

# Minutes

**Council Meeting  
Wednesday 22 May 2024 at 7pm  
Gisborne Administration Centre  
40 Robertson Street, Gisborne**

**Order of business**

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	Nil	

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

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

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

**3 PRESENT**

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

**IN ATTENDANCE**

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

**4 APOLOGIES**

Nil

**5 CONFLICTS OF INTEREST**

Cr West declared a material conflict of interest in relation to item PE.2 due to a family connection.

Cr Jennifer Anderson moved a procedural motion.

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**MOTION****Resolution 2024/48**

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

**That the item listed at COR.3 on the agenda be considered before the item listed as COR.2.**

**CARRIED**

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**6 PETITIONS****6.1 PETITION IN RELATION TO PUBLIC LAND ACQUISITION SUBMISSION - 18 KILMORE RD GISBORNE****Summary**

A petition has been received from Federation Environment Horticulture Macedon Ranges (FEHMR) in Gisborne on behalf of 74 residents stating:

*“Mayor and Councillors of the Macedon Ranges Shire Council, we the undersigned, respectfully request Macedon Ranges Shire Council acquire the land at 18 Kilmore Road for the use of public native bushland regeneration and conservation. This action is imperative for safeguarding vital catchment areas for Waa and Jacksons Creek in Gisborne, and for preserving critically needed habitat for the many bird and fauna species that currently occupy the area, as well as for the enjoyment of locals and visitors to the area. We have named this new ecological conservation place Habitat Hill. Dated 2/4/24”*

**Resolution 2024/49**

Moved: Cr Rob Guthrie  
Seconded: Cr Dominic Bonanno

**That Council:**

- 1. Notes the petition from Federation Environment Horticulture Macedon Ranges (FEHMR) on the matter of Public Land Acquisition Submission – 18 Kilmore Road, Gisborne, with 74 signatories;**
- 2. Notes that the petition has been circulated confidentially to all Councillors as it contains personal information; and**
- 3. Requests the Director Corporate prepare a report in response to this petition to be presented at a future meeting of Council.**

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**CARRIED**

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**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL**

NIL

**8 ADOPTION OF MINUTES****Resolution 2024/50**

Moved: Cr Mark Ridgeway  
Seconded: Cr Christine Walker

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on 24 April 2024 as circulated be confirmed.

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**CARRIED**

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**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - APRIL-MAY 2024****Resolution 2024/51**

Moved: Cr Jennifer Anderson

Seconded: Cr Bill West

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

<b>10.1</b>	<b>RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - APRIL-MAY 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 2024/52**

Moved: Cr Christine Walker

Seconded: Cr Rob Guthrie

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.****CARRIED****11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS****PE.1 MACEDON RANGES HERITAGE STRATEGY 2024-34****Summary**

The draft Macedon Ranges Heritage Strategy 2024 –2034 (Heritage Strategy) has been finalised and Council endorsement for community consultation is sought. Developed over 12 months with input from community and organisational engagement, the draft Heritage Strategy focuses on Macedon Ranges Shire Council as one of the largest owners/managers of heritage assets and collections in the municipality. Twenty-six actions are proposed, over a ten-year cycle, to build the organisation's capacity around natural, Aboriginal, and historic heritage matters.

**Resolution 2024/53**

Moved: Cr Rob Guthrie  
Seconded: Cr Jennifer Anderson

**That Council endorses the release of the draft Macedon Ranges Heritage Strategy 2024-2034 for a four-week consultation process commencing in June 2024.**

**CARRIED**

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## **PE.2 DRAFT ROMSEY STRUCTURE PLAN FOR ADOPTION**

### **Summary**

This report presents the final draft Romsey Structure Plan for adoption. The Romsey Structure Plan will replace the current Romsey Outline Development Plan and will guide growth and development of Romsey until 2050. The Romsey Structure Plan will determine the protected settlement boundary for the town as required under the Macedon Ranges Statement of Planning Policy.

The report identifies the changes made to the final draft Romsey Structure Plan in response to the community and stakeholder submissions. The report also recommends that following the adoption of the Romsey Structure Plan, that Council writes to the Minister for Planning to implement the protected statement boundary included in the Romsey Structure Plan.

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Having previously declared a conflict of interest in relation to this item, Cr West left the meeting at 7:22 pm.

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### **Recommendation**

#### **That Council:**

- 1. Adopts the draft Romsey Structure Plan.**
- 2. Writes to the Minister for Planning to request that an amendment be prepared under section 46AZA(1) of the Planning and Environment Act 1987 to amend the contents of the Macedon Ranges Statement of Planning Policy, 2019, and insert a protected settlement boundary for Romsey, and any consequential amendment to the Macedon Ranges Planning Scheme to implement the Romsey Structure Plan.**
- 3. Notifies all submitters regarding the outcome of the Romsey Structure Plan process and thank them for their feedback and participation.**

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Cr Rob Guthrie moved an alternative motion.

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### **Resolution 2024/54**

Moved: Cr Rob Guthrie  
Seconded: Cr Christine Walker

#### **That Council:**

- 1. Adopts the Romsey Structure Plan- May 2024 included as Attachment 2 to item PE.2, subject to the following changes:**
  - (a) The inclusion of a minimum setback of residential lots from the eastern boundary of 2131 Romsey Road, Romsey of 30 meters to ensure an appropriate interface is achieved to the adjoining rural land.**

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(b) Any consequential changes to the structure plan that results from the change listed above.

2. Writes to the Minister for Planning to request that an amendment be prepared under section 46AZA(1) of the Planning and Environment Act 1987 to amend the Macedon Ranges Statement of Planning Policy, 2019, to insert a protected settlement boundary for Romsey and any consequential amendment to the Macedon Ranges Planning scheme in order to insert this protected settlement boundary.
3. Requests the Minister for Planning undertake community consultation to inform a decision on Recommendation Two.
4. Notifies all submitters regarding this resolution and thank them for their feedback and participation.

In Favour: Crs Annette Death, Janet Pearce, Dominic Bonanno, Rob Guthrie and Christine Walker

Against: Crs Jennifer Anderson, Geoff Neil and Mark Ridgeway

**CARRIED 5/3**

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At 7:56 pm, Cr Bill West returned to the meeting.

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At 7:56 pm, Cr Geoff Neil left the meeting, he returned at 7:59pm.

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## 12 DIRECTOR CORPORATE REPORTS

### COR.1 BUDGET 2024-25

#### Summary

The draft Budget 2024-25 has been prepared consistent with the requirement of Section 94 of the *Local Government Act 2020* (LGA) and forms part of the Integrated Strategic Planning and Reporting Framework developed as Part 4 of the LGA.

Council undertook a community engagement and consultation process in accordance with the *Local Government Act 2020* and Council's *Community Engagement Policy* during October-November 2023. During this period, 114 submissions were received and considered, with a Submitters Delegated Committee Meeting held on 21 February where a total of 23 members from the community presented.

Therefore, the purpose of this report is to (1) make a determination on the responses to community submissions, and (2) adopt the Budget, with or without amendment.

#### Resolution 2024/55

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

#### That Council:

1. Adopts the draft Budget 2024-25, prepared in accordance with section 94 of the *Local Government Act 2020* as attached with this agenda, effective from 1 July 2024.
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2. Approves new loan borrowings of up to \$2,500,000 in line with the proposed Budget, and authorises the Chief Executive Officer to:
  - i. negotiate the loan;
  - ii. approve the successful tender;
  - iii. execute the loan documentation; and
  - iv. delegate to the Director Corporate and/or Manager Finance and Reporting to undertake the required process as outlined in points 2 (i), (ii) and (iii)
3. Adopts the following rates:

	Cents/\$CIV
<b>General Rate for rateable residential properties – 100%</b>	<b>0.0018576</b>
<b>Agricultural land rate – 80%</b>	<b>0.0014861</b>
<b>Commercial/Industrial rate – 120%</b>	<b>0.0022291</b>
<b>Recreational land rate – 50%</b>	<b>0.0009288</b>
<b>Not-for-profit housing rate – 50%</b>	<b>0.0009288</b>

4. Gives public notice of its decision to adopt the Budget 2024-25 and the availability of the Budget 2024-25 to the public on Council's website and at Council offices and service centres.
5. Endorses officer responses to submissions in Attachment 1 to this report.
6. Responds to all submitters in accordance with Council's *Community Engagement Policy*.

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**CARRIED**

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### **COR.3 COUNCIL PLAN 2021-2031 (YEAR FOUR ACTIONS 2024-25)**

#### **Summary**

The Council Plan forms part of the Strategic Planning and Reporting Framework, as outlined in the *Local Government Act 2020* (LGA). The Council Plan must provide the strategic direction of Council, its objectives, the strategies to achieve these objectives and strategic indicators for monitoring the achievements.

Council during October and November 2023 invited the community to share ideas and feedback to support, to suggest or support projects, infrastructure, and initiatives year-round for consideration for Council's Budget 2024/25 and Council Plan 2021/2031 (Year Four Action 2024-25). During this time, no submissions were received for the Council Plan.

The purpose of this report is for Council to adopt the draft Council Plan 2021-2031 (Year Four Actions 2024-25).

#### **Resolution 2024/56**

Moved: Cr Jennifer Anderson  
 Seconded: Cr Mark Ridgeway

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That Council adopts the Council Plan 2021–2031 (Year Four 2024-25), prepared in accordance with the *Local Government Act 2020*, and gives public notice of its decision to replace the previous Council Plan 2021-31 (Year Three Actions 2023-24) effective from 23 May 2023.

CARRIED

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## **COR.2 QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING 31 MARCH 2024**

### **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 31 March 2024 for the 2023/2024 financial year (Quarter 3), in accordance with the requirements of the *Local Government Act 2020*.

### **Resolution 2024/57**

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council receives the Quarterly Financial report as at 31 March 2024, in accordance with the requirements of the *Local Government Act 2020*.

CARRIED

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## **COR.4 CONTRACTS TO BE AWARDED AS AT MAY 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.

### **Resolution 2024/58**

Moved: Cr Bill West

Seconded: Cr Dominic Bonanno

That Council grants delegated authority to the Chief Executive Officer to award the following contract:

1. C2024-64 Managed Wide Area Network (WAN)

CARRIED

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**13 DIRECTOR COMMUNITY REPORTS****COM.1 DRAFT COMPLAINT AND UNREASONABLE BEHAVIOUR POLICY****Summary**

This report recommends Council's adoption of the Draft Complaint and Unreasonable Behaviour Policy, to address inconsistencies in its existing Complaints Policy and to guide Council in managing unreasonable behaviour.

**Resolution 2024/59**

Moved: Cr Janet Pearce

Seconded: Cr Geoff Neil

**That Council adopts the Draft Complaint and Unreasonable Behaviour Policy effective from 23 May 2024 and revokes all previous versions of its Complaints Policy.**

**CARRIED**

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

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

**Recommendation****That Council**

- 1. Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:**
    - (a) Mulbarton Rockwall Restoration Design: Return \$21,864.00 to the consolidated capital works program budget;**
    - (b) Manna Gum Family and Childrens Centre: Approve a scope variation and utilise existing project contingency for internal pathway work as a carry forward in the 2024/25 financial year;**
    - (c) Woodend Neighbourhood House Ramp: Return \$40,000.00 to the consolidated capital works program budget;**
    - (d) Jacksons Creek Reserve Rotunda 2024: Return \$2,580.00 to the consolidated capital works program budget;**
    - (e) Gisborne Gym – Changerooms and Sauna: Return \$80,000.00 to the consolidated capital works program budget;**
    - (f) Kyneton Rifle Range Rooms Design: Return \$20,000.00 to the consolidated capital works program budget;**
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- (g) GAC Ceiling and Steel Works: Return \$7,500.00 to the consolidated capital works program budget;
  - (h) Buffalo Stadium Change room upgrade: Return \$15,000.00 to the consolidated capital works program budget;
  - (i) Kyneton Saleyards: Return \$40,000.00 to the consolidated capital works program budget;
  - (j) Kyneton Botanic Gardens Waterplay: Return \$45,000.00 to the consolidated capital works program budget;
  - (k) Footpath – Kyneton Tennis Club: Increase budget by \$30,785.11;
  - (l) Romsey Recreation Reserve Clubrooms: Increase budget by \$7,500.00
2. Notes that recommendation 1 (above) results in a surplus of \$170,285.89 to the financial year 2023/2024 consolidated capital works program budget.

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Cr Rob Guthrie moved an amended officer recommendation.

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### **Resolution 2024/60**

Moved: Cr Rob Guthrie

Seconded: Cr Geoff Neil

#### **That Council:**

1. Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:
  - (a) Mulbarton Rockwall Restoration Design: Return \$21,864.00 to the consolidated capital works program budget;
  - (b) Manna Gum Family and Childrens Centre: Approve a scope variation and utilise existing project contingency for internal pathway work as a carry forward in the 2024/25 financial year;
  - (c) Woodend Neighbourhood House Ramp: Return \$40,000.00 to the consolidated capital works program budget;
  - (d) Jacksons Creek Reserve Rotunda 2024: Return \$2,580.00 to the consolidated capital works program budget;
  - (e) Gisborne Gym – Changerooms and Sauna: Return \$80,000.00 to the consolidated capital works program budget;
  - (f) Kyneton Rifle Range Rooms Design: Return \$20,000.00 to the consolidated capital works program budget;
  - (g) GAC Ceiling and Steel Works: Return \$7,500.00 to the consolidated capital works program budget;
  - (h) Buffalo Stadium Change room upgrade: Return \$15,000.00 to the consolidated capital works program budget;
  - (i) Kyneton Saleyards: Return \$40,000.00 to the consolidated capital works program budget;
  - (j) Kyneton Botanic Gardens Waterplay: Carry forward \$45,000.00 for use in delivering irrigation works;
  - (k) Footpath – Kyneton Tennis Club: Increase budget by \$30,785.11;

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**(I) Romsey Recreation Reserve Clubrooms: Increase budget by \$7,500.00**

- 2. Notes that recommendation 1 (above) results in a surplus of \$125,285.89 to the financial year 2023/2024 consolidated capital works program budget.**

**CARRIED**

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**15 NOTICES OF MOTION AND RESCISSION**

Nil

**16 URGENT BUSINESS**

Nil

**17 CONFIDENTIAL REPORTS**

Nil

**The meeting closed at 8:33pm.**

**The minutes of this meeting will be confirmed at the Council Meeting held on 26 June 2024.**