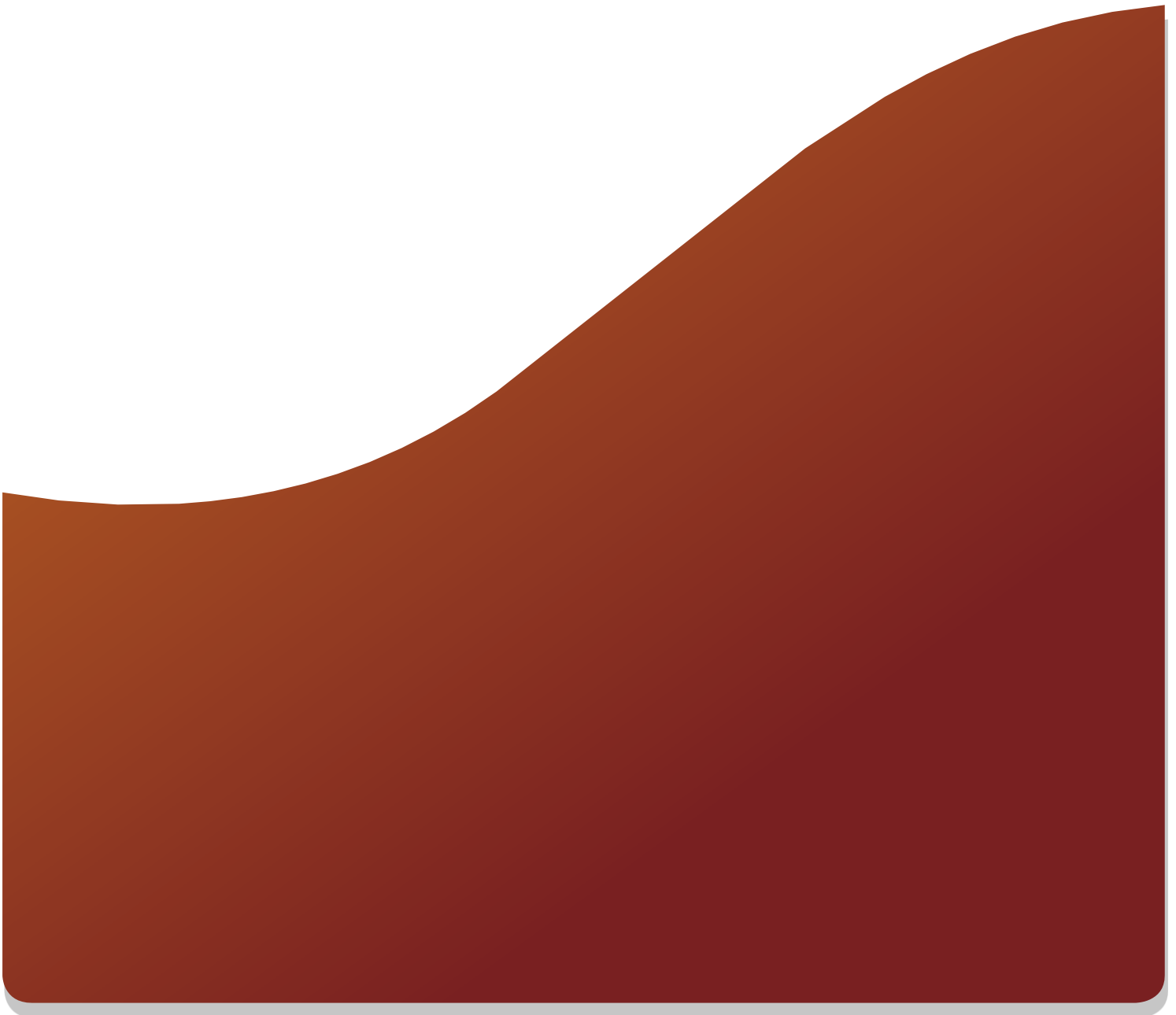


Minutes

**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, 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), Rob Ball (Acting Director Planning and Environment), Rebecca Stockfeld (Interim 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

Nil

MOTION**Resolution 2024/126**

Moved: Cr Christine Walker

Seconded: Cr Mark Ridgeway

That the items listed at No. 66/2024-25 and No.67/2024-25 on the agenda be considered before the item listed as PE.1 in that order.

CARRIED

6 PETITIONS

Nil

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

7.1 PUBLIC QUESTION - L PEELER

Question:

Sister city with Japan

Who were the 6 Councillors and 2 staff that were on that trip? What was the total cost?

Answer:

In relation to the Sister City Relationship Councillors and Council staff travelled to Japan in October 2015.

The 6 Councillors in attendance were:

- The Mayor Cr Anderson
- Cr Connor
- Cr Hackett
- Cr Jukes
- Cr Ellis
- Cr Letchford

The 2 staff members in attendance were:

- The Director Planning and Environment (representing the Chief Executive Officer)
- The Manager Economic Development and Tourism

The total cost of the trip to Macedon Ranges Shire Council was \$11,734.

This information was previously provided in an officer report, PE1, to the November 2015 Ordinary Council Meeting.

8 ADOPTION OF MINUTES

Resolution 2024/127

Moved: Cr Jennifer Anderson

Seconded: Cr Bill West

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 28 August 2024 as circulated be confirmed.

CARRIED

9 MAYOR'S REPORT

9.1 MAYOR'S REPORT - AUGUST-SEPTEMBER 2024

Resolution 2024/128

Moved: Cr Rob Guthrie

Seconded: Cr Jennifer Anderson

That Council receives and notes the Mayor's report.

CARRIED

10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF

| | |
|-------------|--|
| 10.1 | RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - 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.

Resolution 2024/129

Moved: Cr Geoff Neil

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

NO. 66/2024-25: NOTICE OF RESCISSION - GAMBLING HARM MINIMISATION POLICY

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:

Resolution 2024/130

Moved: Cr Christine Walker

Seconded: Cr Janet Pearce

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.

CARRIED

NO. 67/2024-25: NOTICE OF MOTION - GAMBLING HARM MINIMISATION POLICY

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:

Resolution 2024/131

Moved: Cr Christine Walker

Seconded: Cr Janet Pearce

That Council:

1. **Adopts the Gambling Harm Minimisation Policy (as presented at the 28 August Council Meeting), with the wording of points 5 and 6 of the Regulate section (page 5) 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.**

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

Against: Crs Jennifer Anderson and Mark Ridgeway

CARRIED 7/2

PE.1 ANZAC DAY COMMEMORATIVE SERVICES**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.

Cr Jennifer Anderson moved an amended officer recommendation.

Resolution 2024/132

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

That Council:

1. Requests the Chief Executive Officer 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 and Mt Macedon ANZAC Day Dawn Service Inc ANZAC Day Memorial Services from 2026.
2. Requests the Chief Executive Officer 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 and Mt Macedon ANZAC Day Dawn Service Inc.

CARRIED

PE.2 DRAFT KYNETON URBAN DESIGN FRAMEWORK FOR ADOPTION

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.

Cr Janet Pearce moved an alternative motion.

Resolution 2024/133

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council:

1. **Endorses the draft Kyneton Urban Design Framework (Attachment 1) to be released for community consultation until 20 December 2024.**
2. **Requests the Chief Executive Officer (CEO) to provide a report on the outcomes of this community consultation process at the February 2025 Scheduled Council Meeting.**

CARRIED

PE.3 DP/2024/1 - 120 AND 122 SAUNDERS ROAD, NEW GISBORNE**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.

Resolution 2024/134

Moved: Cr Rob Guthrie
Seconded: Cr Dominic Bonanno

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.

CARRIED

PE.4 ANNUAL ENVIRONMENT REPORT 2023-2024**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.

Resolution 2024/135

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

That Council notes the Annual Environment Report 2023-2024.

CARRIED

At 8:26 pm, Cr Dominic Bonanno left the meeting. At 8:28 pm, Cr Dominic Bonanno returned to the meeting.

PE.5 DRAFT MACEDON RANGES PLANNING SCHEME AMENDMENT C161MACR - SUBMISSION TO ADDITIONAL CONSULTATION**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.

Resolution 2024/136

Moved: Cr Geoff Neil

Seconded: Cr Bill West

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.

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS**CX.1 CEO EMPLOYMENT AND REMUNERATION COMMITTEE REPORT****Summary**

To provide the community with a transparent record of the comprehensive process to complete the annual evaluation of the performance of the CEO.

Resolution 2024/137

Moved: Cr Rob Guthrie
Seconded: Cr Christine Walker

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*.

CARRIED

13 DIRECTOR CORPORATE REPORTS**COR.1 CONTRACTS TO BE AWARDED AS AT SEPTEMBER 2024****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.

Resolution 2024/138

Moved: Cr Dominic Bonanno
Seconded: Cr Mark Ridgeway

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**

CARRIED

COR.2 QUARTERLY REPORT INCLUDING CARRY FORWARDS FOR PERIOD ENDING 30 JUNE 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 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.

Resolution 2024/139

Moved: Cr Mark Ridgeway

Seconded: Cr Rob Guthrie

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.**

CARRIED

COR.3 ALTERATION OF THE TIMING OF THE OCTOBER SCHEDULED COUNCIL MEETING AND SCHEDULING OF ADDITIONAL COUNCIL MEETING**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.

Resolution 2024/140

Moved: Cr Rob Guthrie

Seconded: Cr Geoff Neil

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.**

CARRIED

14 DIRECTOR COMMUNITY REPORTS**COM.1 DRAFT RECONCILIATION PLAN 2024-27****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.

Resolution 2024/141

Moved: Cr Jennifer Anderson

Seconded: Cr Christine Walker

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.**

CARRIED

COM.2 SMALL PROJECT GRANTS**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.

Resolution 2024/142

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

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

CARRIED

15 DIRECTOR ASSETS AND OPERATIONS REPORTS

AO.1 CAPITAL WORKS MONITORING

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.

Resolution 2024/143

Moved: Cr Rob Guthrie
Seconded: Cr Dominic Bonanno

That 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.

CARRIED

AO.2 RESPONSE TO PETITION: WOODEND MULTIPURPOSE FIELD**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.

Resolution 2024/144

Moved: Cr Janet Pearce
Seconded: Cr Jennifer Anderson

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.**

CARRIED

AO.3 REQUEST FOR INCLUSION OF ROAD INTO THE PUBLIC ROAD REGISTER - SERVICE LANE, KILMORE-LANCEFIELD ROAD, GOLDIE**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.

Resolution 2024/145

Moved: Cr Geoff Neil
Seconded: Cr Bill West

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.**

CARRIED

AO.4 BUS STOP AND SHELTER AUDIT**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.

Resolution 2024/146

Moved: Cr Christine Walker

Seconded: Cr Jennifer Anderson

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.**

CARRIED

16 NOTICES OF MOTION AND RESCISSION

These items were by resolution of Council promoted up the agenda and were considered before item PE.1.

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS**Resolution 2024/147**

Moved: Cr Rob Guthrie

Seconded: Cr Mark Ridgeway

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

CARRIED

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.

The meeting closed at 9:20pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 23 October 2024.