

# Minutes

**Council Meeting  
Wednesday 18 December 2024 at 7pm  
Gisborne Administration Centre  
40 Robertson Street, Gisborne**

DRAFT

**Order of business**

<b>1</b>	<b>Acknowledgement of Country</b> .....	<b>4</b>
<b>2</b>	<b>Recording of live streaming of this Council meeting</b> .....	<b>4</b>
<b>3</b>	<b>Present</b> .....	<b>4</b>
<b>4</b>	<b>Apologies</b> .....	<b>4</b>
<b>5</b>	<b>Conflicts of interest</b> .....	<b>4</b>
<b>6</b>	<b>Petitions</b> .....	<b>5</b>
6.1	Petition in relation to Improved Wildlife Signage and Speed Limit Review in Wildlife Corridors.....	5
<b>7</b>	<b>Deputations and presentations to Council</b> .....	<b>5</b>
7.1	Public Question - Dean Hurlston.....	5
<b>8</b>	<b>Adoption of minutes</b> .....	<b>6</b>
<b>9</b>	<b>Mayor's report</b> .....	<b>6</b>
9.1	Mayor's Report - November-December 2024.....	6
<b>10</b>	<b>Record of meetings of Councillors and Council staff</b> .....	<b>7</b>
10.1	Record of Meetings of Councillors and Council Staff - November- December 2024.....	7
<b>11</b>	<b>Director Planning and Environment reports</b> .....	<b>7</b>
PE.1	Consideration of Planning Panel and Adoption of Amendment C154macr.....	7
PE.2	Environment Group Support Grant & Community Climate Action Grant 2024-25: Officer Recommendations.....	8
PE.3	PLN/2023/462 - 104 Melton Road, Gisborne.....	9
<b>12</b>	<b>Director Corporate reports</b> .....	<b>9</b>
COR.1	Instruments of Appointment and Authorisation.....	9
COR.2	Contracts to be Awarded as at December 2024.....	10
COR.3	Annual Councillor Appointments.....	11
COR.4	Council Meeting Dates 2025.....	11
COR.5	Audit and Risk Committee - Appointment of Chair for 2025, Extension of Independent Member and Audit and Risk Committee Charter.....	12
COR.6	Audit and Risk Committee Biannual Report - December 2024.....	12
<b>13</b>	<b>Director Community reports</b> .....	<b>13</b>
COM.1	Small Project Grants - December 2024.....	13
COM.2	Integration of the Municipal Public Health and Wellbeing Plan, Disability Action Plan, and Council Plan.....	13
COM.3	Reconciliation Plan 2024-2027 Draft update.....	14
<b>14</b>	<b>Notices of motion and rescission</b> .....	<b>14</b>

No. 69/2024-25: Notice of Motion - Intersection of Urquhart Street and High Street, Woodend ..... 14

15 Urgent business ..... 15

16 Confidential reports ..... 15

Nil

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**1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

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

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

**3 PRESENT**

Cr Dominic Bonanno (Mayor), Cr Kate Kendall (Deputy Mayor), Cr Jennifer Anderson, Cr Cassy Borthwick, Cr Alison Joseph, Cr Janet Pearce, Cr Andrew Scanlon, Cr Christine Walker, Cr Daniel Young

**IN ATTENDANCE**

Bernie O'Sullivan (Chief Executive Officer), Adele Drago-Stevens (Director Corporate), Maria Weiss (Director Community), Rob Ball (Acting Director Planning and Environment), Lucy Olson (Senior Governance Officer - Council Business), Jessica Clarke-Hong (Manager Governance and Performance), Vinitha Pinto (Chair of the Audit and Risk Committee).

**4 APOLOGIES**

Rebecca Stockfeld (Interim Director Assets and Operations)

**5 CONFLICTS OF INTEREST**

Cr Anderson declared a general in relation to item PE.2 due to her partner being on the committee of one of groups that applied for a grant.

Cr Bonanno declared a general in relation to item PE.3 due to a historic familial connection to the site.

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**6 PETITIONS****6.1 PETITION IN RELATION TO IMPROVED WILDLIFE SIGNAGE AND SPEED LIMIT REVIEW IN WILDLIFE CORRIDORS****Summary**

A petition has been received from Janine McDougall in Riddells Creek on behalf of 59 residents stating:

*“Mayor and Councillors of the Macedon Ranges Shire Council, we the undersigned, petition Macedon Ranges Shire Council from September 22nd 2024, to allocate more funding in the 2024-2025 Council - managed roads audit to improved wildlife warning signage, speed limit review with a view to speed reduction in wildlife prone areas, and wildlife corridor feasibility studies.”*

**Resolution 2024/167**

Moved: Cr Jennifer Anderson

Seconded: Cr Kate Kendall

**That Council:**

- 1. Notes the petition from Janine McDougall on the matter of improved wildlife signage and speed limit review in wildlife corridors with 59 signatories;**
  - 2. Notes that the petition has been circulated to all Councillors confidentially as it contains personal information; and**
  - 3. Requests the Chief Executive Officer to prepare a report in response to this petition to be presented at the March Council Meeting 2025.**
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**CARRIED**

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**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL**

Vinitha Pinto - Chair of the Audit and Risk Committee, presented the Audit and Risk Committee's Biannual Report – December 2024 to Council.

**7.1 PUBLIC QUESTION - DEAN HURLSTON****Question:**

What is the approximate cost per public COUNCIL meeting FOR Councillor and Staff MEALS, REFRESHMENTS AND BEVERAGES? (If applicable).

**Answer:**

Macedon Ranges Shire Council holds monthly evening Council meetings (except for January) and dinner is provided for the Councillors and Staff in attendance, usually approximately 18 people. The average cost per meeting of dinners for 2024 to date is \$683.37 inclusive of GST. There are no additional costs for refreshments or beverages.

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**8 ADOPTION OF MINUTES****Resolution 2024/168**

Moved: Cr Janet Pearce  
 Seconded: Cr Alison Joseph

**That Council confirms the minutes of the Unscheduled Council Meeting of Macedon Ranges Shire Council held on 22 November 2024 and the Scheduled Council Meeting of Macedon Ranges Shire Council held on 27 November 2024, as circulated.**

**CARRIED****9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - NOVEMBER-DECEMBER 2024****Resolution 2024/169**

Moved: Cr Cassy Borthwick  
 Seconded: Cr Kate Kendall

**That Council receives and notes the Mayor's report.**

**CARRIED****Procedural Note:**

It is confirmed in these minutes as stated during the Mayor's report that all Councillors were sworn in as Councillors of Macedon Ranges Shire Council prior to the Unscheduled Council Meeting to elect the Mayor on Friday 22 November 2024. The table below outlines the method undertaken by each Councillor:

<b>Councillor</b>	<b>Method</b>
Cr Jennifer Anderson	Affirmation
Cr Dominic Bonanno	Oath
Cr Cassy Borthwick	Affirmation
Cr Alison Joseph	Affirmation
Cr Kate Kendall	Oath
Cr Janet Pearce	Affirmation
Cr Andrew Scanlon	Affirmation
Cr Christine Walker	Affirmation
Cr Daniel Young	Affirmation

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**10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF**

<b>10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - NOVEMBER-DECEMBER 2024</b>
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**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.

**Resolution 2024/170**

Moved: Cr Christine Walker  
Seconded: Cr Daniel Young

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

**CARRIED**

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**11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS****PE.1 CONSIDERATION OF PLANNING PANEL AND ADOPTION OF AMENDMENT C154MACR****Summary**

This report seeks Council's adoption of combined Planning Scheme Amendment C154macr (the Amendment) and planning permit application PLN/2022/198 (the Permit) following a review by Planning Panels Victoria.

The Amendment seeks to rezone land located at 1 Wills Street Malmsbury from the Farming Zone to the Neighbourhood Residential Zone – Schedule 13; and approval for a nine-lot subdivision with lots ranging in size from 2,000 to 2,182 square metres.

The Amendment was referred to an independent Planning Panel to consider unresolved submissions. The Panel found the Amendment has strong strategic basis and recommends that Council adopt the Amendment and approve the Permit subject to several changes outlined in the Panel Report found at **Attachment One** to this report.

Council officers support all but one of the recommendations outlined in the Panel Report. This recommendation relates to the Permit conditions for Coliban Water who, following consultation, have not supported the change recommended by the Panel.

**Resolution 2024/171**

Moved: Cr Janet Pearce  
Seconded: Cr Alison Joseph

**That Council:**

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1. **Adopts Amendment C154macr with changes outlined in this report and provided in Attachment Two.**
2. **Submits Amendment C154macr to the Minister for Planning together with the prescribed information for approval, in accordance with Section 31 of the Planning and Environment Act 1987**
3. **Request that the Minister for Planning grant planning permit application PLN/2022/198 in accordance with Section 96I of the Planning and Environment Act 1987.**
4. **Notifies all submitters of Council's decision.**

**CARRIED**

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## **PE.2 ENVIRONMENT GROUP SUPPORT GRANT & COMMUNITY CLIMATE ACTION GRANT 2024-25: OFFICER RECOMMENDATIONS**

### **Summary**

This report seeks to gain endorsement from the Councillors of the Assessment Panel's recommendations for successful recipients of the Environment Group Support Grant Program and Community Climate Action Grants 2024-2025.

This report also seeks to provide an overview of the auspice arrangements challenges experienced by Landcare and Friends group to meet eligibility requirements of the 2024-2025 Environment Group Support Grant Program and requests a waiver to a particular guideline requirement.

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

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### **Resolution 2024/172**

Moved: Cr Alison Joseph  
Seconded: Cr Cassy Borthwick

#### **That Council:**

1. **Endorses a waiver to the auspice limitation requirement included in the Environment Group Support Grant 2024-2025 guidelines that states an incorporated auspice organisation can submit a maximum of two applications.**
2. **Endorses the funding recommendations for successful recipients for the Environment Group Support Grant Program and Community Climate Action Grants 2024-2025 as found in Attachment 1 and Attachment 2.**

**CARRIED**

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**Procedural Note:** At 7:19 pm, Cr Jennifer Anderson returned to the meeting.

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**PE.3 PLN/2023/462 - 104 MELTON ROAD, GISBORNE****Summary**

This application seeks approval for the subdivision of the land into seventeen (17) lots adjacent to a road in a Transport Zone 2, removal of native vegetation and creation of reserves.

The matter is before Council as the application was advertised and objections to the proposal were received. The application was added to the Council Call in List in accordance with required delegations and the application has been called in by Councillors for their determination.

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**Procedural Note:** Having previously declared a conflict of interest in relation to this item, Cr Bonanno left the meeting at 7:20 pm. Deputy Mayor Kendall assumed the Chair.

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**Resolution 2024/173**

Moved: Cr Christine Walker

Seconded: Cr Janet Pearce

**That Council support the Planning Permit Application PLN/2023/462 and a Notice of Decision to Grant a Permit be issued for the subdivision of the land into seventeen (17) lots adjacent to a road in a Transport Zone 2, removal of native vegetation and creation of reserves at 104 Melton Road, Gisborne subject to the conditions outlined in Attachment 1.**

**CARRIED**

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**Procedural Note:** At 7:36 pm, Cr Dominic Bonanno returned to the meeting and reassumed the Chair.

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**12 DIRECTOR CORPORATE REPORTS****COR.1 INSTRUMENTS OF APPOINTMENT AND AUTHORISATION****Summary**

This report seeks Council's approval to appoint authorised officers under the *Planning and Environment Act 1987* (the Act) and the *Local Government Act 2020* (the Act) by an Instrument of Appointment and Authorisation. Under these Acts, only Council, by a resolution, can appoint authorised officers who must be employees of Council.

In addition, Council is required to revoke any Instruments for authorised officers who are no longer employees of Council or no longer require authorisation due to transferring departments.

Instruments of Appointment and Authorisation are required for two officers who have recently commenced with Council.

**Resolution 2024/174**

Moved: Cr Jennifer Anderson

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Seconded: Cr Alison Joseph

**That Council resolves that in the exercise of the powers conferred by section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*:**

- 1. Council officers named in the Instruments of Appointment and Authorisation provided in Attachment 1 be appointed and authorised;**
- 2. The Instruments of Appointment and Authorisation come into force upon signing and remain in force until Council determines to vary or revoke these;**
- 3. The Instruments of Appointment and Authorisation in Attachment 1 are signed; and**
- 4. The Instrument of Appointment and Authorisation for Amy Swan and Damian Hodgkins be revoked.**

**CARRIED**

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## **COR.2 CONTRACTS TO BE AWARDED AS AT DECEMBER 2024**

### **Summary**

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

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

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***Procedural Note:*** Cr Cassy Borthwick moved an alternative motion.

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### **Resolution 2024/175**

Moved: Cr Cassy Borthwick

Seconded: Cr Andrew Scanlon

**That the item COR.2, contracts to be awarded as at December 2024, be deferred until March 2025 to allow Councillors to be provided with further information on:**

- 1. the C2025-81 Supply Panel Commercial Builders contract tender process; and**
- 2. the current delegated authorities of the CEO.**

**In Favour:** Crs Kate Kendall, Jennifer Anderson, Cassy Borthwick, Alison Joseph, Janet Pearce, Andrew Scanlon, Christine Walker and Daniel Young

**Against:** Cr Dominic Bonanno

**CARRIED 8/1**

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**COR.3 ANNUAL COUNCILLOR APPOINTMENTS****Summary**

This report is presented to Council for determining Councillor representation on internal and external committees and organisations from December 2024 till November 2025.

**Resolution 2024/176**

Moved: Cr Jennifer Anderson  
Seconded: Cr Daniel Young

**That Council appoints the Councillor delegates from December 2024 to November 2025 to the internal and external committees and organisations as specified in the table in Attachment 1.**

**CARRIED**

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**COR.4 COUNCIL MEETING DATES 2025****Summary**

This report seeks approval of the proposed Scheduled Council Meeting and Planning Delegated Committee Meeting dates and formats for the 2025 calendar year.

**Resolution 2024/177**

Moved: Cr Kate Kendall  
Seconded: Cr Alison Joseph

**That Council:**

- 1. Approves the proposed meeting schedule for the period 1 January 2025 to 31 December 2025 as outlined in Attachment 1;**
- 2. Notes that Planning Delegated Committee meetings will be held when required on the dates outlined in the schedule at Attachment 1; and**
- 3. Schedules a Submitters Delegated Committee Meeting to be held online at 7pm on Wednesday 19 February 2025 to consider budget submissions and other matters if required.**

**CARRIED**

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**COR.5 AUDIT AND RISK COMMITTEE - APPOINTMENT OF CHAIR FOR 2025,  
EXTENSION OF INDEPENDENT MEMBER AND AUDIT AND RISK  
COMMITTEE CHARTER****Summary**

The Audit and Risk Committee comprises two Councillors and four independent members from the Macedon Ranges Shire community. This report seeks for Council to consider an extension of an existing independent member and the appointment of a Chairperson for 2025.

Also included as part of this report is an amendment to the Audit and Risk Committee Charter to include minor changes at the recommendation of the Committee and Officers.

**Resolution 2024/178**

Moved: Cr Cassy Borthwick

Seconded: Cr Christine Walker

**That Council:**

1. Offers an extension to the appointment of independent member Jonathan Kyvelidis for the period 1 January 2025 to 31 December 2028;
2. Endorses the appointment of independent member Vinitha Pinto as Audit and Risk Committee Chairperson from 1 January 2025 to 31 December 2025; and
3. Approves the attached updated Audit and Risk Committee Charter, to be effective from 19 December 2024, replacing the previous Charter.

**CARRIED**

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**COR.6 AUDIT AND RISK COMMITTEE BIENNIAL REPORT - DECEMBER 2024****Summary**

This report ensures Council transparently discloses a summary of the key matters discussed at the Audit and Risk Committee meetings during the second half of the 2024 calendar year.

The report also ensures the requirements of the Audit and Risk Committee Charter are met by providing a biannual report to Council that summarises the work of the Committee performed, to fully discharge its responsibilities.

**Resolution 2024/179**

Moved: Cr Alison Joseph

Seconded: Cr Christine Walker

**That Council notes the Audit and Risk Committee Biannual Report – December 2024 and thanks the committee for the report.**

**CARRIED**

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**13 DIRECTOR COMMUNITY REPORTS****COM.1 SMALL PROJECT GRANTS - DECEMBER 2024****Summary**

The Small Project Grants program supports projects and initiatives that:

- support local needs.
- are unlikely to be funded by other Council funding programs or non-Council funding programs; and
- align with Council Plan priorities.

Council's Small Projects Grant budget for 24/25 is \$30,000 and not-for-profit groups can apply for a maximum of \$3000 per application.

Applications are assessed against set criteria outlined in the Small Projects Grant guidelines. Funding recommendations are presented monthly at a Scheduled Council meeting for review and/or approval.

Two applications have been received, seeking a total of \$5750.00.00 in funding. The applications have been evaluated against the eligibility criteria and are deemed to be eligible.

**Resolution 2024/180**

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

**That Council:**

1. Approves the awarding of a \$3000.00 Small Projects Grant to Woodend Art Group, for their Beginners Learn to Draw and Paint project and
2. Approves the awarding of a \$2750.00 Small Projects Grant to Woodend Golf Club, for Golf Sets for their Women's Program project.

**CARRIED**

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**COM.2 INTEGRATION OF THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN, DISABILITY ACTION PLAN, AND COUNCIL PLAN****Summary**

There is an opportunity to integrate the next iterations of the Council Plan, Disability Action Plan and Municipal Public Health and Wellbeing Plan, all of which are due to be renewed by October 2025, to maintain legislative compliance.

This report seeks adoption from Council on the decision to integrate these plans to ensure Council officers can proceed and meet the required adoption timelines.

**Resolution 2024/181**

Moved: Cr Christine Walker

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Seconded: Cr Alison Joseph

**That Council integrates the Council Plan, Disability Action Plan and Municipal Public Health and Wellbeing Plan, into one central Plan for our community.**

**CARRIED**

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### **COM.3 RECONCILIATION PLAN 2024-2027 DRAFT UPDATE**

#### **Summary**

This report provides an update on the progress of the draft Reconciliation Plan 2024-2027 following further consultation with the three Macedon Ranges Traditional Owner groups.

Officers plan to submit the updated draft Reconciliation Plan for Council consideration in the first half of 2025, to enable appropriate engagement with the newly elected Councillor group.

#### **Resolution 2024/182**

Moved: Cr Janet Pearce

Seconded: Cr Jennifer Anderson

**That Council notes an updated draft Reconciliation Plan will be presented for consideration in 2025.**

**CARRIED**

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### **14 NOTICES OF MOTION AND RESCISSION**

#### **NO. 69/2024-25: NOTICE OF MOTION - INTERSECTION OF URQUHART STREET AND HIGH STREET, WOODEND**

I, Councillor Janet Pearce, give notice that at the next Meeting of Council to be held on 18 December 2024, I intend to move the following motion:

#### **Resolution 2024/183**

Moved: Cr Janet Pearce

Seconded: Cr Kate Kendall

**That Council writes to The Hon. Melissa Horne MP, Minister for Roads and Road Safety:**

- 1. advising of Council and the community's ongoing daily safety concerns for pedestrians, cyclists and vehicles at the intersection of Urquhart Street and High Street, Woodend;**
- 2. requesting an urgent written response on when a recommendation for treatment to the intersection will be made publicly available for community feedback.**

**CARRIED**

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**15 URGENT BUSINESS**

Nil

**16 CONFIDENTIAL REPORTS**

Nil

**The meeting closed at 8:13pm.**

**The minutes of this meeting will be confirmed at the Council Meeting held on 26 February 2025.**

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