the consultation.
- Direct emails to previous consultation participants, stakeholder groups, and relevant government departments/agencies.
- Posters and a hard copy of the draft UDF was displayed in the foyer of the Kyneton Administration Centre, and hard copies of the draft were displayed at the Kyneton Library.
- Following verbal advice that there was low awareness of the project among Piper Street businesses (compared to those on High and Mollison streets) officers visited Piper Street businesses directly in the final week of consultation to share information about the project.
- Two articles appeared in the Midland Express:
  - 16 July 2024, 'Have your say on urban Kyneton'
  - 29 July 2024, 'New plans for Kyneton?'

### **Consultation activities**

The community was able to participate in the consultation and provide feedback via the following means:

- Submissions were invited via a form on the YourSay page, as well as via email and post.
- Officers hosted two 'walkshop' walking tours on Saturday 20 and Thursday 25 July 2024 to discuss key issues affecting the study area as well as some of the key UDF projects.
- Seven drop-in days were held at the Kyneton Administration Centre for interested community members to speak to a project officer on Thursday 11 July, Wednesday 17 July, Monday 22 July, Tuesday 23 July, Monday 29 July, Tuesday 30 July and Thursday 1 August.
- Face to face meetings and telephone enquiries.

### **Participation and engagement**

Community engagement with the project during the consultation period was very positive, and included:

- 79 written submissions via YourSay and email (see summary and officer response at Attachment Two).
- The 'walkshops' were attended by 12 community members, plus several Councillors and staff.
- Eight people attended the drop-in sessions for general information and to ask questions about the project.
- Six face-to-face meetings.
- Three telephone enquiries.
- In terms of general awareness of the project:
  - The draft UDF document was downloaded 426 times.
  - The YourSay page was viewed 1,488 times.
  - Posts on Facebook, Instagram and X (formerly Twitter) reached approximately 15,000 users.

### **Duration of consultation**

As noted above, some consultation participants requested a significant extension of the consultation period by up to six months. However it is the officers' view that this is not necessary:

- The consultation process for the draft UDF has enabled a significant number of the community to be both informed and given the opportunity to provide feedback on the draft UDF. A significant number of those submissions are generally supportive of the draft UDF.
- The small number of issues that attracted the most community feedback were either already Council policy (speed limit reduction) or floated as an option for feedback only rather than the preferred approach nominated in the draft UDF (i.e. for bicycle routes via side streets). No other projects attracted strong opposition; rather the majority of submissions provided suggestions for changes, clarification or improvements to the projects included in the draft UDF.

- A range of other matters raised during consultation provided valuable feedback to the project (as is the intent of consultation) and have been incorporated into the final draft as outlined above and attached.
- Given the long period of time that has elapsed since the commencement of the project (and the abandoned 2008 UDF prior to that), it is desirable to see an adopted document sooner rather than later for the benefit of the town centre. This allows for progress on detailed design, having regard to funding opportunities such as grant programs and Council's budget process.
- In the view of officers, there is limited value in delaying the adoption of the draft UDF given the high-level, strategic nature of the document. Further consultation on the design of individual projects will provide more meaningful community engagement opportunities, including more direct input on the appearance, layout and features of new or upgraded public spaces, in particular the town square / KMI Reserve precinct.

### **Collaboration**

A number of the proposals contained in the draft UDF impact arterial roads managed by the Department of Transport and Planning (DTP) – High Street, Mollison Street and Piper Street are all state arterials. Officers have consulted with DTP's Transport Strategy team who have provided strong support for the active transport initiatives contained in the UDF and have indicated their willingness to undertake further collaboration on these projects as soon as practicable.

The Country Fire Authority also indicated their support for the draft UDF, contingent on consideration of fire risk in the design of any new landscaping, including plant selection.

### **Innovation and continuous improvement**

The UDF itself provides an important opportunity to deliver a more sustainable, more people-friendly town centre for Kyneton by updating the area for the current and future needs of the community, moving on from its previous role primarily as a highway and thoroughfare. The proposals within the draft UDF have been developed based on expert urban design advice and are intended to ensure the town centre continues to deliver for Kyneton's residents, businesses and visitors through future challenges and opportunities including township growth and climate change.

### **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. Characteristics including gender, mobility, age and socio-economic status all affect how people use public spaces. The principles underpinning contemporary urban design practice, and hence the draft UDF, are about making public spaces inviting, inclusive, and safe for all users. This means that they can be used by a wider range of people at different times of the day.

In relation to the proposals in the draft UDF, examples of likely benefits include:

- Upgraded pedestrian crossings create a safer environment for people on foot, including parents with prams and young children, people with reduced mobility (e.g. those using wheelchairs, walking frames, crutches etc.), and those without access to a car.
- Building design guidelines include the need for passive surveillance of public spaces and lines of sight between building interiors and the outside, increasing perceived safety in the public realm.

- Better lighting and pedestrian access through car parks make these spaces feel safer at all times of the day.
- Increased seating benefits the elderly, carers of young children and those with disabilities who may need more regular opportunities to stop and rest.

Earlier consultation revealed that many of the users identified above faced difficulties in accessing and moving around the town centre safely. The improvements identified in the draft UDF are therefore recommended as the preferred option compared to a ‘do nothing’ approach.

**Relevant regional, state and national plans and policies**

The UDF aligns to a number of regional and state plans, briefly:

- **Loddon Mallee South Regional Growth Plan** (Victorian State Government, 2014): Kyneton is noted as a regional peri-urban town with the capacity to accommodate some population growth, within a defined boundary, thanks to its established infrastructure. The report notes that “the town has a rich legacy of heritage buildings and streetscapes that need to be protected and enhanced” (p. 49).
- **Plan Melbourne 2017-2050** (Victorian State Government, 2017): Again notes Kyneton’s role as a peri-urban town with the capacity for population growth. Policy 7.1.2 states that “strategies need to be developed for the timely delivery of state and local infrastructure to support growth and protect their significant amenity... development... must also be in keeping local character, attractiveness and amenity” (p. 131).
- **Macedon Ranges Statement of Planning Policy** (Victorian State Government, 2019): Supports the declaration of Macedon Ranges as a distinctive area and landscape by providing a framework for the protection of the shire’s amenity, heritage and natural environment. The draft UDF supports a number of the Statement’s objectives and strategies, specifically:

<p><b>Objective 4:</b> To recognise, protect, conserve and enhance the declared area’s Aboriginal cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.</p>	<p>With Traditional Owners, acknowledge, protect, promote and interpret tangible and intangible Aboriginal cultural values, heritage and knowledge when planning and managing land use and development, water and other environmental resources.</p>
<p><b>Objective 5:</b> To recognise, conserve and enhance the declared area’s significant post-contact cultural heritage values.</p>	<p>Acknowledge, promote and interpret significant post-contact cultural heritage values in the planning, design, development and management of land uses, including infrastructure.</p>
<p><b>Objective 7:</b> To provide for a diverse and sustainable visitor economy compatible with the natural and cultural values of the area.</p>	<p>Protect the unique rural character of towns in the declared area.</p>
<p><b>Objective 8:</b> To plan and manage growth of settlements in the declared area consistent with protection of the area’s significant landscapes, protection</p>	<p>Encourage infill development that respects the townships’ character.</p>



of catchments, biodiversity, ecological and environmental values, and consistent with the unique character, role and function of each settlement.	Encourage a range of housing types within settlement boundaries to support a diverse range of housing needs.
<b>Objective 9:</b> To manage the provision of infrastructure consistent with protection of the area’s significant landscapes and protection of environmental values to support the social and economic needs of communities and increase resilience to climate change effects.	Maintain and enhance transport connections that provide links between and within regional communities and to major cities.  Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.
<b>Objective 10:</b> Respond to the challenges and threats of climate change and natural hazards with careful planning and mitigation strategies.	Support community and government planning for disaster preparedness and climate resilience.

**Relevant Council plans and policies**

As noted above, the Kyneton UDF was identified as a Council Plan action in 2019-20. This action was proposed as part of the implementation of Priority Area 3 – Improve the built environment, and specifically the following strategies:

- Foster township character and care for resources of historical significance.
- Advocate for better access to public transport.
- Increase walking and cycling connectivity.
- Improve access to our spaces and streetscapes.

In the Council Plan 2021-2031 (Year 3 Actions 2023/24), the UDF is included as an action to implement Strategic Objective 1. Connecting communities, and the strategic priority “Integrate land-use planning and revitalise and protect the identity and character of the shire”.

With respect to other Council strategies, the proposals contained within the draft UDF are intended (in part) to:

- Improve walking and cycling opportunities to support physical activity, reduce transport emissions and promote a more connected community
- Increase tree canopy within the township to shade and cool the township environment, improve pedestrian amenity and support biodiversity and sustainability (see also ‘Sustainability implications’ below)
- Support the development of diverse housing opportunities
- Support universal access through safer footpaths, better parking infrastructure and increased seating.

In this way the draft UDF directly supports and helps to implement the following Council plans and policies:

- **Disability Action Plan 2023/24:**
  - Area 4: Access to buildings and places

- **Municipal Public Health and Wellbeing Plan 2021-2025** – Strategic objectives:
  - Create supportive environments for physical activity
  - Enable affordable, secure, safe and appropriate housing
  - Work with the community to reduce greenhouse gas emissions and adapt to the changing climate
  - Establish a local environment which is resilient to the changing climate
- **‘Participate’ Positive Ageing Plan 2020-2025** – Strategies:
  - 3.2: Deliver improvements that support older people to move around safely and easily
  - 3.4: Actively seek and respond to the needs of people of all ages and abilities in planning processes
- **‘Create’ Municipal Early Years Plan 2021-25** – Priority areas:
  - Children are socially connected and active
  - Children’s needs are recognised in infrastructure and the built environment
  - Children are respected and valued in their community
- **2023-2032 Mobility and Road Safety Strategy** – Strategic themes:
  - 2: Improving safety and mobility in and around towns
  - 3: Implementing movement and place
  - 4: Improving road user preference
- **Kyneton Movement Network Plan 2024**

#### Climate Impact Assessment

How will the recommendation impact on Council’s energy usage and greenhouse emissions profile?

The draft UDF is anticipated to have a negligible impact on Council’s energy usage and greenhouse emissions profile. A small number of projects may call for improved lighting for public spaces – energy efficiency should be included as a consideration in the selection of any lighting fixtures to be installed.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

The draft UDF does not have any foreseeable impact on the climate change risk profile of Council operations.

How will the recommendation help to prepare the community for future climate scenarios?

The draft UDF is expected to support community resilience to climate change and has been written in part with this goal. Initiatives contained in the draft UDF include support for sustainable transport modes, increased tree cover for the town centre (with associated benefits for urban cooling and pedestrian amenity), and support for installation/reinstatement of awnings and verandahs to provide shade and shelter for people using the main streets of the township.

**Financial viability**

The draft UDF, if adopted, will have implications for Council's future infrastructure planning and delivery processes, capital works budgets, and asset management. The draft UDF proposes a range of much-needed streetscape upgrades across the entirety of the study area to support both existing and future populations – Macedon Ranges has not previously delivered a project like this in any of its townships.

It is anticipated that the projects included in the draft UDF would require a mix of both Council and grant funding from state and/or federal budgets, as well as a coordinated approach to implementation (including planning and delivery) across Council departments, with targeted consultation with affected community stakeholders at each stage.

**Sustainability implications**

By supporting sustainable transport and increased tree cover in Kyneton's main streets, the draft UDF directly supports and helps to implement Council's Climate Emergency Plan 2023-2030, specifically the following actions:

- CRC13 – Urban cooling
- PFF8 – Uptake and engagement in active transport
- NN3 – Future-proof plantings

**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.

<b>PE.3</b>	<b>DP/2024/1 - 120 AND 122 SAUNDERS ROAD, NEW GISBORNE</b>
<b>Application Details:</b>	<b>APPROVAL OF A DEVELOPMENT PLAN UNDER DPO2</b>
<b>Officer:</b>	<b>Jack Wiltshire, Strategic Planner</b>
<b>Council Plan relationship:</b>	<b>3. Improve the built environment</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li><b>Cr Report - Attachment 1 - DP/2024/1 - Development Plan - 122 Saunders Road, New Gisborne Development Plan</b> <a href="#">↓</a></li> <li><b>Cr Report - Attachment 2 - DP/2024/1 - SOPP Checklist - 122 Saunders Road, New Gisborne Development Plan</b> <a href="#">↓</a></li> </ol>
Triggers for a planning permit	Consideration of a development plan under the Development Plan Overlay Schedule 2
Zones and Overlays	Low Density Residential Zone (LDRZ) Design and Development Overlay Schedule 4 (DDO4) Development Plan Overlay Schedule 2 (DPO2) Development Contributions Plan Overlay Schedule 2 (DPO2)
No. of objectors	n/a
Trigger for report to <b>Council</b>	Approval of a development plan
Key Considerations	Is the development plan is generally in accordance with the requirements of the DPO2
Conclusion	Approve development plan
Date of receipt of application:	27 June 2024

### Summary

The application is for a development plan (DP) for land known as 120 and 122 Saunders Road New Gisborne (DP/2024/1).

The land is zoned Low Density Residential Zone (LDRZ) with a Design and Development Overlay – Schedule 4 (DDO4), Development Plan Overlay – Schedule 2 (DPO2) and Development Contributions Plan Overlay – Schedule 2 (DCPO2)

A planning permit application PLN/2024/140 has also been submitted for a two-lot subdivision, but a permit cannot be granted before a development plan has been prepared to the satisfaction of the responsible authority.

The development plan application, DP/2024/1 is provided at Attachment One. The planning permit application, PLN/2024/140 is to be assessed under officer delegation.

The application has not been placed on informal notice due to the nature of the proposal and minor nature of the subdivision. There is no statutory requirement for any notice to be undertaken for the approval of a development plan in this instance.

Key issues to be considered relate to the appropriateness of lot sizes, traffic considerations, subdivision layout, response to the Macedon Ranges Statement of Planning Policy, landscape considerations and neighbourhood character. No objection has been raised by internal referrals or by the Department of Transport of Planning.

## Recommendation

**That Council approves the Development Plan prepared by JR Edwards Land Surveyors covering the land at 120 and 122 Saunders Road, New Gisborne (3/PS342135S, P/Gisborne), prepared for the purposes of Clause 43.04 Schedule 2 of the Macedon Ranges Planning Scheme.**

## Existing conditions and relevant history

### Subject land

The subject land comprises one parcel of land in New Gisborne:

- 120 and 122 Saunders Road, New Gisborne (3/PS342135S, P/Gisborne)

Both dwellings are currently separately rated as 120 Saunders Road and 122 Saunders Road.

The site comprises an area of approximately 1.356ha bound by Saunders Road to the north. The site has a frontage of 105.5m and a depth of 127.8m. A 5m wide drainage easement is located along the southern boundary. A crossover for the site exists directly onto Saunders Road.

The site is generally flat and has two dwellings located on the site. Each dwelling has a separate internal driveway and outbuildings and other household items such as individual septic tanks. The site generally has boundary tree plantings along most boundaries and between the dwellings themselves. This includes both native and exotic varieties. The site already reads as two separate dwellings from the street.

There are no waterways or waterbodies located on the subject site.

The land falls generally to the south-east.

### Surrounds

The land surrounding the site comprises:

- Lots to the south of Saunders Road adjacent to the site are larger residential lots ranging in size upwards of 6000m<sup>2</sup> to up around 1ha. Lots west of Monaghan Road are generally larger in size than lots to its west. Dwellings are single storey with generous setbacks and allowing for larger tree plantings in front setbacks. Outbuildings tend to be behind dwellings and well screened.
- Land north of Saunders Road comprises land zoned Rural Living Zone Schedule 5 and range in size between 4ha and 12ha. These lots are generally developed with single dwellings but feature a predominantly more agricultural character with large setbacks with established farm paddocks used for low intensity animal husbandry or horse keeping. Planted windrows and large trees also feature.
- Magnet Hill is located approximately 640m to the west of the site.
- The site is approximately 1.5km south-east to the New Gisborne train station, 540m south-east to the New Gisborne Business Park and 1.8km north-east of the intersection of Aitken Street and Robertson Street in central Gisborne.

### Registered restrictive covenants and/or Section 173 Agreements affecting the site

No restrictions are currently listed on the titles to the land.

A 5m wide drainage easement is located on the southern boundary of the lot.

Previous planning permit history

A search of Council's records has found the following permit history:

<b>Permit No.</b>	<b>Description</b>
PLN/2000/829	Approval of a second dwelling on the subject site.
PLN/2024/140	Two lot subdivision

**Proposal**

The proposal is seeking approval of a development plan (DP/2024/1) under DPO2.

Under the Development Plan Overlay, a permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

The development plan proposes a two-lot subdivision comprising:

- Lot 1 – land area: 6139m<sup>2</sup>.
- Lot 2 – land area: 7440m<sup>2</sup>.

The development plan is required as no development plan has been approved for the subject land since the new format planning scheme was gazetted in 2000. Site specific development plan approvals have occurred previously under DPO2 at 176 Saunders Road, Gisborne.

The subdivision would essentially split each dwelling to a respective standalone lot with the applicable services such as septic tanks located on each lot.

No vegetation removal is required or proposed.

Council is required to refuse to grant a permit for subdivision in the absence of an approved Development Plan. Therefore, the planning permit is waiting on the resolution of DP/2024/1.

**Relevant Macedon Ranges Planning Scheme controls**

Section 46AZK of the Planning and Environment Act 1987

Section 46AZK of the Planning and Environment Act 1987 and Clause 51.07 of the Macedon Ranges Planning Scheme require Council as a Responsible Public Entity to not act inconsistently with any provision of the Statement of Planning Policy (SOPP) in exercising decision making powers. Attachment Two contains the officer assessment against the SOPP.

Planning Policy Framework

<b>Clause no.</b>	<b>Clause name</b>
2.03-1	Settlement
2.03-2	Environmental and Landscape Values
2.03-5	Built Environment and Heritage
2.03-6	Housing
2.04	Strategic Framework Plan
11.01-1S	Settlement
11.01-1L	Settlement – Gisborne
11.03-3S	Peri-Urban Areas

12.05-2L	Landscapes – Macedon Ranges
13.02-1S	Bushfire Planning
15.01-1S	Urban Design
15.01-1L	Urban Design – Macedon Ranges
15.01-2S	Building Design
15.01-5S	Neighbourhood Character
15.01-5L	Neighbourhood Character – Macedon Ranges Townships (Gisborne)
16.01-1S	Housing Supply
16.01-1L	Housing Supply – Macedon Ranges
19.03-1S	Development and Infrastructure Contributions Plans
19.03-3S	Integrated Water Management

Zoning

<b>Clause no.</b>	<b>Clause name</b>
32.03	Low Density Residential Zone

Overlay

<b>Clause no.</b>	<b>Clause name</b>
43.02	Design and Development Overlay Schedule 4
43.04	Development Plan Overlay Schedule 2
45.06	Development Contributions Plan Overlay Schedule 2

Particular provisions

<b>Clause no.</b>	<b>Clause name</b>
51.07	Macedon Ranges Statement of Planning Policy
53.01	Public Open Space Contributions
53.18	Stormwater Management in Urban Development
56	Residential Subdivisions

General provisions

<b>Clause no.</b>	<b>Clause name</b>
65	Decision Guidelines
66	Referral and Notice Provisions

**Cultural Heritage Management Plan assessment**

	<b>Assessment criteria</b>	<b>Assessment response</b>
1	Is the subject property within an area of cultural heritage sensitivity as defined within the cultural heritage sensitivity mapping or as defined in Part 2 Division	Yes

	Assessment criteria	Assessment response
	3 or 4 of the <i>Aboriginal Heritage Regulations 2018</i> ?	
2	Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	No
3	Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?	No
4	Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	No

While the site is partly within an area of cultural heritage sensitivity, the approval of a development plan does not trigger any mandatory requirement for a Cultural Heritage Management Plan

Based on the above assessment, a cultural heritage management plan is not required in accordance with Part 2 Division 1 of *Aboriginal Heritage Regulations 2018*.

A Cultural Heritage Management Plan has not been submitted.

**The process to date**

- A planning permit PLN/2024/140 was submitted to the Macedon Ranges Shire Council on 24 April 2024.
- A request for further information was sent by the Macedon Ranges Shire Council on 30 May 2024 which in part required that a development plan is submitted for the subject land as one has not been approved prior to the application being made.
- This development plan application was lodged with the Macedon Ranges Shire Council on 27 June 2024.

Referral

Authority (Section 55)	Response
Department of Transport and Planning (determining)	No objection.

Internal Referral	Response
MRSC Engineering Unit	No objection.
MRSC Environmental Health Unit	No objection subject to a notation being added.

Advertising

DPO2 does not specify a requirement for public notice of the development plan. Notice has not occurred for adjoining and surrounding landholders and occupiers. The development was not informally advertised due to the relatively straightforward nature of the proposal which facilitates a subdivision of two existing dwellings. It is considered the amenity impact from these changes would be minimal.



**Officer assessment**

The Municipal Planning Strategy sets out the overarching strategic directions for the Macedon Ranges Shire. Those of particular relevance are summarised below.

Clause 2.03-1 – Settlement establishes a hierarchy of settlements to appropriately direct and accommodate growth in the Shire. Gisborne is identified as a regional centre and the largest settlement in the Shire (along with Kyneton). It is specifically sought to focus growth in the regional centres with the existing town centre boundaries.

The relevant strategic directions for Gisborne (and New Gisborne) are to:

- Manage urban growth and development in a co-ordinated and environmentally sustainable manner that respects the established semi-rural village character, natural setting, topography and view lines of the area.
- Ensure development occurs in a sequential manner allowing for the efficient and timely provision of social and physical infrastructure, and integration with existing development.

Clause 2.03-2 – Significant Environments and Landscapes identifies that the landscape character of the Shire is also defined by heritage gardens and treed avenues within townships and seeks to protect these components of the landscape.

Clause 2.03-5 - Built Environment and Heritage seeks ‘to protect and enhance the distinctive character and form of the Shire’s towns’. It is recognised that there is a need to provide greater housing diversity and choice close to town services is recognised. It is also policy to encourage subdivision in residential zones that responds positively to site features, integrates well with the neighbourhood, provides a functional environment and achieves energy efficient and environmentally sensitive layouts.

Clause 2.03-6 – Housing encourages the provision of diverse and affordable housing in settlements that have capacity for growth such as Gisborne. Housing is to accommodate all age groups, household types, income levels, lifestyles and preference. It is highlighted that careful management is needed to ensure development aligns with preferred character objectives for the particular area.

Clauses 11.01-1S – Settlement seeks to facilitate sustainable growth and development in Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

The local context is provided at Clause 11.01-1L – Settlement – Gisborne. This policy seeks to maintain Gisborne as a distinctive semi-rural settlement and contain urban development within the defined township boundary as per the Gisborne/New Gisborne Framework Plan. The Gisborne/New Gisborne Framework Plan locates the site within the township boundary and in an area where medium density housing is specifically encouraged.

11.02-1S – Supply of Urban Land seek to facilitate sustainable development patterns that take full advantage of existing settlement patterns. The following objectives are relevant to this consideration:

- Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, Gisborne, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.
- Limit urban sprawl and direct growth into existing settlements.
- Promote and capitalise on opportunities for urban renewal and infill redevelopment.

- Ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
- Planning for urban growth should consider:
  - Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
  - Neighbourhood character and landscape considerations

Clause 11.03-3S – Peri-Urban Areas and 11.03-3L – Peri Urban Area – Gisborne (New Gisborne) seeks to manage “growth in peri-urban areas to protect and enhance their identified valued attributes”. Gisborne is identified as an established settlement that has potential for growth, and growth is to be accommodated in designated areas to avoid settlement sprawl. Any development within Gisborne is directed to “respect the existing townships’ semi-rural character, heritage streetscapes, topography, view lines to the Macedon Ranges and significant natural environmental assets”

Clause 12.05-2L – Landscapes – Macedon Ranges seeks to “preserve significant exotic and native vegetation as a fundamental component of the shire’s character and landscape.”

Clause 13.02-1S – Bushfire Planning seeks to “To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life”.

Clause 15.01-1S – Urban Design broadly emphasises the importance of creating quality environments that contribute positively to the local urban character and sense of place, and reflect the particular characteristics, aspirations and cultural identity of the community. Clause 15.01-1L – Urban Design – Macedon Ranges more specifically seeks to:

- Ensure that development in townships respond to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density.
- Design development to provide for passive surveillance of public spaces.
- Retain mature vegetation and incorporate landscaping that integrates with the landscape character of the area and increases tree canopy coverage across townships.
- Encourage the use of landscaping in development including native vegetation.

Clause 15.01-5S - Neighbourhood Character seeks “to recognise and protect cultural identity, neighbourhood character and sense of place.” This policy seeks to provide a good quality urban environment and encourages adherence to good urban design principles in designing new development. Neighbourhood character policy specific to Gisborne at Clause 15.05-1L seeks to:

- To maintain and improve key urban and landscape elements, and heritage assets that contribute to the established semi-rural township and village character of Gisborne and New Gisborne.
- Ensure that development responds to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density, particularly within established township areas and areas of landscape sensitivity.
- Ensure urban development is of a low profile and compatible with the landscape qualities of the area.

Further conventional development in Gisborne is described as between 500-1500 square metres with an average size not less than 800 square metres in any new subdivision.

Clause 16.01-1S – Housing Supply promotes a housing market that meets community needs. Clause 16.01-1L – Housing Supply Gisborne provides the local context and directs planning to:

- Encourage, in appropriate locations, medium density housing within 400 metres walking distance of the Gisborne town centre as designated on Gisborne/New Gisborne Framework Plan.
- Support medium density development where slope and access to services are favourable and development design is compatible with established landscape and township character, and places of heritage significance.

The objective of Clause 19.03-1S – Development and Infrastructure Plans is “to facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.” This is more definitively captured under the DCPO that applies to the site responded to below.

Clause 19.03-3S – Integrated Water Management seeks “to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.”

#### Officer Review

The broader strategic policies are supportive of infill subdivision within this area of Gisborne. The development plan would facilitate subdivision of two existing dwellings within the Gisborne township.

The site has access to shopping facilities, education and community facilities, public transport and public open space, as well as close road connections to the Calder Freeway.

The subdivision of 2 lots is aligned with the projected growth of the township as per the policies related to settlement. The proposal is largely benign from a character perspective given the existing dwellings but permit the sale or disposal of one or both of the sites. Both lots would contain building envelopes and largely avoid existing vegetation. This would further protect the character of the area if either site was to be redeveloped.

Overall, the proposal offers an opportunity to capitalise on an infill residential site while in keeping with the establishing character of the residential areas south of Saunders Road. The proposal will also ensure adequate services so as to not cause amenity impacts on adjoining properties.

The character along Saunders Road would largely not change and the rhythm and spacing of dwellings on the approach to Gisborne would remain the same. The large tree plantings and setbacks would not be impacted by the outcomes proposed in the development plan.

It is considered bushfire risk is not altered as a result of the development plan. Both dwellings would have individual areas to prepare defendable space despite clause 13.02-1S not directly specifying this is a requirement of the future two lot subdivision.

#### Low Density Residential Zone (LDRZ)

The Development Plan area is located within the LDRZ. The objectives of the LDRZ seeks implement the Municipal Planning Strategy and the Planning Policy Framework. The aim of the LDRZ is to provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

The subject site is not connected to reticulated sewerage. The site is already developed with two dwellings which each have an existing septic system approved by Council. A requirement was placed on the development plan so that both septic systems are upgraded to the satisfaction of the MRSC Environmental Health Unit prior to the issue of Statement of Compliance. The planning permit will therefore require this if the development plan is approved.

The LDRZ schedule requires all land in the Low Density Residential Zone between Saunders Road and Kilmore Road, New Gisborne are at least 6000m<sup>2</sup> in area. The proposed lot sizes are in keeping with this requirement. The lot sizes would both be within a consistent size in consideration of adjoining lots and the setbacks provided. Large areas are available for landscaping but there are already substantial tree plantings on each proposed lot.

Overall, it is considered the proposed Development Plan will allow for adequate treatment of effluent, provides suitable lot sizes and meets the objectives of the LDRZ and can be supported.

#### Design and Development Overlay Schedule 4 (DDO4)

The Development Plan is located on land covered by the DDO4. DDO4 seeks to ensure that the location and design of buildings creates an attractive low-density residential environment.

The DDO4 seeks to ensure that any development has regard to the existing character of the area, which is characterised by low-density residential lots with buildings set well back from the road frontage. It also notes that significant views to the Macedon Ranges are available in the area. It notes that development should be in accordance with the DPO2.

The proposed subdivision is deemed in accordance with the outcomes sought in the provisions of the DDO4. It is noted there are no subdivision requirements specified in the schedule. However, both lots would contain suitable building envelopes which is a permit trigger requirement under buildings and works. The existing dwellings within their respective building envelope on the development plan would also be at least 20m setback from Saunders Road. The DDO4 would in future also control building height, materials and finishes and outbuilding location through permit triggers.

Overall, it is considered the proposed development is in accordance with the provisions of the DDO4 and that the future subdivision will be in keeping with the low-density residential lots and built character of the local area.

#### Development Plan Overlay Schedule 2 (DPO2)

The proposal is for the consideration of a development plan under DPO2. The schedule to DPO2 does not outline any set of objectives or principles. It outlines a number of requirements for a development plan which includes:

- The location, dimension and areas of all lots.
- The minimum lot size for all residential lots in accordance with the 'New Gisborne along Kilmore Road' Concept Plan.
- A building envelope and location of effluent disposal areas for each lot.
- The location of existing and proposed roads, bicycle paths and pedestrian routes.
- The location of existing and proposed open space including open space linkages.
- The location of existing and proposed landscaping.
- The location of existing habitat values and heritage places.

- The location of major infrastructure services and drainage lines.
- The location of existing and proposed community facilities.
- The staging of development.

DPO2 provides guidance for subdivision and provides additional consideration through the 'New Gisborne along Kilmore Road' Concept Plan (concept plan). The concept plan shows the subject site being a single lot with a service road access off Saunders Road.

The subject site was originally part of the land parcel that contained part of the wider estate developed as part of Saunders Road.

When the second dwelling was approved on the subject site, there was no requirement for a service road.

Both the MRSC Engineering Unit and Department of Transport and Planning have accepted the existing crossover rather than requiring a new service road to service the two lots. The crossing which is not directly in accordance with the DPO2 is acceptable in this instance given it largely retains the status quo and there are no concerns raised by the applicable road authority.

The proposal differs from the concept plan as the subject site would add an additional lot on Saunders Road. There is no strict requirement on sizing of lots or location however other than a requirement that the overall number of lots does not exceed 70 overall. There are 64 allotments currently under the area covered by the Concept Plan including the lots approved under DP/2022/1 at 176 Saunders Road, New Gisborne. A review of the surrounding area confirms there has been no approved recent subdivisions which would result in the number of total lots exceeding 70 allotments if the subject subdivision under the development plan was to occur. It would also leave an allowance for at least a two-lot subdivision at 192 Saunders Road which is the only lot within Saunders Road not to have subdivided to date.

All lots are proposed with a suitable lot size of over 6000m<sup>2</sup> and will have a building envelope which will reflect the existing buildings and works areas. This is reflective of the surrounding subdivision pattern and will provide suitable spacing for additional landscaping, outbuildings and other related works if they occur in the future.

There is no vegetation removal proposed.

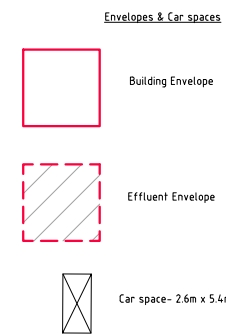
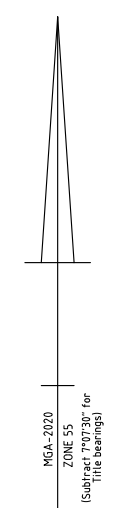
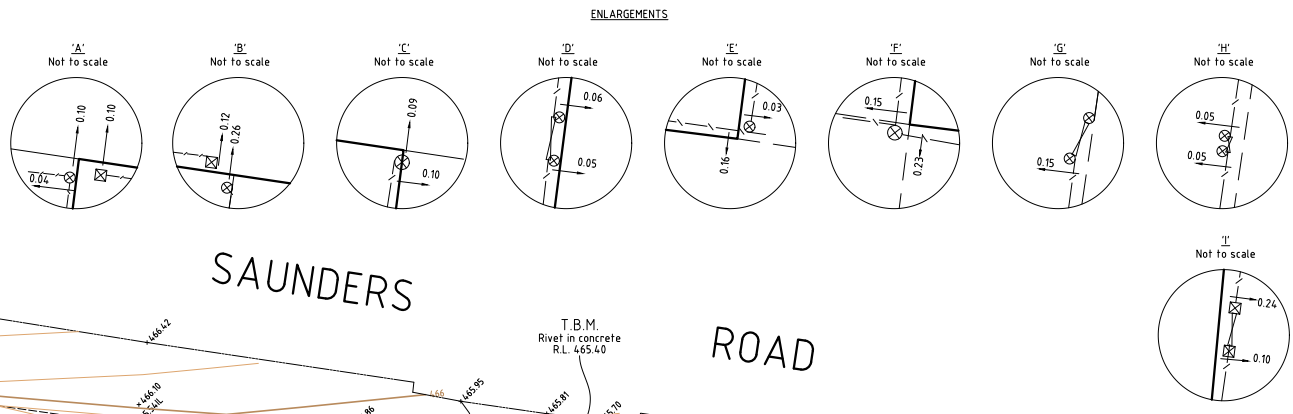
The location and size of wastewater disposal areas has been considered through the land capability assessment. Building envelopes which will ensure any future development does not impede on effluent disposal areas. Any drainage will meet the relevant standards related to waterways and dam locations, property boundaries and buildings. Stormwater drainage, if required, will be resolved through the issue of relevant subdivision permits and certification.

Overall, it is considered the proposed subdivision is generally in accordance with the objectives and requirements of the DPO2.

#### **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.

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**CONTENTS**

**DEVELOPMENT PLAN**

**PROJECT**  
 120-122 Saunders Road,  
 New Gisborne, 3438.

I, David Sidley of 59 Fletcher Street, Essendon, VIC, 3040 certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the Surveying Act 2004, and completed on 5/4/2024, that this plan is accurate and correctly represents the adopted boundaries and that the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.

David Sidley  
 Date: 24/6/2024  
 Licensed Surveyor, Surveying Act 2004

**TITLE** Lot 3 PS 3421355  
 Vol.10265 Fol.740

**SCALE** 1:300 @ A1

**DATE** 24/6/2024

**REF. No.** 17613 v2

**CONTOUR INT.** 0.25m

**LEGEND**

10.00 SPOT HEIGHT	W-15 HEAD RAIL WINDOW - HABITABLE	↑ TBM
10.00IL INVERT OF KERB	10.00TC TOP OF CHIMNEY	↑ EVERGREEN TREE
10.00TK TOP OF KERB	⊗ ELECTRICAL POLE WITH LIGHT	↑ PINE TREE
10.00TW TOP OF WALL	⊗ GAS METER	↑ GUM TREE
10.00R RIDGE	⊗ WATER METER	↑ DECIDUOUS TREE
10.00FL FLOOR LEVEL	⊗ SEWER VENT/ACCESS POINT	⊗ UNCLASSIFIED PIT/VALVE
10.00US UNDERSIDE OF GUTTER	⊗ SEWER PIT	⊗ SIDE ENTRY PIT
NHW NON-HABITABLE WINDOW	⊗ ELECTRICAL PIT	⊗ RIDGE/EAVES LINE
D DOOR	⊗ GAS PIT/VALVE	⊗ ELECTRICAL POLE
GD GARAGE DOOR	⊗ FIRE HYDRANT/PLUG	⊗ WATER STOP VALVE
		⊗ COMMUNICATIONS OVERHEAD WIRE

**EASEMENTS** E-1 Drainage easement 5m wide.

**NOTATIONS** The position of occupation, buildings and structures along the Title Boundary shown on enlargements on this plan has been exaggerated for clarification purposes. The relationship is defined by arrow offsets.

The subject property is shown by continuous thick black lines. Prior to design, planning, demolition, excavation or construction on the site shown, the relevant authorities should be contacted for locations of all underground services.

The existing septic tank system on both lots are to be upgraded/alterd to the satisfaction of the Environmental Health Officer prior to the approval of the Statement of Compliance.

Consistency of the proposal with the Statement of Planning Policy (SOPP): Approval of a development plan under DPO2.

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
1	To ensure the declared area's natural and cultural landscapes are conserved and enhanced.		✓			The proposal is located within an existing township and will not adversely impact on the wider significance of the area.
		Manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced.	✓			Land use will not change from current use.
		Encourage retention of native vegetation and revegetation that contributes to significant landscapes, particularly on escarpments and ridgelines and along riparian areas.	✓			No native vegetation will be removed.
		Manage development around significant landscapes of visual, scientific or education value, including along ridgelines and at vantage points.	✓			The development would not change the physical landscape as it is to facilitate a subdivision. No nearby landscapes would be impacted by the proposal.
		Manage development and infrastructure provision to ensure sequences of views from key road and rail corridors are maintained for current and future users.	✓			The subdivision is well setback from the Calder Freeway and will not impact on views.
2	To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced				N/A	This area of New Gisborne Township is not considered an area of significance.
		Conserve and enhance high-value native vegetation and biodiversity and their ecological integrity by undertaking responsible environmental management, planning, procedures and practices.			N/A	
		Utilise appropriate historical ecological knowledge and practices from Traditional custodians of the land in the management of biodiversity and ecological and environmental values.			N/A	
		Encourage ecological restoration works in areas of identified state, regional and locally significant biodiversity value			N/A	
		Establish and improve bio links to connect high-value ecological areas, including areas along waterways and areas within and between towns.			N/A	
		Minimise the effects of weeds and pest animals on biodiversity values by establishing and			N/A	

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		implementing best practice land management plans.				
3.	To prioritise the conservation and use of the declared area's water catchments to ensure a sustainable local, regional and state water supply, and healthy environment.				N/A	The area is not located within a declared water catchment.
		Protect water quality and natural systems by discouraging development that contributes to the degradation of water quality and quantity.			N/A	
		Manage land use and development, including dams, in Declared Water Supply Catchments to retain and improve water quality and improve yield to support regional water needs and to increase system-wide capacity to Respond to demand.			N/A	
		Reinforce the role of waterways as biodiversity Linkages and as corridors for native plants and animals.			N/A	
		Ensure water supply and land use planning policies are integrated, to realise efficiencies in regional catchment management and best practice, water-sensitive urban design.			N/A	
		Address the expected impacts of climate change, including changes in the duration and frequency of rainfall events and changes in the intensity and frequency of bushfire events.			N/A	
		Review and improve regulation and monitoring of groundwater licences and surface water diversions.			N/A	
4.	To recognise, protect, conserve and enhance the declared area's Aboriginal cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.		✓			The area is not located within an area of cultural sensitivity.
		With Traditional Owners, identify, protect, conserve and enhance sites, landscapes and views of Aboriginal cultural significance, consistent with the Aboriginal Heritage Act 2006 and Cultural Heritage Management Plans.	✓			The proposal complies with the requirements of the Aboriginal Heritage Act 2006. No CHMP is required.



Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		With Traditional Owners, acknowledge, protect, promote and interpret tangible and intangible Aboriginal cultural values, heritage and knowledge when planning and managing land use and development, water and other environmental resources.			N/A	
5.	To recognise, conserve and enhance the declared area's significant post-contact cultural heritage values.				N/A	The area is not an area with significant post-contact cultural heritage values nearby on the site that could be impacted. The subdivision does not alter the physical area's appearance.
		Conserve and enhance the character of state and/or nationally significant post-contact cultural heritage values (including aesthetic, historic, scientific, social and spiritual values) in the declared area's heritage places, precincts and landscapes, including sequences of views along main road and rail routes.			N/A	
		Acknowledge, promote and interpret significant post-contact cultural heritage values in the planning, design, development and management of land uses, including infrastructure.			N/A	
6.	To support and encourage agricultural land uses that strengthen the declared area's economy and contribute to the rural landscape.				N/A	The site is not an agricultural area and is zoned for residential purposes.
		Encourage the use of rural-zoned land for agricultural purposes and encourage the use of high-quality soils for soil-based agriculture.			N/A	
		Encourage and support innovations in agricultural practices (such as sustainable farming, water reuse, technologies to enable farming to adapt and respond to emerging and niche markets).			N/A	
		Support agricultural practices that improve soil health and respond to and encourage adaptation to climate change.			N/A	
		Encourage measures to ensure agricultural practices protect and enhance soil quality, water quality, biodiversity and native plants and animals.			N/A	
		Manage the effects of rural land use and development on important environmental and cultural values.			N/A	

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Restrict the supply of rural-living-zoned land to conserve and protect agricultural practices.			N/A	
		Protect strategic extractive resource areas and existing quarry operations from encroachment from inappropriate development.			N/A	
		Proposals to establish an extractive industry must adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	
7.	To provide for a diverse and sustainable visitor economy compatible with the natural and cultural values of the area.		✓			The proposal will not impact on the local economy as it only provides for subdivision of two existing dwellings.
		Support and facilitate sustainable and responsible tourism and recreation-related land uses and developments (such as agritourism) in keeping with the declared area's significant landscapes, environmental and cultural values.			N/A	
		Facilitate tourism-related land use and development that encourages people to recognise and understand Aboriginal and post-contact cultural heritage.			N/A	
		Ensure the conservation and enhancement of Declared Water Supply Catchment Areas of regional or state significance in the planning of tourism and recreational land uses.			N/A	
		Protect the unique rural character of towns in the declared area.	✓			The proposed subdivision will not impact on the rural interface of the New Gisborne Township. The dwellings are existing and the subdivision will facilitate the subdivision of these two properties. Setbacks will not change as a result of this.
8.	To plan and manage growth of settlements in the declared area consistent with protection of the area's significant landscapes, protection of catchments, biodiversity, ecological and environmental values, and consistent with the unique character, role and function of each settlement.		✓			

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Direct urban development to a hierarchy of settlements identified for growth, through clearly defining long-term settlement boundaries.	✓			The proposal would be considered an infill subdivision in compliance with the PPF, LPPF and zoning.
		Direct rural residential development to rural-living-zoned land as provided for in the Macedon Ranges Council's rural living strategy, In the Rural Living Zone – Strategic Direction (2015).			N/A	This is not a rural residential subdivision.
		Encourage infill development that respects the townships' character.	✓			The proposed building envelope is consistent with the character to the south of Saunders Road.
		Limit the expansion of settlements in high risk locations, actively reducing the risks associated with natural hazards.	✓			There is no change to the bushfire risk given both dwellings are existing and surrounding environments have not changed.
		Encourage a range of housing types within settlement boundaries to support a diverse range of housing needs.	✓			The proposal will allow an additional low density residential housing opportunity.
		Encourage provision of an adequate supply of well-serviced employment land within settlement boundaries to support local and regional jobs and services.			N/A	
		Encourage the use of voluntary Cultural Heritage Management Plans.		X		No voluntary CHMP has been required.
9.	To manage the provision of infrastructure consistent with protection of the area's significant landscapes and protection of environmental values to support the social and economic needs of communities and increase resilience to climate change effects.		✓			
		Provide timely infrastructure and services to meet community needs in sequence with development.	✓			The site can be fully serviced excluding sewerage which will be provided or maintained onsite to the satisfaction of the MRSC Environmental Health Unit.
		Maintain and enhance transport connections that provide links between and within regional communities and to major cities.	✓			The subdivision will not impact on existing transport connections or impact on links. The road crossing will be managed to the satisfaction of the Department of Transport and Planning and MRSC Engineering Unit.

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.			N/A	
		Maintain view lines of state-significant landscape features from the main road and rail transport corridors.			N/A	
		Ensure the future operation and development of major transport linkages and rail corridors and upgrading and improved management of freight routes are considered when managing the growth of settlements.	✓			The subdivision is not considered to be a risk to the operation and development of major transport links.
		Ensure equitable access to community infrastructure.	✓			The facility will have good access to local community infrastructure. No infrastructure is required to facilitate the subdivision.
		Encourage the use of active and public transport by planning infrastructure and facilities in accessible locations, and improve walking and cycling routes.	✓			The area does not have established pedestrian linkages but Saunders Road can be used for cycling purposes.
<b>10.</b>	<b>Respond to the challenges and threats of climate change and natural hazards with careful planning and mitigation strategies.</b>		✓			
		Support community and government planning for disaster preparedness and climate resilience.			N/A	
		Manage bushfire risks while also retaining valued biodiversity and landscape character.	✓			The proposed subdivision is considered to be in a located to avoid serious bushfire risk and does not increase the risk given both dwellings are already constructed.
		Plan for more renewable energy generation and distribution.	✓			The site will have good solar access for dwellings to be able to use renewable solar energy.
		Ensure proposals to establish renewable energy facilities adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	
		Ensure planning for future use and development of land prone to flooding minimises the consequences of inundation.			N/A	There are no identified flood risks for the subject site on current mapping.

<b>PE.4</b>	<b>ANNUAL ENVIRONMENT REPORT 2023-2024</b>
<b>Officer:</b>	<b>Tania MacLeod, Coordinator Environment</b>
<b>Council Plan relationship:</b>	<b>2. Healthy environment, healthy people</b>
<b>Attachments:</b>	<b>Annual Environment Report 2023-2024 (under separate cover)</b>

### Summary

Progress on the implementation of Council's Environment Strategy is required to be reported on annually through Council's Annual Environment Report. This document also includes progress under the Counting Down to Zero plan for Council operations.

### Recommendation

**That Council notes the Annual Environment Report 2023-2024.**

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### Background

Council adopted its first Environment Strategy in June 2016, which provided an umbrella policy framework for its work in environmental management. An annual environment report has been produced since to track progress towards achieving the listed actions.

A refreshed version of the Environment Strategy was adopted in October 2021 that outlines future directions and actions across the themes: Climate Emergency, Biodiversity, Water and Waste.

The Annual Environment Report documents the activities and indicators against the Environment Strategy 2021 and progress towards achieving zero net emissions from Council operations by 2030. It also summarises the progress of the implementation of the Biodiversity Strategy 2018, Roadside Conservation Management Plan 2021 and various management plans for Council managed reserves. The Environment Strategy is next due for review in 2026.

### Discussion

#### Counting Down to Zero

One of the key changes that is highlighted in the Annual Environment Report 2023-2024 is the significant increase in the baseline emissions from Council operations that was established in Council's Counting Down to Zero plan. The June 2022 baseline for emissions from Council operations was set at 3,260 tonnes CO<sub>2</sub>-e per year or as retrospectively amended to account for additional indirect sources of greenhouse gas emissions.

As per Council's Counting Down to Zero plan, the baseline greenhouse gas inventory for Council operations includes not only direct (scope 1), but indirect (scope 2 and 3) emissions such as contracted services for the collection and transportation of waste and emissions associated with the operation of all council-managed buildings.

The 2022 baseline included an estimated 780 tonnes CO<sub>2</sub>-e attributed to emissions associated with the collection and transport of all waste streams from the shire to their receiving points. This figure was an estimate, calculated using assumptions for distances travelled and fuel usage per kilometre per vehicle type.

More accurate contractor data has recently been received for all emissions informing the 2022 baseline including from the kerbside collection contractors for the past three financial years (2021-2024) revealing that emissions from waste transportation have previously been greatly underestimated. Actual data shows that over 60,000 tonnes CO<sub>2</sub>-e per year are associated with the collection and transport of the four waste streams to their receiving points.

Accounting for these emissions would increase the 2022 baseline figure to approximately 67,421 tonnes CO<sub>2</sub>-e.

<b>Source of greenhouse gas emissions</b>	<b>Tonnes CO<sub>2</sub>-e</b>		
	<b>2021-2022</b>	<b>2022-2023</b>	<b>2023-2024</b>
<b>Scope 1 emissions</b>			
Electricity (estimate)	30	30	30
Gas (Mains + bottled LPG)*	838.5	804.5	732.3
Diesel	1,343.8	1,319.6	1,213.5
Unleaded petrol	146.7	217.9	206.5
Mixed fuel (estimate)	5	5	5
Corporate waste (estimate)	50	50	50
<b>Subtotal</b>	<b>2,414</b>	<b>2,427</b>	<b>2,237.3</b>
<b>Scope 3 emissions</b>			
Contracted waste services	65,007	61,444	63,639
Other	N/A	N/A	N/A
<b>TOTAL</b>	<b>67,421</b>	<b>63,871</b>	<b>65,876.3</b>

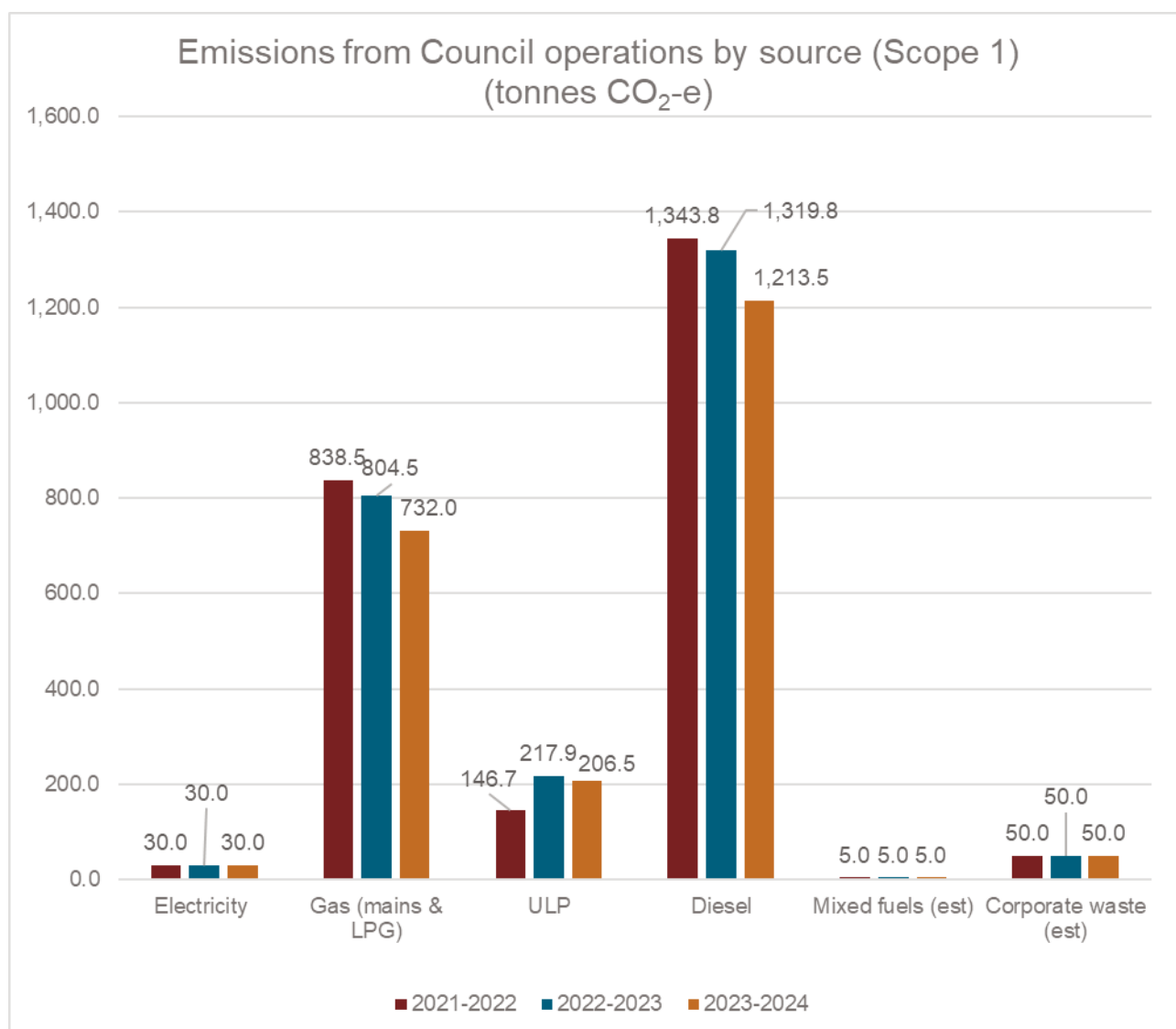
**Table 1:** Emissions from Council operations for 2021-2022, 2022-2023 and 2023-2024 (tonnes CO<sub>2</sub>-e by source). \*Estimates are included due to incomplete gas usage data in 2023-2024.

However, when comparing Council’s emission inventory on a like-for-like basis, there has been a slight reduction in emissions generated from Council operations since 2021-2022.

For purposes of the 2023-2024 Annual Environment Report, emissions from operations have been revised for the past three years, to only refer to scope 1 emissions for direct use of fossil fuels. The data in Table 1 and Figure 1 includes revised figures, on a like-for-like basis.

The total amount of emissions from scope 1 sources for 2023-24 is approximately 2,237 tonnes CO<sub>2</sub>-e, around 177 tonnes less than in 2021-2022.

The estimated total amount of emissions from all sources in 2023-24 is 65,876 tonnes CO<sub>2</sub>-e. This is around 1,545 tonnes less than in 2021-2022.



**Figure 1:** Scope 1 emissions from Council operations by source (tonnes CO<sub>2</sub>-e)

This decrease can be partly attributed to a reduction in gas consumption from replacing the old gas boiler at Kyneton Aquatic Centre with a more efficient version resulting in an estimated 335 tonnes CO<sub>2</sub>-e compared to 424 tonnes CO<sub>2</sub>-e recorded in 2022-2023. Reduced consumption of diesel fuel has also contributed to the decrease in emissions.

Conversely, an estimated 30 tonnes CO<sub>2</sub>-e have been included in the 2023-2024 inventory, to account for previously undetected electricity accounts for unmetered sites. These are mostly security lights which are currently not eligible for inclusion in council’s electricity supply contract through the Victorian Energy Collaboration (VECO). Officers are currently investigating whether supply to these sites can be transferred to the Power Purchase Agreement contract through VECO or if green energy can be purchased.

Council will need to decide the best course of action for offsetting emissions associated with waste management services and other scope 3 emissions when reviewing the Counting Down to Zero plan in 2024-2025. Several factors will influence the review, including:

- The implications of including indirect (scope 3) emissions in the inventory and purchasing offsets to meet the target of zero net emissions.
- Trends amongst local councils for accounting for scope 3 emissions
- The implications of Climate Related Financial Disclosure requirements regarding contractors having to report emissions independently.

- Any future introduction of a requirement for contractors to government services needing to meet a target for zero net emissions.
- Accountability and transparency for managing emissions associated with all of council's operations.

### Summary 2023-2024 Annual Environment Report

#### **Theme 1: Climate Emergency**

Council adopted the Macedon Ranges Climate Emergency Plan 2023-2030 at the December 2023 scheduled Council meeting. This plan was developed in collaboration with the community to build upon the work done in recent years to address climate change and guide shire-wide action.

The implementation of some of the key priorities from the Climate Emergency Plan has been commenced. Highlights for the 2023-2024 include:

- The introduction of a Community Climate Action Grant program to provide financial support to grassroots groups enacting climate action projects.
- Introduction of a Climate Impact Assessment into Council reporting templates and project management systems.
- Introduction of a staff training module in THRIVE for how climate impacts on our work.
- Commencement of the Community Carbon pilot in partnership with North Central CMA.
- Secured grant funding to establish a Youth Climate Network.
- Established a collaborative community and Council governance model to guide the formation of a Climate Emergency Working Group.

#### **Theme 2: Biodiversity**

Council's Biodiversity Monitoring Program continued in 2023-2024 with enthusiastic participation from the community who assisted in monitoring 48 nest boxes, 84 bird surveys and 16 spotlight surveys. In all, 502 community members participated in 36 separate biodiversity-focussed events and collected quality environmental data by doing so.

Other key achievements include:

- Endorsement of the Stanley Park Environmental Management and Infrastructure Management Plans.
- Ecological burns at Malmsbury Common and Hanging Rock Reserve and a Traditional Owner-led cultural burn at Woodend Grassland.
- Installation of canopy rope bridges at Hanging Rock Reserve for arboreal animal habitat connecting Smokers Creek to the summit as part of the June 2021 storm recovery works.
- Treatment of 199 hectares of roadside as part of the annual roadside weed program.
- Over 800 participants in Healthy Landscapes regenerative agriculture program events and courses in 2023-2024 across the participating shires.

#### **Theme 3: Water**

Council used approximately 78,377kL of potable water in 2023-2024, an increase of almost 10,000kL from the 68,476kL used in 2022-2023.



The most significant increase in water usage was recorded for the saleyards at Kyneton. At over 35,800kL, it's almost double the volume used in 2022-2023, and over three times the amount of water used at the Kyneton Sports and Aquatic Centre.

In 2023-2024, Council used an estimated 51,364kL of recycled water, about 20,000kL more than the volume used in 2022-2023, but about 12,000kL less than the volumes used in the prior two financial years.

Council continues to enhance local waterways in partnership with both Melbourne Water and the North Central CMA with woody weed control, flood recovery works and revegetation of riparian zones. Woody weed control was conducted along the Campaspe River in Kyneton and along Jacksons, Riddells, Dry, Bunjil and Five Mile creeks. Over 8,000 indigenous plants were planted along waterways in 2023-2024 including 6,300 along Smokers Creek at Hanging Rock Reserve.

#### **Theme 4: Waste and resource recovery**

In 2023-2024, there was a slight increase in the total amount of general waste and Food Organics Garden Organics (FOGO) collected, and a slight decrease in the total amount of comingled recyclable materials and glass collected, from the 21,480 serviced properties in the shire (including council facilities).

Compared to 2022-2023, there was a decrease in the average amounts collected per serviced property for all waste streams except FOGO. While total weight of general waste collected was up slightly from the previous year, attributed to the additional 625 properties receiving the kerbside collection service, there was a decrease in the average weight collected from each serviced property by about four tonnes. This suggests that residents are generating less waste, perhaps through the influence of Council's waste education programs and activities, and waste minimisation projects within the community. Over 2023-2024, 56 waste education sessions and workshops were delivered to over 1,360 participants.

Other activity from Waste and resource recovery in 2023-2024 were the re-opening of the refurbished tip shop at the Romsey facility and the introduction of a textile collection and recycling service at Romsey, Kyneton and Woodend.

Following the introduction of a collection service for polystyrene in May 2023, approximately 700m<sup>3</sup> of polystyrene was diverted from landfill in 2023-2024 and collected by a company called Ecycle Solutions, where it gets densified and turned into picture frames and skirting boards.

#### **Consultation and engagement**

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

Extensive internal collaboration is required to compile the data that informs the Annual Environment Report. The Environment team would like to thank the Resource Recovery, Facilities and Aquatics and Fleet in particular for their timely contributions.

#### **Collaboration**

Discussions have been held with the working group from the Central Victorian Greenhouse Alliance (CVGA) on how other Councils are tackling emissions from the transportation of waste. As this issue is not unique to the Macedon Ranges Shire Council there is benefit in collecting data collaboratively as we share common contractors.

#### **Innovation and continuous improvement**

As above. Officers will continue to undertake research and understand best practice when the Counting Down to Zero plan is reviewed later in the 2024-2025 financial year.

**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

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? This Report summarises the progress Council is making towards its target of zero net emissions by 2030.

How will the recommendations mitigate risks posed by climate change to Council operations and services? This report highlights the organisation's largest emitters and risks in reaching the target of zero net emission from Council operations by 2023.

How will the recommendation help to prepare the community for future climate scenarios? The annual environment report records data for the community's transition to a zero emissions-future including waste generated per household, ownership and use electric vehicles and charging facilities, uptake of renewable energy such as solar and emissions from community facilities. It also reports on the support and education Council is providing to the community in dealing with the Climate Emergency.

**Financial viability**

There are no financial implications associated with this report however Council will need to decide the best course of action for offsetting emissions associated with waste management services when reviewing the Counting Down to Zero plan in 2024-2025.

**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.

<b>PE.5</b>	<b>DRAFT MACEDON RANGES PLANNING SCHEME AMENDMENT C161MACR - SUBMISSION TO ADDITIONAL CONSULTATION</b>
<b>Officer:</b>	<b>Leanne Khan, Coordinator Strategic Planning</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>C161macr Council Submission to Additional Consultation <a href="#">↓</a></b>

## Summary

The Minister for Planning is considering whether to prepare, adopt and approve Draft Macedon Ranges Planning Scheme Amendment C161macr at Amess Road, Riddells Creek. The draft Amendment proposes to incorporate the Amess Road Precinct Structure Plan, Amess Road Developer Contributions Plan and associated documents into the Macedon Ranges Planning Scheme, as well considering the Stage One Planning Permit for the subdivision of 182 lots.

A first round of community consultation was undertaken in June and July 2024. The Council submission to this round of consultation was endorsed at the 10 July 2024 Planning Delegated Committee and submitted.

In response to issues raised in the first round of consultation particularly around drainage and stormwater requirements, additional consultation was undertaken with the focus on Melbourne Water and Council as key stakeholders. As a result, the State Government's Engage platform was reopened between 30 July and 27 August 2024 for additional submissions.

## Recommendation

**That Council notes the submission made to the State Government Development Facilitation Program in response to the recently advertised changes to Planning Scheme Amendment C161macr.**

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## Background

At the 12 April 2023 Planning Delegated Committee Meeting, Council considered a request to seek authorisation for a planning scheme amendment to incorporate the Amess Road Precinct Structure Plan (Amess Road PSP) into the Macedon Ranges Planning Scheme through amendment C148macr. The request was unanimously refused.

The application for the Amess Road PSP has been accepted by the State Government's Development Facilitation Program (DFP). The application includes Amendment C161macr and Planning Permit PLN/2024/129 and proposes the following changes to the Macedon Ranges Planning Scheme:

- Inserts Schedule 1 to Clause 37.07 Urban Growth Zone (UGZ1) to apply to the entire PSP area.
- Inserts Schedule 3 to Clause 45.06 Development Contributions Plan Overlay (DCPO3) to define development contributions for the entire PSP area.
- Inserts the Road Closure Overlay (RXO) and applies it to Wohl Court (Reserve R1 on LP112773) to discontinue the road.

- Amends the Schedule to Clause 52.16 Native Vegetation to identify the Amess Road Native Vegetation Precinct Plan, (Echelon Planning, March 2024) in the Schedule.
- Amends the Schedule to Clause 52.17 Native Vegetation to identify native vegetation exempt from requiring a planning permit for its removal.
- Amends the Schedule to 53.01 Public Open Space Contribution and Subdivision to identify the public open space requirements of the PSP area.
- Amends the Schedule to Clause 72.03 What does this Planning Scheme Consist of?.
- Amends the Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme to incorporate the Amess Road Precinct Structure Plan (Echelon Planning, March 2024), Amess Road Development Contributions Plan (Echelon Planning, March 2024) and the Amess Road Native Vegetation Precinct Plan (Echelon Planning, March 2024).

The application also seeks the approval of Planning Permit PLN/2024/129 for the subdivision of 182 lots as the first stage.

Exhibition of the amendment occurred between 10 June and 10 July 2024 by the DFP team. Council made a submission to amendment which was endorsed at the 10 July 2024 Planning Delegated Committee Meeting.

### **Discussion**

Council's original submission highlighted the Shire's designation as a distinctive area and landscape, inconsistency with the Macedon Ranges Statement of Planning Policy, neighbourhood character, density of the proposed development, heritage (both cultural and built), native vegetation removal, affordable housing and population growth.

Drainage and stormwater requirements were also a key concern, with Melbourne Water providing the advice that a development services scheme (DSS) will not be prepared and maintenance of the assets will be the responsibility of Council.

In response to issues raised by Council and Melbourne Water, DFP wrote to Council on 30 July 2024 advising a second round of consultation for two weeks until 13 August 2024. During the consultation the closing date was extended to 27 August 2024.

Specifically, DFP noted a second round of consultation was opened because the proponent had amended the proposed Development Contributions Plan (DCP), and associated documents, to address matters raised about the delivery of drainage infrastructure. They advised the following reports had been updated:

- Amess Road Development Contributions Plan (July 2024)
- Schedule 3 to Clause 45.06 Development Contributions Plan Overlay (July 2024)
- Amess Road Precinct Structure Plan (July 2024)
- Updated Valuation Report to include land for drainage infrastructure (July 2024)
- Explanatory Report (July 2024)
- Schedule 1 to Clause 37.07 Urban Growth Zone (July 2024)
- Schedule to Clause 72.04 Incorporated Documents (July 2024)
- Statement of changes from Echelon (July 2024)

In response to the revised documents Council's second submission has included the following points:

- Inadequate time has been provided to review the ad hoc changes. In addition, key documents remain unchanged to reflect the changes that have been made, adding to the ad hoc planning concerns.
- There is a lack of assessment on the impact of downstream flows, therefore Council cannot be satisfied it is meeting its obligations under the General Environmental Duty.
- DCP's are an unsatisfactory vehicle to implement drainage scheme in this instance and the need for a DSS at least in the northern part of the precinct should be reconsidered.
- The changes make Council the collecting agency for drainage projects in the DCP. Council does not believe the DCP is properly conceived with robust costings and adequate design of stormwater facilities, posing future financial risk to Council.
- The lack of costings is further compounded by the lack of due diligence on cultural heritage and contamination.
- Council has concerns about the development feasibility of 44 Frosts Lane. 163 Main Road, 61 Amess Road, 1172 Kilmore Road and 1012 Kilmore Road Riddells Creek.

Given the timeframes, Council made the submission on the 27 August 2024. This report seeks to note the submission at **Attachment One**.

Consultation and engagement

Not applicable.

### **Collaboration**

Council and Melbourne Water met to discuss the changes to the amendment and submissions to the additional consultation.

### **Innovation and continuous improvement**

Not applicable.

### **Relevant law**

The requirements for a planning scheme amendment and ministerial intervention are set out within the *Planning and Environment Act 1987* and its regulations.

This report does not have any direct or indirect human rights implications under 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**

The submission has been prepared having regard to regional and state planning policies including:

- Plan Melbourne.
- Macedon Ranges Statement of Planning Policy 2019.
- Loddon Mallee South Regional Growth Plan 2014.

### **Relevant Council plans and policies**

Council's relevant plans and policies are:

- Macedon Ranges Settlement Strategy 2011; and
- Riddells Creek Structure Plan 2013

**Climate Impact Assessment**

There are no climate change impacts associated with this submission.

**Financial viability**

There are no financial implications as a result of this submission.

**Sustainability implications**

There are no sustainability implications as a result of this submission. The submission does raise concern over Council's General Environmental Duty relating to the downstream impacts of stormwater from the development.

**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.



**Our Ref:** D24-97197  
**Contact:** Leanne Khan - 5421 9672

27 August 2024

Matt Cohen  
Director, Development Approvals and Design  
Department of Transport and Planning  
[priority.projects@transport.vic.gov.au](mailto:priority.projects@transport.vic.gov.au)

**Re: Amendment C161macr – Amess Road Riddells Creek – Response to Additional Consultation**

This addendum submission is made by Macedon Ranges Shire Council (**Council**) in response to the extended exhibition of the combined Macedon Ranges Planning Scheme Draft Amendment C161macr (**Amendment**) and planning permit application PLN/2024/129 (**Permit Application**). In particular it addresses the significant change in the Amendment to the Development Contributions Plan, made suddenly in the course of the consideration of the proposal.

In summary, Council submits that there has not been sufficient time to adequately and sensibly consider the significant changes to the revised amendment documents provided. Council submits that if the Amendment proceeds in its current form and without adequate and reasonable time being provided to affected parties such as Council, the process is flawed and amounts to a denial of natural justice. Council reserves its rights to take such action as is necessary in respect of the Amendment.

In reviewing the Amendment, Council notes that it is nominated as the Collecting Agency and Development Agency in relation to the DCP. Therefore, Council will ultimately determine whether the DCP is implemented or not. Council will also determine whether it is satisfied that the DCP is properly conceived with robust costings and adequate design of stormwater facilities. This is especially the case given that the stormwater facilities present risks to downstream environments and in that regard, Council takes its obligations under the Environment Protection Act's General Environmental Duty seriously. This is particularly the case since the recent publication of the Order in Council in respect of Managers of Land and Infrastructure. Accordingly, we wish to be clear so that there is no surprise down the track that if the DCP is approved without Council having been given adequate time to properly

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consider it, it will not be implemented via work in kind arrangements until Council has properly considered its implications on the stormwater facilities.

In the inadequate time that has been allowed to review the ad hoc changes made in the extended exhibition, Council is concerned about what these changes mean in terms of the potential risks in the management and costs associated with Council now being designated as the drainage authority for the Amess Road Precinct Structure Plan.

The changes to the amendment documents have been made by the proponent primarily due to Melbourne Water's recent advice that a Drainage Services Scheme (DSS) would not be prepared for the precinct structure plan area and therefore other mechanisms would be required to deliver and manage the drainage assets. This has made Council the responsible drainage authority, a role which Council had not previously envisioned or expected and which now places responsibilities on Council under various pieces of legislation.

Council has been provided with the amended documents for Amendment C161macr to review during the formal second round of community consultation running initially from 30 July 2024 – 13 August 2024 but recently extended to 27 August 2024.

The following documents were circulated under the updated July 2024 Documents:

- *Schedule to Clause 72.04 Incorporated documents Compare – s20(5) DRAFT – July 2024.*
- *C161macr – Amess Road Precinct Structure Plan (Echelon Planning, July 2024) – s20(5) DRAFT.*
- *C161macr – Amess Road Development Contributions Plan (Echelon Planning, July 2024) – S20(5) DRAFT.*
- *C161macr – Explanatory Report – s20(5) DRAFT – July 2024.*
- *C161macr – Revised Land Valuation Report – July 2024*
- *C161macr – Schedule to Clause 72.04 Incorporated Documents – s20(5) – July 2024.*
- *C161macr – Statement of changes from Echelon – July 2024.*
- *C161macr – Schedule 3 to Clause 45.06 Development Contributions Plan Overlay – s20(5) Draft – July 2024.*

Council has since it received the revised amendment documents been reviewing the changes and working through what these mean in the context of proposal while seeking technical expert advice on the proposed drainage scheme including the estimated costs and its implications for the proposed development contributions plan as well as liaising with Melbourne Water around the changes.





In order for Council to give its views on the proposed DCP and the incorporation of the various stormwater assets to be responsibility of Council, Council requires an additional three months to sufficiently consider and inform itself of the changes made and in particular to review the various assets, their design, costing and adequacy against relevant guidelines and standards.

Based on a preliminary review of the updated amendment documents Council raises the following concerns.

#### **Stormwater Management Plan (SWMP)**

- Council is concerned that in amending the relevant documents listed above, the Stormwater Management Plan by Stormy Water (February 2024) has not been updated to reflect changes to the updated amendment documents provided during the second round of consultation. This includes references still to a DSS and other components that are no longer features of the draft PSP itself such as the provision of a sports field.
- Council is also concerned with the lack of details about the lack of assessment of the impact on downstream flows, the lack of any real assessment of the lack of volumetric reduction required by the General Environmental Duty (see further below), the challenges of having drainage assets across separate boundaries and lack of detail about interim solutions. Furthermore, given the recent Order in Council for Managers of Land and Infrastructure made under the Environment Protect Act, if Council is to take on assets, there is a need to accept the plans as functional and in accordance with Council's requirements.

#### **Development Contributions Plan (DCP) changes**

- Council's preliminary view is that the drainage scheme should not be included in the DCP because DCPs are an unsatisfactory vehicle to implement drainage schemes given their lack of flexibility as compared to a DSS. Council submits that drainage should in this instance be managed as a DSS for at least the northern part of the site and through direct developer works for the southern two drainage assets. In that regard, the PSP should be framed to provide the guidance (through requirements and guidelines) to properly equip decision makes with the ability to direct that outcome.



- The DCP lacks proper plans and costings to enable any sensible review. As Council has not been provided with any detailed functional drainage plans, there is an inability for Council to peer review the costings around the proposed infrastructure. This is crucial given the possible works and financial liabilities for Council as both the collecting and delivery agency for drainage works if the proposed development contributions plan is to prevail. Again, we wish to emphasise that even if the DCP is approved with inadequate drainage details as appears to be contemplated, it will not be implemented by Council until Council conducts a proper review of the various assets and satisfied itself that in implementing the drainage scheme Council is complying with the General Environmental Duty. Judging from the lack of any proper consideration, it seems to Council that the Department is completely unaware of the statutory obligations arising from the General Environmental Duty that attend the very matter that it is considering in this Amendment.
- The uncertainty of the costings due to the lack of material s is further compounded due to the lack of detailed studies in regard to cultural heritage or contamination having been factored into costing calculations in some areas which mean there could be significant cost increases to works or design if these matters are unresolved. Absent any proper assessment of these matters, the DCP costings present material financial risks that are not acceptable. A suitable contingency cost but preferably further studies are required to ensure appropriate cost allowances are made for this unknown. We note that the drainage works are proposed in areas of potential cultural sensitivity.
- Given the above, Council holds concerns about the potential development viability of some land parcels within the PSP area if drainage works are included in the DCP. The updated DCP now establishes a charge rate of \$466,436.62 per net developable hectare. This represents a significant increase in development costs to the previous proposed DCP. Sites at 44 Frosts Lane and 163 Main Road, 61 Amess Road, 1172 Kilmore Road and 1012 Kilmore Road Riddells Creek all require significant remediation of waterways and construction of drainage costs as well as the delivery of other infrastructure assets. No assessment has been made of the practical implications of the heavy burden those smaller sites are required to address.

#### **General Environmental Duty**

- Council is a Duty Holder under the Environmental Protection Act 2017. This means Council is bound to understand and manage for itself, the risks of harm from pollution and waste to people and the environment. Furthermore, on 7 May 2024, an Order in Council was published in the Victorian Government Gazette. This relates to

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Obligations of Managers of Land or Infrastructure (Urban Stormwater Management and On-site Wastewater Management). This requires Council to prepare a Stormwater Management Plan managing risks of harm to human health and the environment posed by urban stormwater.

- Council (not the Department) would need to be satisfied that any proposed stormwater system approved as part of Amendment C161macr meets the requirements of this Order in Council. This includes the consideration of EPA Publication 1739 – Urban Stormwater Management Guidelines. The current Stormwater Management Plan on page 18 outlines *“This harvesting modelling will be undertaken to better quantify the volume impacts of the PSP regarding the EPA Updated Guidance, but not necessarily meet the targets of the Updated Guidance. Meeting the targets of the EPA Updated Guidance are not deemed reasonably practicable as infiltration systems are assumed not be appropriate for use in the region.”*
- Council is concerned that given the stormwater management plan does not properly consider the implications of the EPA Publication 1739, there has not been a proper assessment of the extent to which it is reasonably practical to reduce impacts. Neither has there been any assessment of downstream impacts to watercourses from the increased volume of stormwater being released to the system after being generated in the PSP area. One would have expected that the Department would be mindful of these obligations and ensure that the proponent adequately addresses these important matters. In circumstances where the proponent has not, Council will not release any DCP funding and will not endorse the stormwater management strategy until proper assessment has been undertaken.

The hurried approach to the consideration of this Amendment is unsatisfactory. The recent ad hoc changes made to the drainage scheme are concerning and indicative of a haphazard approach to planning.

In summary, Council requires additional time to continue discussions with Melbourne Water around the management and delivery of drainage assets, to complete a peer review of the functional design and costings for the proposed stormwater strategy and also review the risk under the General Environmental Duty. Council will also require the costs that are incurred in undertaking such review to be included as plan preparation costs in the DCP.

We strongly urge you to engage on a proper basis with Council lest the implementation of the Amendment be frustrated down the track.



If you have any questions in relation to the above matter, please do not hesitate to contact Leanne Khan, Coordinator Strategic Planning on [lkhan@mrsc.vic.gov.au](mailto:lkhan@mrsc.vic.gov.au) or 5421 9672.

Yours sincerely

A handwritten signature in blue ink that reads "Rebecca Stockfeld".

**Rebecca Stockfeld**  
**Director Planning and Environment**

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**12 CHIEF EXECUTIVE OFFICER REPORTS**

<b>CX.1</b>	<b>CEO EMPLOYMENT AND REMUNERATION COMMITTEE REPORT</b>
<b>Officer:</b>	<b>Annette Death, Mayor</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**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 2023 to 30 June 2024, 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 2023 – 30 June 2024 were agreed at the conclusion of the CEO's review and endorsed by Council in October 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 2023.

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 ERC has reviewed and discussed the CEO's progress against the KPIs established and endorsed by Council in October 2023.

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)*

### **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*

Climate Impact Assessment

There are no impacts to climate change in presenting this report.

**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**

<b>COR.1</b>	<b>CONTRACTS TO BE AWARDED AS AT SEPTEMBER 2024</b>
<b>Officer:</b>	<b>Ilsa Melchiori, Coordinator Contracts</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

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

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

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

- 1. Notes that the following contract will be awarded by Council officers under delegated authority:**
  - (a) C2025-74 Footbridge Replacement - Gisborne Botanic Gardens**
- 2. Grants delegated authority to the Chief Executive Officer to award the following contract:**
  - (a) C2025-75 Kyneton Showgrounds Netball Development**

**Background**

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 1 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.

**Discussion****C2025-74 Footbridge Replacement - Gisborne Botanic Gardens**

The scope of this procurement is to engage a suitably qualified and experienced contractor to replace the damaged footbridge at Gisborne Botanic Gardens to Melbourne Water and Council requirements complying to Australian Standards. Footbridge over Jacksons Creek in Gisborne Botanic Gardens was heavily damaged during the October 2022 Flood event. Macedon Ranges Shire Council is proposing to replace the damaged footbridge. This design



and construction procurement is to engage a suitably qualified and experienced contractor in order to replace the footbridge.

The CEO has delegated authority to award this contract.

**C2025-75 Kyneton Showgrounds Netball Development**

The current Netball Facilities at the Kyneton Showgrounds feature a single asphalt netball court and modified change rooms at the north end of the M.B. O'Sullivan Pavilion which fail to meet both the preferred standards of Netball Victoria and the needs of the Kyneton Football Netball Club. Designs have been completed to create a compliant netball precinct, adhering to Netball Victoria's guidelines and suited for local competitions.

The contract will exceed the \$1 million financial delegation of the Chief Executive Officer.

**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 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.

<b>COR.2</b>	<b>QUARTERLY REPORT INCLUDING CARRY FORWARDS FOR PERIOD ENDING 30 JUNE 2024</b>
<b>Officer:</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

### 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 June 2024 for the 2023/2024 financial year (Quarter 4), in accordance with the requirements of the *Local Government Act 2020*.

This report also includes information regarding Carry Forwards for the period ending 30 June 2024.

### Recommendation

#### That Council:

- 1. Receives the Quarterly Financial report as at 30 June 2024, in accordance with the requirements of the Local Government Act 2020.**
- 2. Approves the net budget carry forward from the 2023/24 financial year to the 2024/25 financial year of \$7,742,477.**
- 3. Notes that after carry forwards, the net cash result for the 2023/24 financial year is a surplus of \$209,010.**

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### Background

This report on Council's financial performance against budget has been prepared in accordance with Section 97 of the *Local Government Act 2020*, which states "as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public."

This report has been prepared in the recently adopted new format of reporting to Council and the public, and the Quarterly Financial Report format allows a quick interpretation of key information related to council's financial performance.

### Discussion

The Finance and Capital Management Report to 30 June 2024 provides an update on financial performance against the 2023/2024 budget, encompassing adjustments adopted as part of the mid-year budget review captured in the second quarter financial report.

The Income Statement demonstrates an operating surplus of \$38.0 M for the twelve months ending 30 June 2024 compared with the budgeted surplus of \$34.43M.

The financial statements in this report are subject to an external audit by the Victorian Auditor-General's Office, Council's appointed auditor. It is anticipated that adjustments to

non-monetary assets will be necessary, similar to those made as of June 30, 2023. The adjustment will see both the contributions non-monetary and total surplus / (deficit) decrease.

Council's Income Statement at 30 June 2024 is provided below, with analysis of year-to-date material variances.

## INCOME STATEMENT

### 12 months ended 30 June 2024

	2023/24 June YTD Adj. Budget* \$'000	2023/24 June YTD Actuals \$'000	2023/24 June YTD Variance \$'000
<b>Income</b>			
Rates and charges	62,287	61,941	(346)
Statutory fees and fines	3,710	3,399	(311)
User fees	7,411	6,837	(574)
Grants - operating	11,388	13,487	2,099
Grants - capital	32,783	15,507	(17,276)
Contributions - monetary	4,588	2,344	(2,244)
Other income	4,668	13,418	8,750
Library income	-	29	29
Assets held for sale revaluation	-	(171)	(171)
Investment properties revaluation	-	52	52
			-
<b>Total income</b>	<b>126,835</b>	<b>116,843</b>	<b>(9,992)</b>
<b>Expenses</b>			
Employee costs	44,598	43,263	1,335
Materials and services	35,288	43,590	(8,302)
Depreciation and amortisation	17,063	17,551	(488)
Borrowing costs	597	272	325
Other expenses	3,377	3,077	300
Landfill provision change	-	(51)	51
<b>Total expenses</b>	<b>100,923</b>	<b>107,702</b>	<b>(6,779)</b>
<b>Surplus/(deficit) excluding other adjustments</b>	<b>25,912</b>	<b>9,141</b>	<b>(16,771)</b>
<b>Other adjustments</b>			
Contributions - non monetary	7,920	32,083	24,163
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	600	(1,119)	(1,719)
Writing off capital projects	-	(2,095)	(2,095)
<b>Total surplus/(deficit)</b>	<b>34,432</b>	<b>38,010</b>	<b>3,578</b>

The Income Statement includes all sources of Council revenue and expenditure incurred in its day-to-day operations. It should be noted that expenditure listed in the Income Statement does not include the cost of asset purchases or sales, loan repayments, capital works expenditure or reserve funds. It does however, include depreciation as an expense.

### Income Statement - Year-to-Date (YTD) Key Actual vs Budget Variances

#### Operational Revenue

*Operating Grants:* The increase in actual grant revenue compared to the budget is due to \$2.0M in emergency grants received by the Council. These grants are not included in the budget because they are unpredictable at the time of budget preparation.

*Grants capital:* The \$17.2 million unfavourable variance to budget is due to the accounting treatment of the \$6.0M grant for the Shared Trail project. Although the grant has been received, it is recognised as income only as the project progresses. The portion not yet recognised as income is recorded as a liability on the balance sheet under Contract and Other Liabilities. Additionally, Council has received only one-third of its Local Roads Community Infrastructure Fund grant.

*Contributions monetary:* The \$2.3M unfavourable variance relates to the timing of contributions to several capital works projects, the larger one being Chanters Lane Trentham, where a neighbouring Council will contribute to the project. Developer contributions is also unfavourable to budget at this point of the financial year.

*Other income:* Actual income is \$13.4M, this is \$8.7M favourable, due to unbudgeted income generated from timber processing arising from the June 2021 storm at Council's Gravel Pit site. Also included in this amount are several insurance claims paid in response to storm damage to Council assets.

#### Operational Expenditure

*Employee costs:* Actual expenditure of \$43.26M is \$1.3M favourable to budget. The favourable variance is due to vacancies across the organisation. The favourable variance in employee costs is offset in some areas of Council using short-term contractors to back fill vacant roles. Contractor costs are recorded under materials and services, refer below.

*Materials and services:* Actual expenditure of \$43.6M is unfavourable to budget by \$8.3M for the twelve-month period mainly due to timber processing from the June 2021 storm at Council's Gravel Pit site. These costs are reimbursed by the contractor and offset as other income, outlined above. Also contributing to the overspend is the cost of back filling vacant positions with short term contractors, this overspend offsets part of the favourable employee cost variance noted.

### **Capital Works Statement - Year-to-Date (YTD) Key Actual vs Budget Variances**

#### Capital Works

The Capital Works Statement at 30 June 2024 reports \$45.9M of works delivered by year end. The total budget including carry forwards for the 12-month period is \$72.62M. Infrastructure expenditure of \$39.42M is lower than budget of \$61.70 due to delayed construction for a variety of reasons. The Macedon Ranges Shared Trail Project, Roads Reseal program, Kettlewells Road rehabilitation, Chanters Lane, Trentham and Hamilton Road in New Gisborne are among the significant projects contributing substantially to this variance.

## CAPITAL WORKS STATEMENT

### As at 30 June 2024

	2023/24 Annual	2023/24 June	2023/24 June	2023/24 June
	Budget \$'000	Budget \$'000	Actuals \$'000	Variance \$'000
<b>Property</b>				
Land and land improvements	1,060	1,060	1,060	-
Buildings and building improvements	7,068	7,068	3,597	3,471
<b>Total property</b>	<b>8,128</b>	<b>8,128</b>	<b>4,657</b>	<b>3,471</b>
<b>Plant and equipment</b>				
Plant, machinery and equipment	2,463	2,463	1,539	924
Computers and telecommunications	334	334	297	37
<b>Total plant and equipment</b>	<b>2,797</b>	<b>2,797</b>	<b>1,836</b>	<b>961</b>
<b>Infrastructure</b>				
Roads	16,859	16,859	13,087	3,772
Bridges	2,395	2,395	1,524	872
Footpaths and Cycleways	12,511	12,511	2,015	10,495
Drainage	789	789	499	291
Recreational, leisure and community facilities	26,342	26,342	21,090	5,252
Parks, open space and streetscapes	759	759	609	149
Other infrastructure	2,041	2,041	596	1,446
<b>Total infrastructure</b>	<b>61,697</b>	<b>61,697</b>	<b>39,419</b>	<b>22,278</b>
<b>Total capital works expenditure</b>	<b>72,621</b>	<b>72,621</b>	<b>45,912</b>	<b>26,709</b>

### Other Key Year-to-Date (YTD) Actual vs Budget Financial Variances

#### Investments

Investments held on 30 June 2024 total \$28.0M. Investments are earning adequate interest, with 64% of investments held with institutions that do not lend to organisations linked with fossil fuel, compliant with the Investment policy requirement for at least 20%.

#### Storm Reports

Cost to Council for the June 2021 Storm is \$5,668,046. All amounts have now been paid and the claim process is considered complete and finalised. After considering the Kettlewell's site financial result, the net cost to Council is reduced to \$2,904,244.

Three claims remain active, being for the October 2022 flooding, December 2023 and January 2024 poor weather periods and 13 February 2024 storms.

#### Loans

The budgeted loan was drawn down in June. A loan of \$12,300,000 was entered into with Treasury Corporation Victoria. The loan is fixed for 10 years, monthly principal and interest repayments with an interest rate of 4.895%.

Carry Forwards

As a general principle, budgeted money should be spent within the financial year and funding should not be requested if the budget cannot be spent within the financial year. However, there are cases where large projects are completed over multiple years, grants are received later in the year, and/or there are unavoidable delays in completing projects.

<b>Budget carry forwards from 2023/2024 to 2024/2025</b>					
No.	Projects In progress at the end of the year :	Remaining Budget		Net Carry	
		Income	Expense	Forward	
1	Gilbert Gordon Netball Court	(\$1,299,197)	\$1,282,642	(\$16,555)	
2	Gisborne Botanic Gardens Footbridge	\$0	\$295,668	\$295,668	
3	Gisborne Fields landscape plan stage 5	(\$254,675)	\$254,675	\$0	
4	Kerrie School and Hall	\$0	\$303,488	\$303,488	
5	Kettlewells Road Romsey	(\$408,327)	\$408,327	\$0	
6	Kyneton Bluestone Kerb Renewal	\$0	\$244,561	\$244,561	
7	Kyneton landfill biofilter	(\$800,000)	\$791,029	(\$8,971)	
8	Kyneton Mechanics Institute renewal	(\$153,390)	\$407,509	\$254,119	
9	Kyneton Showgrounds Netball Facilities	\$0	\$259,000	\$259,000	
10	Kyneton Windmill Bridge	\$0	\$400,444	\$400,444	
11	Macedon Kinder toilet upgrade	(\$487,012)	\$519,012	\$32,000	
12	Macedon Ranges Shared Trail	(\$6,426,645)	\$8,331,191	\$1,904,546	
13	MRRSP Stage 1	(\$1,423,431)	\$647,750	(\$775,681)	
14	MRRSP Stage 2	(\$941,071)	\$941,071	\$0	
15	New Gisborne Tennis Courts new lighting	(\$137,600)	\$258,000	\$120,400	
16	Plant replacement - Tipper Truck	(\$240,375)	\$240,375	\$0	
17	Rail Trail Daylesford to Hanging Rock	(\$1,500,000)	\$1,467,500	(\$32,500)	
18	Resource Recovery Behaviour Change	(\$423,095)	\$501,000	\$77,905	
19	Riddells Creek Rec Reserve oval lighting	(\$244,152)	\$548,748	\$304,596	
20	Roads - Chanters Lane	(\$688,506)	\$1,346,956	\$658,450	
21	Romsey Skate Park	(\$550,000)	\$569,330	\$19,330	
22	Sheedy Road Gisborne	(\$288,243)	\$203,636	(\$84,607)	
23	Woodend Community Centre	(\$500,000)	\$499,475	(\$525)	
24	Net of other minor projects < \$200k	(\$1,348,343)	\$5,135,152	\$3,786,809	
	- Negative Income, means grants to be received in 24/25				
	+ Positive income means grant received in prior year and budgeted in 24/25				
	<b>Net budget carry forwards</b>	<b>-\$18,114,062</b>	<b>\$25,856,539</b>	<b>\$7,742,477</b>	

*Budget carry forwards represent unspent expenditure or unbudgeted income that needs to be made available to fund the completion of in-progress projects during the following financial year. Often, these in progress projects are intended to be undertaken over two or more years and are identified as in progress projects which require budget carry forwards in the Budget Reports adopted by Council in June each year. Budget Carry forwards are used to manage internal budgeting and project management, they do not form part of the Financial Statements.*

According to Council’s Budget Management Policy, carry forward requests will only be considered for carry forwards where one of the following criteria has been met:

- The project/program has external funding in the form of government grants and/or other contributions that need to be acquitted.



- The project/program is associated with a Council Plan Action (that is incomplete).
- There is a written agreement or contract in place for the delivery of services/goods.

As a general principal only amounts of more than \$5,000 are considered for carry forward to the next year. Smaller amounts must be funded from existing budgets in the following year.

The policy states that Managers must aim to complete minor carry forward budgeted items by the end of October within the following financial year, and that they will not be carried forward more than once unless they are major projects/grants or there are delays caused by external parties.

The table above, of identified operating carry forwards, has been included with this report for transparency. Total carry forward expenditure for both operating and capital expenditure projects totals \$25.9M, offset by \$18.1M of income.

**Budget Management Position**

As of June 30, 2024, Council's budget management position stands at a surplus of \$209,010, this is an improvement on the deficit reported as at 30 June 2023 of (\$194,569). This improvement comes despite the significant financial impact of finalising claims from the June 2021 storm that impacted the shire.

The balance will continue to be monitored as claims from the \$1.84M of outstanding emergency claims are finalised in the coming months.

<b>Budget Management Position Summary - 30 June 2024</b>			
Carried forward deficit from 2022/23 due to storm costs			(\$194,568)
Net operating budget variance *			\$4,039,750
Net capital budget variance *			\$5,941,656
Net oncosts			\$ 11,927
Less net budget carry forwards (see above)			(\$7,742,477)
<b>Net Budget Management Position (#1)</b>			<b>\$ 2,056,289</b>
Estimated emergency claims outstanding for 2023/24 events			-\$ 1,847,279
<b>Net Surplus (Deficit)</b>			<b>\$ 209,010</b>

\* Includes loans and reserve transfers, excludes depreciation and provision movements.

**Consultation and engagement**

Officers from across Council have contributed to the preparation of the Quarterly Financial Report.

**Collaboration**

Collaboration with other councils, governments and/or statutory bodies was not required.

**Innovation and continuous improvement**

The Quarterly Report forms part of a legislative requirement, which assists Council to deliver on its priority of strong and reliable government, whilst achieving its vision by following good governance processes and providing transparency to the community. The Quarterly Report

is reviewed by the Executive and incorporates feedback from various levels of management to enhance readability and allow for continuous improvement.

This includes streamlining the content of the report and providing updates on performance against the Council Plan at half-yearly intervals, consistent with the Local Government Act 2020 and transparency principles.

**Relevant law**

This report has been prepared in accordance with Section 97 of the *Local Government Act 2020* (Vic) and is compliant with the requirements. The financial statements have been prepared in accordance with Australian Accounting Standards.

There are no human rights implications resulting from the completion of the Quarterly 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**

There are no regional, state or national plans or policies to be considered in relation to the subject matter of this report.

**Relevant Council plans and policies**

Macedon Ranges Shire Council Financial Plan 2021-31

Macedon Ranges Council Budget 2023-24

Macedon Ranges Council Investment Policy

Macedon Ranges Council Borrowing Policy

Macedon Ranges Council Budget Management Policy

**Climate Impact Assessment**

The detail underpinning the Monthly financial reports and capital works program reporting provide opportunity for Council to assess and reduce energy usage and greenhouse gas emissions by understanding the financial impact of energy-efficient practices and sustainable technologies. These measures will also help to mitigate climate change risks to Council operations and services by investing in climate-resilient infrastructure and adaptive strategies, ensuring continuity and reliability. Officers continue to ensure sustainable investments in line with Council's Investment Policy with institutions that do not lend to organisations linked with fossil fuel.

**Financial viability**

The Quarterly Report provides information on Council's operating and financial performance for the quarter ending 30 June 2024. The financial statements within the report indicate that Council remains in a sound financial position.

**Sustainability implications**

As per Council's Investment Policy, 64% of investments are currently held with institutions that do not lend to organisations linked with fossil fuel, compliant with Council's Investment Policy.

**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.

<b>COR.3</b>	<b>ALTERATION OF THE TIMING OF THE OCTOBER SCHEDULED COUNCIL MEETING AND SCHEDULING OF ADDITIONAL COUNCIL MEETING</b>
<b>Officer:</b>	<b>Lucy Olson, Senior Governance Officer - Council Business</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

It is proposed that Council reschedule the October Scheduled Council Meeting from 7pm on Wednesday 23 October 2024 to 6pm on Wednesday 23 October 2024.

### Recommendation

#### That Council :

- 1. Reschedules the October Scheduled Council Meeting on Wednesday 23 October 2024 from 7pm to 6pm on the same day at the Gisborne Administration Centre; and**
- 2. Schedules a Council Meeting to be held online on 9 October 2024 at 6pm.**

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### Background

There is an existing Council resolution scheduling the October Scheduled Council Meeting for Wednesday 23 October 2024 at 7pm. This is the final meeting of this term of Council and is to be held during the Election Period. Due to the limited items scheduled for this meeting and commitments of current Councillors it is proposed to reschedule the October Scheduled Council Meeting to 6pm Wednesday 23 October 2024 at the Gisborne Administration Centre.

Under section 98 of the *Local Government Act 2020*, Council's Annual report must include audited performance and financial statements. The statements will not be available from the auditors in time to be presented at the 16 September 2024 Council Meeting as previously planned, so it is recommended that an additional meeting of Council be scheduled on 9 October 2024 to consider the audited statements prior to their inclusion in the Annual Report.

### Discussion

In accordance with Council's Governance Rules (sub-rule 13(a)) '*The dates, times and places of scheduled meetings will be fixed by a Council resolution from time to time*' and (sub-rule 13(b)) "*Subject to the requirements of sub-rule (a), the date, time or place of a scheduled Council meeting may be altered by resolution of Council.*"

Meetings of Council have typically been held on the fourth Wednesday of each month at 7pm, except January, when no meeting is held.

At the Scheduled Council Meeting held on 22 November 2023, Council adopted its meeting schedule for 2024, which included a Scheduled Council Meeting on Wednesday 23 October 2024 at 7pm. Rescheduling the October Scheduled Council Meeting to commence at 6pm allows for an earlier finish to the Council Meeting during the Election Period.

Financial and Performance statements, including sign-off by the Auditor General of these statements, must be endorsed by Council prior to their inclusion in the Annual Report.

The Council Meeting to consider the annual report is scheduled for 23 October 2024 to meet the requirement under section 100 of the *Local Government Act 2020* that the report must be presented at a meeting held within 4 months of the end of the financial year.

For the Annual Report presented at this meeting to contain endorsed audited statements it is recommended that an additional meeting of Council be scheduled on 9 October 2024 to consider the audited statements.

**Consultation and engagement**

No consultation or engagement was required due to the nature of this matter.

**Collaboration**

No collaboration was required due to the nature of this matter.

**Innovation and continuous improvement**

This matter is not the subject of any measures for innovation and continuous improvement.

**Relevant law**

Council governance mechanisms are prescribed under the *Local Government Act 2020*.

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**

Not applicable.

**Relevant Council plans and policies**

Governance Rules.

**Climate Impact Assessment**

Not applicable.

**Financial viability**

There are no impacts on financial viability.

**Sustainability implications**

No sustainability impacts have been identified.

**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**

<b>COM.1</b>	<b>DRAFT RECONCILIATION PLAN 2024-27</b>
<b>Officer:</b>	<b>Maria Loriente, Community Partnerships Officer</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people 3. Business and tourism</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

This report provides an overview of community feedback received on the draft Reconciliation Plan 2024-27, and provides a recommendation to present the draft plan to Council at the December 2024 Scheduled Meeting, once additional consultation has been undertaken.

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

- 1. The summary of feedback received on the draft Reconciliation Plan 2024-27 during the 25 July to 22 August 2024 community consultation period.**
- 2. That officers will undertake further engagement with the three Traditional Owner Groups – Djaara (Dja Dja Wurrung Clans Aboriginal Corporation), Taungurung Land and Waters Council and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation), with the final draft Reconciliation Plan 2024-27 to be presented for consideration at the December 2024 Scheduled Council Meeting.**

**Background**

Council's inaugural Reconciliation Action Plan INNOVATE (RAP) ended in June 2024, having been endorsed in September 2021 and implemented between 2021 and 2024. The RAP focused on implementing change, strengthening relationships with First Nations people, gaining a deeper understanding of the Council's sphere of influence, and establishing the best approaches to advancing Reconciliation. Throughout this time, a series of initiatives designed to engage staff and the community in Reconciliation were produced, and many vital partnerships were developed.

In addition to community engagement, Traditional Owners also participated in constructive engagement across Council departments. Notably, DJAARA (Dja Dja Wurrung Clans Aboriginal Corporation) provided consultation on key projects such as the Woodend to Riddells Creek Shared Trail Project, Climate Emergency Plan 2023 - 2030, Macedon Ranges Food Forum and Healthy Landscapes land management program, ensuring objectives and actions were in alignment with DJAARA strategies.

Since implementing the RAP, Council has additionally produced multiple events focused on learning from First Nations people, in acknowledgement of National Reconciliation Week, NAIDOC Week and other important recognition days. This has included:

- In May 2022, the first year that allowed COVID-19 safe events to occur since 2020, Council welcomed Nicole Finlay, CEO of Reconciliation Victoria, and Brent Ryan, Mutti

Mutti man and Assistant Director of Education, Yoorook Justice Commission, to engage in a public conversation that addressed the importance of truth-telling towards Reconciliation.

- In March 2023, Council welcomed Antoinette Braybrook, a Wurundjeri and Kuku Yulanji woman, CEO of Djirra and Co-Chair of Change the Record, Australia's only national First Nations-led justice coalition of legal, health and family violence prevention experts, to present on the theme 'cracking the code' for International Women's Day. Antoinette shared her own story and addressed systemic and structural violence and racism experienced by First Nations women in everyday life.
- Brent Ryan returned in May 2023 with colleague Nick Butera, the Community Engagement Manager at Yoorook Justice Commission, to speak publicly about their engagement process and the first interim report of the Yoorook Justice Commission, tabled in Parliament on 4 July 2022. The event highlighted the urgency of truth-telling to prevent the repetition of injustices across generations and the transformational impacts on the truth-tellers and receivers.
- In celebration of Indigenous culture and food, Council partnered with Regional Victorians of Colour and Macedon Ranges Further Education Centre to present a live cooking demonstration at Kyneton Town Hall by Bundjalung man and celebrity chef Mark Olive, in July 2023. Mark also visited schools and taught young people from the shire about Indigenous ingredients and cooking.
- In May 2024, Joshua Carter, a Noongar and Bardi man and Youth Voice Coordinator, and Drew Berick, a Dja Dja Wurrung man and Elder Voice Coordinator, were invited to speak at *Now More Than Ever*, a program focused on truth-telling and learning about the Youth and Elders' Voice initiatives of the First People's Assembly.
- Marking NAIDOC's 50th anniversary in July 2024, Council collaborated with diverse stakeholders to produce a series of events encouraging the community to come together and learn from Traditional Owners. Wurundjeri Elder Uncle Ringo Terrick and his nephew Thomas opened a Community and Family Day at Riddells Creek with Welcome to Country and a Smoking Ceremony. Other activities included crafts, storytelling and a BBQ lunch incorporating Indigenous ingredients.
- Also in July 2024, in partnership with Sunbury Aboriginal Corporation, Macedon Ranges Truth and Reconciliation Group), and Sunbury Cobaw Community Health, two film Screenings, *Luku Ngarra-The Law of The Land* and *The Last Daughter*, were shown in Kyneton. Both events created space for conversation and profound thought on the issues faced by First Nations Peoples.

## Discussion

Use of the terminology 'Reconciliation Action Plan (RAP)' is exclusive to Reconciliation Australia endorsed plans. As Council is not seeking endorsement from Reconciliation Australia for its new draft plan, this document will be referred to as the Reconciliation Plan.

Reconciliation provides an opportunity to strengthen relationships between First Nations peoples and non-Indigenous peoples to benefit all Australians. Moving forward with the Reconciliation Plan 2024-27 demonstrates Council's sustained commitment and identified vision for Reconciliation.

The development of the Reconciliation Plan 2024-27 has taken time and considerable consultation. The foundation built from implementing Council's first RAP, and the delivery of key actions, events and activities have all aimed towards advancing reconciliation in the shire. Working towards the next Reconciliation Plan, will give Council the opportunity to

embed reconciliation initiatives into business strategies and practice, so they become imbedded as 'business as usual'.

### **Consultation and engagement**

The draft Reconciliation Plan 2024-27 was released for public comment over a four-week period from 25 July to 22 August 2024. This community consultation included:

- Your Say online feedback
- Media releases
- Social media posts
- Direct email contact
- Face-to-face drop-in sessions for community
- Face-to-face drop-in sessions for Council officers

A total of 26 submissions were received via the Your Say portal. The submissions generally offered constructive feedback, such as suggested changes and inclusions for consideration. Of the 26 submissions, one submitter identified as a First Nations person living in the Shire and 16 submissions were linked to the Macedon Ranges Truth and Reconciliation Group. One submission came from Kyneton Library.

A portion of the feedback received related to the cost of developing and implementing the Reconciliation Plan. While some expressed concern and hesitance about Council's allocation of funds to the Reconciliation Plan, others wanted a commitment to additional funding for the project to ensure complete and thorough delivery. Details of funds spent on development of the plan to-date is included below under the subheading 'Financial Viability.'

As a result of the community engagement and further staff engagement, the following changes have been included in an updated version of the draft plan:

- Incorporation of deliverables specific to Council's Early Years service.
- The removal of the word "Action" from the title of the draft Reconciliation Plan 2024-27 (as Council does not intend to seek endorsement from Reconciliation Australia for this plan).
- Addition of the Biodiversity Strategy and Climate Emergency Plan as an ongoing deliverable.
- Addition to engage and consult with the Traditional Owner land management groups for on-ground work where possible and appropriate, especially when considering ecological and cultural burns.
- Addition to explore the feasibility of incorporating dual naming on road signage to include the relevant name of the Traditional Owners throughout Macedon Ranges.
- Addition to continue active engagement with Taungurung Land and Waters Council (TLaWC) Local Government Forum and seek opportunities to develop similar arrangements with Djaara (Dja Dja Wurrung Clans Aboriginal Corporation) and Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation.

Council officers will now undertake further engagement with the three Traditional Owner Groups – Djaara (Dja Dja Wurrung Clans Aboriginal Corporation), Taungurung Land and Waters Council and Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation). Any changes arising from this further engagement will be reflected in the final version of the



Reconciliation Plan 2024-27, anticipated to be presented for Council consideration at the December 2024 Scheduled Council Meeting.

### **Collaboration**

The process to develop the Reconciliation Plan 2024-27 has included the engagement of the shire's three Traditional Owner Groups, stakeholders, the Reconciliation Plan working group, staff and the broader community. Further engagement with Traditional Owner Groups, First Nations controlled organisations and other key stakeholders will allow additional opportunities for collaboration to be identified, beyond those actions identified in the draft Reconciliation Plan 2024-27 thus far.

### **Innovation and continuous improvement**

The development of this Reconciliation Plan 2024-27 has included consultation and guidance from Reconciliation Australia, Reconciliation Victoria and neighbouring local government areas, including Mt Alexander Shire and the City of Greater Bendigo. Engagement of a First Nations consultant to review and provide feedback on Council's Reconciliation journey has offered culturally safe engagement, report findings and recommendations. Additionally, the inclusion of First Nations staff and representation from Macedon Ranges Truth and Reconciliation Group on the Reconciliation Plan Working Group aims to provide an authentic cultural lens.

### **Relevant law**

There is a selection of legislative requirements that have been taken into consideration in developing the Reconciliation Plan 2024-27. These include:

- *United Nations Declaration on the Rights of Indigenous People*
- *Native Title Act 1993 (Cth)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Traditional Owner Settlement Act 2010 (Vic)*
- *Victorian Aboriginal Heritage Act 2016 (Vic)*

### **Relevant regional, state and national plans and policies**

Since Council's first Reconciliation Action Plan was endorsed in 2021, the state government released a strategic framework to guide local government:

- Victorian Aboriginal and Local Government Strategy 2021-2026

Importantly, the Reconciliation Plan 2024-27 is aligned with Traditional Owners' priorities, including the:

- Dhelkunya Dja Dja Dja Wurrung Country Plan 2014-2034
- Taungurung's Country Plan, Taungurung Buk Dadbagi

The Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation continue the process of developing their Country Plan. The Reconciliation Plan 2024-27 is aligned with the Wurundjeri Woi Wurrung strategic priorities as are understood at this time.

### **Relevant Council plans and policies**

The draft Reconciliation Plan 2024-27 aligns with the Council Plan priorities of *Connecting communities*, *Healthy environment*, *healthy people* and *Business and tourism*. Aspects of the Reconciliation Plan 2024-27 specifically align with the actions in Council's:

- Municipal Health and Wellbeing Plan 2021
- Environment Strategy 2021
- Visitor Economy Strategy 2021
- Economic Development Strategy 2021
- Events Strategy 2021
- Arts and Culture Strategy 2018-2028
- Youth Strategy 2018-2028

**Financial viability**

The actions proposed in the Reconciliation Plan 2024-27 have no financial or resource implications in year one and will be delivered within the endorsed Council budget. As Reconciliation Plan 2024-27 actions are scoped out in the first year and resource implications become clearer, there may be a need to seek either external funding or an internal budget allocation, which will be considered through Council's budget process.

Costs to-date to develop the Reconciliation Plan 2024 are as follows:

- First Nations Consultant: \$23,600
- Consultation with Taungurung Land and Waters Council: \$1,100
- Consultation with DJAARA: \$1,100
- Consultation with Wurundjeri Woi Wurrung: \$ 701.25

Total spend to date: \$26,501.25

**Sustainability implications**

There are ongoing beneficial social and wellbeing implications from implementing the Reconciliation Plan 2024-27. These include building a stronger, connected community, recognition of shared history, and acknowledging and learning from truth-telling.

**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.

<b>COM.2</b>	<b>SMALL PROJECT GRANTS</b>
<b>Officer:</b>	<b>Lisa Richards, Community Projects Officer</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people</b>
<b>Attachments:</b>	<b>Nil</b>

**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 2024-25 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 at a Scheduled Council meeting for consideration.

One application has been received, seeking a total of \$1,505 in funding. The application has been evaluated against the eligibility criteria and is deemed to be eligible.

**Recommendation**

**That Council approves the awarding of a \$1,505 Small Project Grant to Kyneton Agricultural Society, for their ‘Purchase Portable PA System’ Project.**

**Background**

Detailed eligibility and scoring criteria are available in the Small Project Grants guidelines, and published on Council’s website.

Assessment process

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

Applications are assessed on four broad criteria, which include:

- Evidence of need
- Alignment to Council priorities
- Community benefit
- Ability to deliver to project

**Discussion**

One application has been received, seeking a total of \$1,505 in funding. The application has been evaluated against eligibility criteria and meets program requirements. Application details are as follows:

*Title/organisation:* Purchase Portable PA System / Kyneton Agricultural Society

*Project description/summary:* The “Life on the Land” sessions presented by experienced and knowledgeable locals is fast becoming the most popular section of the Kyneton Agricultural Show. Funding is requested to purchase a portable PA unit, to allow the increasing number of visitors to participate and hear speakers clearly. In addition, the 15 community groups currently using the Watts Pavilion and meeting room at the showgrounds outside of show dates would be able to use the PA using a pre-existing online booking system.

*Consultation and collaboration:* Specialist advice was sought on the application by Council's Sports Club Liaison Officer regarding broader use of the PA system.

*Gender Impact Assessment:* Gender-neutral

**Officer comments: Officers recommend funding the full \$1,505 requested. 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 these 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.

This project was reviewed by the Assessment Panel in relation to gender impact and was assessed to be gender neutral.

**Relevant regional, state and national plans and policies**

Not Applicable

**Relevant Council plans and policies**

- Council Plan 2021-2031
- Community Grants Policy 2024

Climate Impact Assessment

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? Not Applicable

How will the recommendations mitigate risks posed by climate change to Council operations and services? Not Applicable

How will the recommendation help to prepare the community for future climate scenarios? The Life on the Land presentations cover subjects that help prepare farmers and landowners for the impacts of a changing climate on land management in our region.

**Financial viability**

The table below outlines a summary of the applications to date in the 24-25 financial year.

<b>Applications allocated to date</b>	<b>Funding available</b>	<b>Applications in this report</b>	<b>Amount requested in this report</b>	<b>Amount remaining if approved</b>

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0	\$30,000.00	1	\$1,505.00	\$28,495.00
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**Sustainability implications**

This project has been submitted by a group that undertake activities to support the natural environment and has 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**

<b>AO.1</b>	<b>CAPITAL WORKS MONITORING</b>
<b>Officer:</b>	<b>Nicholas Wallace, Project Management Office Analyst</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

This report provides transparency on cost escalations and variances in infrastructure projects. It seeks further funding, cancellation, a reduction in the scope of the project or the return of funds from completed projects to manage projects within the allocated annual capital works program budget.

**Recommendation****Council**

1. **Adopts the following changes to the Capital Works Program budget relating the following infrastructure projects:**
  - (a) **101196 – Bridges – Romsey Main Road East Side 25: Increase budget by \$24,151 with funds from consolidated capital works program budget;**
  - (b) **100588 – Romsey Ecotherapy Park Stage 2: Accounting correction of \$15,565 using funds from consolidated capital works program budget;**
  - (c) **100335 – Riddells Creek Oval lighting Project: A revised project budget of \$560,650 with a \$0 impact to the capital works program budget;**
  - (d) **101234 – TAC – Station Street, Riddells Creek: Increase budget by \$36,451 with funds from consolidate capital works program budget;**
  - (e) **101103 – Gisborne Botanic Gardens Footbridge 2024: Increase budget by \$24,745 with funds from consolidated capital works program budget;**
  - (f) **101102 – Kyneton Viewing Platform Project: Return funds of \$24,745 to the consolidated capital works program budget to address the budget shortfall for 101103 Gisborne Botanic Gardens Footbridge.**
  - (g) **100813 – Woodend Neighbourhood House Ramp: Allocate \$42,976 of general revenue to this project;**
  - (h) **101254 - Lancefield Pool Fencing: Use the \$100,000 Local Roads and Community Infrastructure (LRCI) Phase 4 grant for this project, initially allocated for the Woodend Neighbourhood House Ramp project;**
2. **Notes that Recommendation 1 (above) results in a surplus of \$274,633 in the Financial Year 2024/2025 Capital Works Program Budget.**

**Background**

The Council budget 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, unspent contingency funds will be returned to the consolidated Capital Works Program Budget.

During the year, emergency projects may need funding or grants requiring contribution by Council. By transparently and regularly reporting to Council officers, we ensure the Capital Program is delivered with good governance and to the best advantage.

**Discussion**

Each year in October, officers create business cases for capital works projects. Budget estimates are built based on previous costs, with a percentage added to indicate expected price escalations before 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 total project budget requires further approval.

There are three main 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 above this budget figure needs oversight. The Capital Works Monitoring Report provides a transparent methodology for approving or refusing cost adjustments.

Before presenting a project 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 value management, the 'could' items would first be reviewed and removed if required. 'Should' items would be reviewed; however, they may need to stay within the scope to reap the full benefit of the project. 'Must' items are usually required for statutory or policy requirements.

This month, officers have identified the following infrastructure projects requiring changes to budget and/or scope:

<b>Infrastructure Project</b>	<b>Project Progress Status</b>	<b>Original budget</b>	<b>Reason for Progression or Non-Progression</b>	<b>Change to the budget – ( ) is an additional cost to the budget</b>
Financial position following previous decisions	N/A	N/A	Bring forward \$343,776 resulting from the resolution of the August 2024 Scheduled Council Meeting.	\$343,776
101196 - Bridges – Romsey Main	Deliver	\$42,010	This is a footbridge refurbishment project. Contractor's quote is higher than the project budget	(\$24,151)

Infrastructure Project	Project Progress Status	Original budget	Reason for Progression or Non-Progression	Change to the budget – ( ) is an additional cost to the budget
Road East Side 25			requiring an additional \$24,151.	
100588– Romsey Ecotherapy Park Stage 2	Complete	\$0	Several late invoices for this project were received after the budget acquittal was completed. Allocating \$15,565 would reconcile the project's budget with the actual costs. Officers are closely monitoring the Stage 3 project expenditure, and if a surplus is identified, a request will be made to reallocate the surplus to Stage 2. This will be reported to Council once Stage 3 is finalised.	(\$15,565)
100335 – Riddells Creek Oval lighting Project	Deliver	\$610,650	Council has received \$250,000 grant funding, with the original budget having estimated a \$300,000 grant. The reduced grant amount does not impact project delivery as tenders have returned favourable to budget. Therefore, the revised project budget is \$560,650	\$0
101234 – TAC – Station Street, Riddells Creek	Deliver	\$150,690	This project, funded by a grant from the Transport Accident Commission (TAC), aims to install a raised safety platform and related pedestrian safety improvements. TAC's maximum contribution is \$74,345, which covers half of the project's budget. The TAC grant is fixed, so any additional costs must be covered by the Council. Current tender prices exceed the allocated budget by \$36,451. As this project is a priority outcome of the	(\$36,451)



Infrastructure Project	Project Progress Status	Original budget	Reason for Progression or Non-Progression	Change to the budget – ( ) is an additional cost to the budget
			Riddells Creek Movement Network Study, it is essential to secure the additional funds from the Council to proceed.	
101103 – Gisborne Botanic Gardens Footbridge 2024	Deliver	\$300,000	This project replaces a footbridge damaged in the October 2022 storm, with funding coming from an insurance claim. However, the tender prices have resulted in a budget shortfall of \$24,745. It is proposed that this shortfall be covered using savings from the Kyneton Viewing Platform project.	(\$24,745)
101102 – Kyneton Viewing Platform Project	Deliver	\$175,000	This project involves replacing a viewing platform damaged in the October 2022 storm, with funding provided by an insurance claim. The received tender prices are below budget, so it is proposed to use \$24,745 from these savings to address the budget shortfall for the Gisborne Botanic Gardens Footbridge.	\$24,745
100813 Woodend Neighbourhood House Ramp	Complete	Inc \$100,000* Exp <u>\$100,000</u> \$0	This project was initially included in the budget with no net cost to Council, with \$100,000 allocated for expenses and matched by a \$100,000 grant from the Local Roads and Community Infrastructure (LRCI) Phase 4 grant. However, quotes exceeded the budget significantly, leading to a revised project scope focused solely on remediation works. Consequently, the grant has been reallocated to the Lancefield Pool Project.	Bud Exp \$100,000 Prev Handback <u>\$40,000</u> \$60,000 Act Exp <u>\$42,976</u> Act Sav <b>\$17,024</b>

Infrastructure Project	Project Progress Status	Original budget	Reason for Progression or Non-Progression	Change to the budget – ( ) is an additional cost to the budget
101254 – Lancefield Pool Fencing	Deliver	Inc <u>\$100,000</u> Exp <u>\$100,000</u> <u>(LRCI)</u>	This project is included in the 2024/25 Capital Works budget. Officers have confirmed that the Local Roads and Community Infrastructure (LRCI) Phase 4 grant, initially allocated for the Woodend Neighbourhood House Ramp project but not used, can be reallocated to this project, with the total project budget increased by \$10,000 to deliver additional fencing. Whilst shown as a negative figure, this is not increasing the cost of the project to Council. It is reducing the cost to Council as the grant is being reallocated to the project.	\$0
			<b>Total</b>	<b>\$274,633</b>

This recommendation currently results in a **surplus of \$274,633** in the 2024/2025 Capital Works Program budget.

**Consultation and engagement**

Stakeholders will be identified within individual infrastructure projects. 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 publicly providing this report in the Scheduled Council Meeting agenda, the community can understand the decisions made promptly without waiting for a quarterly, six-month or annual report.

**Collaboration**

Council officers share initiatives across neighbouring Councils, reporting 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. In response to the current economic environment, an agile response is required. 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 no 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 regarding the subject matter of this report. Officers have noted gender impact within each business case for infrastructure projects.

**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 adapts 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 adapts its infrastructure project delivery within budget.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? This is assessed in each business case for infrastructure projects.

How will the recommendations mitigate risks posed by climate change to Council operations and services? This is assessed in each business case for infrastructure projects.

How will the recommendation help to prepare the community for future climate scenarios? This is assessed in each business case for infrastructure projects.

**Financial viability**

The processes described in this report detail how Council adapts 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.

<b>AO.2</b>	<b>RESPONSE TO PETITION: WOODEND MULTIPURPOSE FIELD</b>
<b>Officer:</b>	<b>Katelyn Caruana, Open Space &amp; Recreation Planner</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people</b>
<b>Attachments:</b>	<b>Woodend Racecourse Reserve Issues and Opportunities Paper</b> <a href="#">↓</a>

## Summary

This report is provided to Council in response to the petition(s) received from the community, requesting Council develop a multi-use rectangular pitch/sports field at Woodend Racecourse Reserve or Quahlee Park within the Woodend Township by the end of 2024.

## Recommendation

### That Council:

- 1. Notes the Officer's report in response to the petition regarding the development of a multi-use rectangular pitch / sports field at Woodend Racecourse Reserve or Quahlee Park within the Woodend Township by the end of 2024;**
- 2. Resolves to refer potential planning and development of a multi-use rectangular pitch and associated infrastructure to the Racecourse Reserve Master Plan development process; and**
- 3. Notifies the lead petitioner of this recommendation and the development of the Woodend Racecourse Reserve Master Plan.**

## Background

Council received two petitions (one electronic and one hardcopy) on 17 July 2024, with 157 written signatories and 112 electronic signatories respectively, requesting Council develop a multi-use rectangular pitch/sports field at Woodend Racecourse Reserve located on Forest Street, Woodend or Quahlee Park, located on Barbara Street, Woodend by the end of 2024. The petition(s) stating:

*"Mayor and Councillors of the Macedon Ranges Shire Council, we the undersigned, petition Macedon Ranges Shire Council as of 22nd June 2024 to develop and provide a multi-use rectangular pitch within Woodend where junior boys and girls can safely train and play soccer / rugby / hockey etc on a weekly basis. The pitch must meet Football Victoria's min current standards for junior competition, which include:*

- A minimum playing area of 70m x 50m, with an additional minimum 5m buffer space.*
- The playing surface must be even and flat with a complete coverage of grass. Either natural grass or FIFA approved artificial grass pitches may be used.*
- The surface must be free of potholes, foreign objects and protrusions of any kind through the surface, or any deviations that could be hazardous to players or officials as they move across the surface.*

*Additionally, the site must also include a storage facility and some form of shelter (portable or permanent) for coaches and spectators. Ideal Council sites for this development would be the Racecourse Reserve due to be developed under the Master*

*Plan or Qualee Park as an alternative. Attached concepts provided for both sites. The playing surface must be ready to be used by the end of 2024.”*

The petition was tabled at the 28 August 2024, Scheduled Council Meeting. This report is provided to fulfil the resolution of Council at that meeting requesting that a report in response to this petition to be presented at a future Scheduled Council Meeting.

## **Discussion**

### Demand for soccer/multi-use rectangular pitch in Woodend

Council’s Sport and Active Recreation Strategy 2018 – 2028 identifies that outdoor soccer provision should continue to be consolidated at existing sites and existing clubs within the shire (i.e. Dixon Field, Gisborne and Barkly Square, Kyneton) with no additional soccer venues or clubs proposed for the duration of the strategy.

However, it is important to note that the Strategy recommends monitoring the demand for local soccer provision in Riddells Creek, Romsey and Woodend and if demand eventuates, explore options in the long term for the establishment of single pitches as training venues, utilising existing ovals and/or shared use of school ovals.

The Woodend Dragons Mini Roos was organically formed in the summer of 2020-2021 by a group of local Woodend parents aiming to give children the chance to develop their soccer skills. Now known as the Woodend Eagles Soccer Club, the group is not formally affiliated with Football Victoria but has become a popular program with Woodend locals. They offer informal soccer training for boys and girls aged 4 to 11, primarily using the open space at Woodend Primary School, with occasional access to the Woodend Racecourse Reserve oval when available.

### Petition Option – Woodend Racecourse Reserve, located on Forest Street, Woodend.

The petition proposes the creation of a multi-purpose field at Woodend Racecourse Reserve (WRR), a 25.9 ha active open space reserve located on Forest Street, Woodend. WRR is highly valued by the community, servicing a range of sport, recreation and community groups including Australian rules football, netball, cricket, equestrian activities, pétanque and indoor recreation pursuits.

In 2023, Council commenced the development of a reserve master plan to provide a planned, staged and agreed vision of the site. An initial consultation process was undertaken with a broad cross section of the community and interested key stakeholders to develop Issues and Opportunities. This consultation, among other things, identified demand for future multipurpose rectangular fields in order to accommodate a range of sports (soccer, rugby league, rugby union, hockey etc) should be considered for this site.

The Woodend Racecourse Reserve Issues and Opportunities Paper (Attachment 1), includes two concept plan options, was placed on public exhibition for community consultation to occur from 9 August 2024 to 9 September 2024. Both concept plans include provision for two future multi-purpose fields and associated infrastructure (pavilion, carparking etc) to accommodate sports such as soccer, rugby league, rugby union and cricket at this site.

Feedback received during the Woodend Racecourse Reserve Issues and Opportunities community consultation period and finalisation of the Macedon Ranges Community Equestrian Facilities Plan (on public exhibition from 25 July – 22 August 2024) will inform the direction and development of the Draft Woodend Racecourse Reserve Master Plan. Further community consultation will occur to receive feedback to the draft Woodend Racecourse Reserve Master Plan.

Woodend Racecourse Reserve is considered a possible location for a future multi-purpose field/s in Woodend subject to the feasibility of construction of supporting infrastructure and continued community demand.

Petition Option – Quahlee Park, located on Barbara Street and Stuart, Woodend.

The petition also proposed the option of creation of a multi-purpose field at Quahlee Park, Woodend, a 2.9-hectare passive open space reserve located on Barbara Street and Stuart Drive.

An assessment by officers has concluded the reserves size and proximity to residents makes it unsuitable for development as an option to meet the infrastructure requirements (fields, pavilion, carparking etc) to support a sustainable community-level sporting club.

Budget

The 2024/25 Council budget has no funding allocation for the construction of a multipurpose playing field and associated infrastructure within Woodend. Further, this project is not currently included in the long-term financial plan.

Development and Council adoption of the Woodend Racecourse Reserve Master Plan will be the catalyst for future budget submissions and grant funding opportunities for Council's consideration.

Summary

Officers welcome the opportunity to continue to collaborate with community members in developing the Draft Woodend Racecourse Reserve Master Plan. The Master Plan will identify spatial requirements for active recreation infrastructure and outline passive recreation opportunities. Additionally, the planning process is essential for determining the costs, realistic timeframes and implementation responsibilities associated with delivering the Master Plan.

Officers recommend that Council does not proceed with developing a multi-use rectangular pitch and associated infrastructure at this time and that the matter is referred to the Woodend Racecourse Reserve Master Plan development process.

**Consultation and engagement**

When Council received the petition from community members, the Woodend Racecourse Reserve Issues and Opportunities Plan, which has been informed by prior engagement with key user groups and the community, along with the associated concept plans identifying rectangular fields for this precinct, had not yet been made public.

Officers will continue to collaborate with key user groups, community members and the lead petitioner in developing the Draft Woodend Racecourse Reserve Master Plan.

**Collaboration**

Collaboration with other councils, government, and/or statutory bodies was not required in relation to this report.

**Innovation and continuous improvement**

Council commends the community for recognising the opportunity to promote healthy and active lifestyles. Officers will continue to work with the community in the development of the Woodend Racecourse Reserve Master Plan to demonstrate a planned, staged and agreed vision of the site.

**Relevant law**

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 specific regional, state or national plans or policies applicable to the subject matter of this report.

**Relevant Council plans and policies**

The following Council policies, strategies and plans were considered during the preparation of this report:

- Macedon Ranges Council Plan 2021 – 2031
- Municipal Public Health and Wellbeing Plan 2021 – 2025
- Macedon Ranges Council Fair Access Policy 2024
- Sport and Active Recreation Strategy 2018 – 2028
- Macedon Ranges Shire Council Open Space Strategy 2013
- Draft Macedon Ranges Community Equestrian Facilities Plan 2024
- Woodend Racecourse Reserve Issues and Opportunities Paper 2024

**Climate Impact Assessment**

A Climate Impact Assessment has not been undertaken regarding the potential project. A Climate Impact Assessment will be included at such time as Council considers adoption of the Woodend Racecourse Reserve Master Plan.

**Financial viability**

Council has no funding allocated in the 2024/25 budget for the construction of a multipurpose playing field and associated infrastructure within Woodend by the end of 2024, as requested in the petition(s). A significant capital project of this nature is not currently included in the long-term financial plan.

Cost planning for infrastructure projects proposed at the Woodend Racecourse Reserve will be considered as part of the ongoing Woodend Racecourse Reserve Master Plan project. The adoption of the Master Plan will provide a sound base for Council and the community to advocate to State and Federal Governments for funding assistance for proposed works.

**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.

**Issues**

- Does equestrian remain?
- Site is too small for a cross country jumps course
- Dogs off leash are a danger to horse riders
- Site has a Heritage Overlay. What heritage items should be upgraded and how should they be used?
- Site is waterlogged in winter/spring
- Car parking is limited when larger events are scheduled
- Existing oval has poor car access
- Presentation of site is poor from street view and has a number of unused buildings on site
- Poor current maintenance of sand arenas
- Limited natural shade
- No current facilities in Woodend for soccer or rugby
- Dilapidated state of the grandstand and other heritage protected structures



**LEGEND**

- Major track - - - - -
- Fenceline - - - - -
- Watercourse ———
- Waterbody ■■■■
- Drainage line ·····

**Opportunities**

- Upgrade Grandstand to support outdoor events and/or future rectangle sport precinct
- Allow for future 2 court extension to Buffalo Stadium
- Allow for future 2 court extension to outdoor multipurpose courts
- Clear old buildings and open reserve to improve security
- Venue is central to many residents and is well used as a passive recreational site for walking, bike riding etc
- Simple improvements are likely to increase usage
- Increase tree plantings for shade and wind protection
- Link and extend further walking trails
- Shared outdoor events space with allowance for future soccer/ rugby provision
- Precinct interpretation including some former Race Club assets



**WOODEND RACECOURSE RESERVE**

Title: Woodend Recreation Reserve Master Plan - Issues and Opportunities

Page 1 of 3

Date: 080824

Drawing number:4



**Walking track**

- Extend around oval on north east side
- Link walking track at end of old race track at Jeffries St back to oval. Similar line to 5 Mile Creek Master Plan

**Shade**

- Install spectator shade to south - south east of existing oval

**Existing oval**

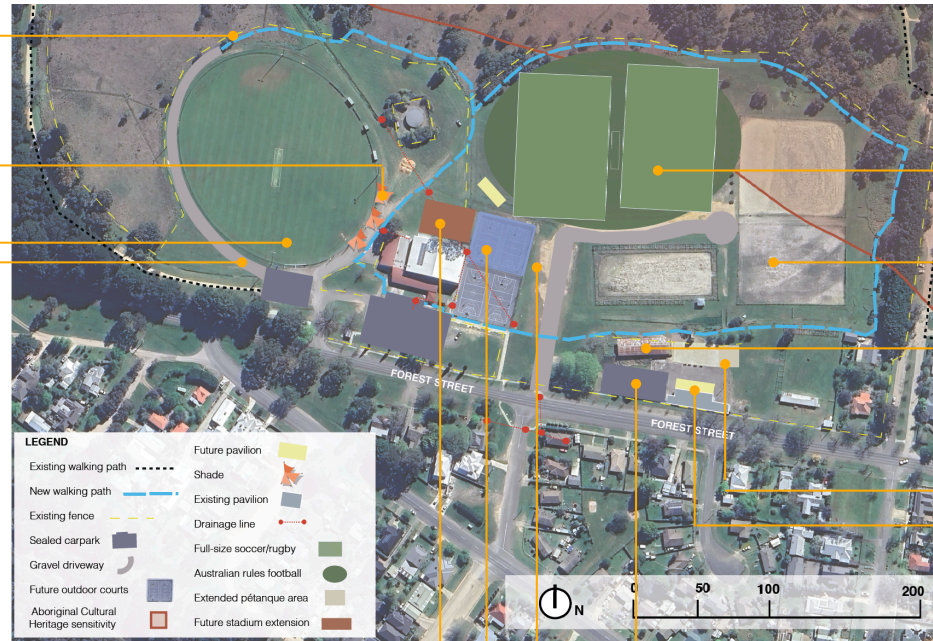
- Install subsurface drainage
- Remove soil from cricket pitch edge to improve drainage
- Install hard surface road around west side of oval and allow for nose to curb parking
- Ensure emergency vehicle access to oval

**Landscaping**

- Tree planting and weed control, landscaping around stadium, east end of oval and pétanque area

**Remove**

- All buildings along Forest St including old toilets, entry, ticket box
- Corrugated iron storage shed



**Dog walkers**

- More access to drinking water
- More dog bag dispensers

**Rectangle pitches / events space**

- Future 2 soccer/rugby pitches with cricket provision
- Ensure emergency vehicle access
- Pavilion/change space

**Equestrian facilities**

- Retain and upgrade arena surfaces, fencing, storage

**Former Race Club structures**

- Retain grandstand, judges tower, race callers tower, vets room, jockeys shed

**Pétanque**

- Extend existing piste
- Clubhouse to include public toilets

**Storage**

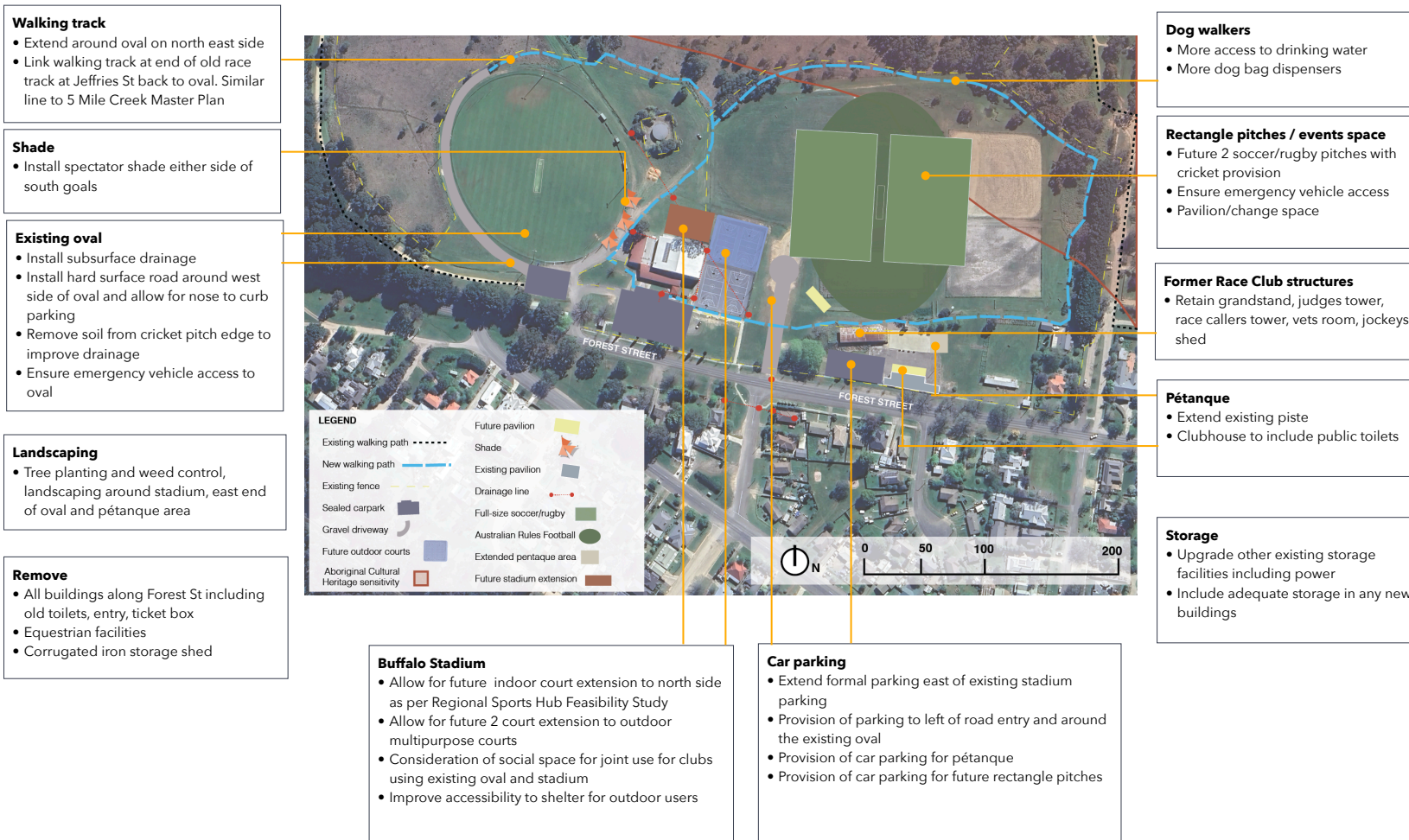
- Upgrade other existing storage facilities including power
- Include adequate storage in any new buildings

**Buffalo Stadium**

- Allow for future indoor court extension to north side as per Regional Sports Hub Feasibility Study
- Allow for future 2 court extension to outdoor multipurpose courts
- Consideration of social space for joint use for clubs using existing oval and stadium
- Improve accessibility to shelter for outdoor users

**Car parking**

- Extend formal parking east of existing stadium parking
- Provision of parking to left of road entry and around the existing oval
- Provision of car parking for pétanque and equestrian users
- Provision of car parking for future rectangle pitches



<b>AO.3</b>	<b>REQUEST FOR INCLUSION OF ROAD INTO THE PUBLIC ROAD REGISTER - SERVICE LANE, KILMORE-LANCEFIELD ROAD, GOLDIE</b>
<b>Officer:</b>	<b>Benup Neupane, Coordinator Engineering Services</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

This report updates Council on the resolution (2024/42) regarding consideration of a request for the inclusion of a road into the Public Road Register – Service Lane, Kilmore-Lancefield Road, Goldie.

### Recommendation

#### That Council:

- 1. Resolves to extend the timeframe to 30 March 2025 for Council to receive a financial contribution from impacted property owners to the upgrade of the Service Lane, Kilmore – Lancefield Road, Goldie, for inclusion into the Public Road Register; and**
- 2. Notifies the residents of Council’s decision.**

### Background

A report was presented at the 24 April 2024, Scheduled Council Meeting in response to a customer request for access to the property from this section of (unmaintained) service lane from 1338 Kilmore Lancefield Road to 1316 Kilmore Lancefield Road, Goldie.

Officers assessed the unmaintained service lane under the Public Roads Procedure Policy (2018) before considering its inclusion in the Register of Public Roads. An evaluation determined that minor repairs and upgrades would be required to meet minimum construction standards for a Category 5 unsealed local road. The following resolutions were made at the 24 April 2024, Scheduled Council Meeting.

#### That Council:

- 1. Resolves to include the subject section of the Kilmore-Lancefield Road, Goldie, service lane in the Register of Public Roads subject to the residents contributing the required funding to upgrade the road to a Category 5 standard by 31 July 2024 and advise the requestor of this decision; and**
- 2. Notes that if the residents do not provide funding by 1 July 2024 item one expires on 1 August 2024 and the subject section of the Kilmore-Lancefield Road, Goldie, service lane will not be added to the Register of Public Roads.**

As per Resolution 1, Council officers engaged with the four residents regarding the cost contribution for upgrading the existing unmaintained Service Lane to Council standards before its addition to the Public Road Register.

**Discussion**

Following engagement with the four residents. One objected to the co-contribution for the road upgrade, and the other three residents sought further clarification and an onsite meeting to discuss drainage issues and understand the rationale for their contribution.

An onsite meeting with the residents took place on 29 July 2024. Following the meeting, three residents expressed their willingness to contribute to the full cost of the road upgrade to Council's standard, without the contribution of the fourth resident. The total estimated cost of the road upgrade is in the range of \$3,000 to \$5,000.

Due to the initial time limit (outlined in the council resolution) lapsing, Officers recommend that the Council extend the time and authorise Officers to work with these three residents. This will enable Council to receive their contributions, deliver the road upgrade, and subsequently add the road to the Public Road Register.

**Consultation and engagement**

The investigating Council officer conducted meetings with residents.

**Collaboration**

Not applicable to this matter.

**Innovation and continuous improvement**

Not applicable to this matter.

**Relevant law**

Road Management Act 2004.

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**

Not applicable to this matter.

**Relevant Council plans and policies**

Council officers prepared this recommendation following Council's Public Roads Procedure Policy (2018).

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? No climate impact assessment was carried out as it does not apply to the subject matter of this report.

How will the recommendations mitigate risks posed by climate change to Council operations and services? No climate impact assessment was carried out.

How will the recommendation help to prepare the community for future climate scenarios? No climate impact assessment was carried out.

**Financial viability**

Officers are seeking cost contributions from residents to upgrade the service lane in accordance with the previous Council resolution.

**Sustainability implications**

If the unmaintained Service Lane from 1338 Kilmore Lancefield Road to 1316 Kilmore Lancefield Road is added to the Register of Public Roads, minor works and repairs to the access track will be needed. However, there are no specific 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.

<b>AO.4</b>	<b>BUS STOP AND SHELTER AUDIT</b>
<b>Officer:</b>	<b>Eng Lim, Manager Engineering and Asset Services</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

This report provides an update to Council in response to *Notice of Motion No 8/2020-21* and subsequent Council Resolution of 16 December 2020, regarding the audit of the school bus stop and installation of a bus bay and shelter in the vicinity of Reynolds Grove and Melbourne-Lancefield Road Service Road Romsey.

### Recommendation

#### That Council:

- 1. Endorses closing Notice of Motion No 8/2020-21 arising from the Council Meeting held on 16 December 2020.**
- 2. Notes advocacy will continue regarding development of bus shelters within Macedon Ranges Shire Council with the Department of Transport and Planning.**

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### Background

At the 16 December 2020 Council meeting the following was resolved in relation to *Notice of Motion No 8/2020-21*:

#### That Council

- 1. Undertake an audit of school bus stops to ascertain what steps are required to provide weather relief to students, which should include prioritisation of when shelters may be installed, interested parties [including schools, Public Transport Victoria (PTV), and Regional Roads Victoria (RRV)] and potential opportunities for advocacy and funding. This audit is to be presented as a report at a future Council meeting; and**
- 2. Seek a report, no later than the February Council Meeting, to install a bus bay and shelter in the vicinity of Reynolds Grove and Melbourne-Lancefield Road Service Road Romsey. This report should include potential funding options and detailed timelines to finalise the design, seek relevant approvals and deliver the project before May 2021.**

This report focuses on resolution 1, noting that the works required by resolution 2 have been delivered using the Local Road and Community Infrastructure Program.

#### School Bus Program

The School Bus Program (SBP) is coordinated by the Department of Education and Training, with the Department of Transport providing bus services. The service is predominantly for government school students living on farms or in small outlying communities (though open to private school students) to get to and from school and is commonly referred to as Country Buses.

To access a SBP service, families need to apply with their local School Bus Coordinator. Students must meet specific criteria to be approved for travel on the service. If approval is granted, coordinators will inform students of the designated bus service they are permitted to use and provide details of the stop locations and schedules.

Bus operators are contracted to conduct pick-ups and drop-offs on the approved routes and cannot alter any route without formal approval from the Department of Transport. The School Bus Coordinators are responsible for:

- approving the travellers for each service; and
- allocating travellers to each service and determining the stop locations along an approved route.

### **Discussion**

Bus stop locations for the SBP service can change slightly from year to year, as students finish school and others start. These school bus stops typically do not have any infrastructure. School Bus Coordinators can liaise with Council where they feel a bus shelter is warranted.

Council currently has no current budget for any new bus shelters. Historically Council has received few requests, as there is a low volume of students at most stops. Many stops are commonly at the farm gate of family residences or central points in small communities. Thus, the number of stops across all routes can be significant. In setting stop locations, coordinators may liaise with bus operators to ensure suitability for the bus to pull over and/or safely stop and to consider enough space to wait for or alight from the bus. Currently, there is no database (or records) within Council or with external sources providing a comprehensive overview of locations of school bus stops. Despite efforts to obtain this information, Officers have been unable to verify all locations of SBP bus stops.

Given the challenges of obtaining the SBP information Officers recommend that resolution 1 from the 16 December 2020, Ordinary Council Meeting is considered closed.

### **PTV/V-Line Bus Stop Audit**

Considering the challenges of obtaining accurate information regarding the School Bus Program and the transient nature of some of these bus stops, officers have undertaken an audit to review the permanent PTV/V-Line bus stops for possible inclusion of bus shelters.

This audit is an operational document that will be used by Officers for advocacy purposes with the Department of Transport and Planning to improve bus stops throughout Macedon Ranges and encourage increased participation in the use of public transport.

### **Consultation and engagement**

Officers have previously engaged with the school bus coordinators and officers from the Department of Transport and Planning.

### **Collaboration**

Officers will continue to work closely and collaborate with the Department of Transport and Planning in terms of the provision of bus shelters at feasible locations.

### **Innovation and continuous improvement**

Council will continue to work closely with Department of Transport and Planning to seek opportunities on innovative methods to implement any public transport improvements.

**Relevant law**

*Road Management Act 2004*

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**

Victorian Road Safety Strategy 2021-2030

**Relevant Council plans and policies**

Mobility and Road Safety Strategy 2023 – 2032

**Climate Impact Assessment**

A Climate Impact Assessment was not completed for this matter. However, any improvement to public transport facilities will encourage the community to use buses as a more sustainable transport. This in turn will reduce private vehicle usage and vehicle emissions. Such an approach will assist in mitigating risks posed by climate change.

**Financial viability**

There is no financial impact from any recommendation in this report.

**Sustainability implications**

Providing bus shelters enhances sustainability by encouraging public transport use, reducing the reliance on private vehicles, and lowering carbon emissions.

Shelters make waiting for buses more comfortable, especially during adverse weather. Any shift from cars to buses will help decrease traffic congestion, air pollution, and the overall carbon footprint of a community, contributing to a more sustainable and environmentally friendly environment.

**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

<b>No. 66/2024-25: NOTICE OF RESCISSION - GAMBLING HARM MINIMISATION POLICY</b>
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I, Councillor Christine Walker, give notice that at the next Meeting of Council to be held on 16 September 2024, I intend to move the following rescission motion:

**That Council rescinds resolution 2024/116 titled COM.2 Gambling Harm Minimisation Policy which was passed at the meeting of Council on 28 August 2024.**

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<b>No. 67/2024-25: NOTICE OF MOTION - GAMBLING HARM MINIMISATION POLICY</b>
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I, Councillor Christine Walker, give notice that at the next Meeting of Council to be held on 16 September 2024, I intend to move the following motion:

**That Council:**

- 1. Adopts the Gambling Harm Minimisation Policy, with the wording of points 5 and 6 of the Regulate section (page 5, Attachment 2) to be amended as follows:**

**Point 5: Council will provide guidance and avenues of support for current EGM licence holders leasing Council owned or managed land to relinquish their EGM licence and divest themselves of EGMs.**

**Point 6: Where a Council lease holder with EGMs has a lease due for renewal, Council will actively engage with the leaseholder two years before expiry of that lease to discuss the implementation of this policy. Should the lessee renew the lease, the new lease will clearly state the conditions and timing for the divestment of EGMs, which is to commence no later than five years into the new lease and conclude at a maximum period of ten years.**

- 2. Revokes the previously adopted Electronic Gaming Machine (Pokies) Community Policy as of Tuesday 17 September 2024.**

**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**

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**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.