

Minutes

Council Meeting
Wednesday 28 August 2024 at 7pm
Gisborne Administration Centre
40 Robertson Street, Gisborne

Order of business

1	Acknowledgement of Country	4
2	Recording of live streaming of this Council meeting	4
3	Present	4
4	Apologies	4
5	Conflicts of interest	4
6	Petitions	5
6.1	Petitions in relation to a Multi-use Rectangular Sports Pitch in Woodend	5
7	Deputations and presentations to Council	6
7.1	Public Question - Daniel Tonic.....	6
8	Adoption of minutes	6
9	Mayor's report	7
9.1	Mayor's Report - July-August 2024.....	7
10	Record of meetings of Councillors and Council staff	7
10.1	Record of Meetings of Councillors and Council Staff - July-August 2024.....	7
11	Director Planning and Environment reports	7
PE.1	Draft Macedon Ranges Heritage Strategy 2024-2034	7
PE.2	Plan for Victoria Submission	8
12	Chief Executive Officer reports	8
CX.1	Report from the 2024 National General Assembly of Local Government held in Canberra between 2-5 July 2024	8
13	Director Corporate reports	9
COR.1	Instruments of Appointment and Authorisation	9
COR.2	Contracts to be awarded as at August 2024.....	10
COR.3	Draft Councillor and Delegated Committee Support and Expenses Policy and Draft Councillor and Committee Member Gifts, Benefits and Hospitality Policy.....	10
14	Director Community reports	11
COM.1	Community Awards Review	11
COM.2	Gambling Harm Minimisation Policy	11
COM.3	Australia Day Grants Guidelines.....	12
15	Director Assets and Operations reports	13
AO.1	Barkly Square Multipurpose Facility Location	13
AO.2	Request for Inclusion of an Access Lane onto the Public Road Register - Access Lane, High Street, Kyneton	13
AO.3	Request for Inclusion of a Road onto the Public Road Register - Magnet Lane, New Gisborne	14

AO.4 Request for Inclusion of Road onto the Public Road Register - Red Gap Road, Lancefield..... 14

AO.5 Management of Unsealed Roads Within Township Boundaries 15

AO.6 Capital Works Monitoring..... 16

16 Notices of motion and rescission 16

Nil

17 Urgent business 16

18 Confidential reports 16

18.1 C2024-68 Kerbside Collection, Transport and Processing Services Tender outcome..... 16

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 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 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), Simon Finlay (Acting Director Assets and Operations), Maria Weiss (Director Community), Lucy Olson (Senior Governance Officer - Council Business). Cindy Stevens (Business Support Officer)

4 APOLOGIES

Cr Dominic Bonanno

5 CONFLICTS OF INTEREST

NIL

6 PETITIONS

6.1 PETITIONS IN RELATION TO A MULTI-USE RECTANGULAR SPORTS PITCH IN WOODEND

Summary

Two petitions have been received (one electronic and one hardcopy) from Alistair Fletcher a resident of Woodend on behalf of 112 and 153 residents respectively 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 min playing area of 70m x 50m, with an additional min 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. See attached concept plan (to scale) for both sites. The playing surface must be ready to be used by the end of 2024.*

We believe that investing in this facility will not only benefit current residents, but also attract more families to Woodend, contributing to the growth and support of local businesses. We kindly urge the council to approve and prioritize the development of a multi-use rectangular pitch in Woodend, as it will greatly enhance the quality of life for all members of our community.

**The Racecourse concept is designed to be included in a multi sports development that compliments Equine and improve the current Netball, AFL & Cricket facilities at Buffalo Stadium.”*

Recommendation

That Council:

- 1. Notes the two petitions, one electronic and one hardcopy, from Alistair Fletcher on the matter of a multi-use rectangular sports pitch in Woodend with 112 and 153 signatories respectively;**
- 2. Notes that the petitions have been circulated to all Councillors confidentially as they contain personal information; and**
- 3. Requests the Director Assets and Operations to prepare a report in response to these petitions to be presented at the 16 September 2024 Council Meeting.**

Cr Jennifer Anderson moved an amended officer recommendation.

Resolution 2024/105

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council:

- 1. Notes the two petitions, one electronic and one hardcopy, from Alistair Fletcher on the matter of a multi-use rectangular sports pitch in Woodend with 112 and 153 signatories respectively;**
- 2. Notes that the petitions have been circulated to all Councillors confidentially as they contain personal information; and**
- 3. Requests the Chief Executive to provide a report in response to these petitions to be presented at the 16 September 2024 Council Meeting.**

CARRIED

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL**7.1 PUBLIC QUESTION - DANIEL TONCIC****Question:**

Please stipulate a timeline for when the severe drainage issue will be resolved on Dundas Street.

Thank you.

Answer:

In response to identified roadside drainage issues on Dundas Street, which contributed to flooding and damage to the road and adjacent crossovers, Council undertook remedial works. This included the extension of the underground drainage infrastructure and enhancements to the open swale system in June 2023. These efforts successfully redirected water flow into the existing Council stormwater network, the project was completed by the end of August 2023.

Should there be any new concerns, we encourage you to reach out to our Engineering team for further assistance and information.

8 ADOPTION OF MINUTES**Resolution 2024/106**

Moved: Cr Mark Ridgeway

Seconded: Cr Christine Walker

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

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - JULY-AUGUST 2024****Resolution 2024/107**

Moved: Cr Bill West
Seconded: Cr Rob Guthrie

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 - JULY-AUGUST 2024
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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 2024/108

Moved: Cr Rob Guthrie
Seconded: Cr Geoff Neil

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 DRAFT MACEDON RANGES HERITAGE STRATEGY 2024-2034****Summary**

The draft Macedon Ranges Heritage Strategy 2024-2034 was released for public feedback in June 2024. The results of the community consultation have informed the final draft strategy, which is now presented for adoption (Attachment One).

Resolution 2024/109

Moved: Cr Rob Guthrie
Seconded: Cr Jennifer Anderson

That Council:

- 1. Adopts the draft Macedon Ranges Heritage Strategy 2024-2034.**
-

2. **Notifies all submitters regarding this resolution and thanks them for their feedback and participation.**

CARRIED

PE.2 PLAN FOR VICTORIA SUBMISSION

Summary

The Department of Transport and Planning has announced it will be preparing a new land use strategy through the Plan for Victoria process to guide how Victoria grows and develops in the period to 2050. Officers have prepared a submission responding to the engagement questions. Council is asked to endorse the submission.

Recommendation

That Council endorse the Submission to Plan for Victoria and submits to the Department of Transport and Planning.

Cr Jennifer Anderson moved an alternative motion.

Resolution 2024/110

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

That Council endorse the Submission to Plan for Victoria and submits it to the Department of Transport and Planning with the following alteration that paragraph 3 after the heading “Refine the draft housing targets to account for infill development in regional areas” be replaced with:

Council believes it can theoretically meet the housing target, however it is our position that not including areas of infill within this target is shortsighted.

CARRIED

12 CHIEF EXECUTIVE OFFICER REPORTS

CX.1 REPORT FROM THE 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT HELD IN CANBERRA BETWEEN 2-5 JULY 2024

Summary

This report is presented to Council following attendance by Mayor, Councillor Annette Death and Acting Chief Executive Officer, Rebecca Stockfeld at the 2024 National General Assembly of Local Government which was held in Canberra between 2-5 July 2024.

Resolution 2024/111

Moved: Cr Rob Guthrie

Seconded: Cr Mark Ridgeway

That Council notes the report following attendance by Mayor, Councillor Annette Death and Acting Chief Executive Officer, Rebecca Stockfeld at the 2024 National

General Assembly, incorporating the Australian Council of Local Government meeting, which was held in Canberra between 2-5 July 2024.

CARRIED

13 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 employed by Council.

Instruments of Appointment and Authorisation are required for three officers who have recently commenced with Council. In addition, an Instrument is required to be revoked as the authorised officer is no longer employed by Council.

Resolution 2024/112

Moved: Cr Geoff Neil
Seconded: Cr Janet Pearce

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 Act*:

- 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 be signed; and**
- 4. The Instrument of Appointment and Authorisation for John Perry be revoked.**

CARRIED

COR.2 CONTRACTS TO BE AWARDED AS AT AUGUST 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 2024/113

Moved: Cr Mark Ridgeway

Seconded: Cr Bill West

That Council notes that the following contracts will be awarded by Council officers under delegated authority:

1. **C2025-73 Floodlighting Upgrade Riddells Creek Football Oval**
2. **C2025-74 Footbridge Replacement Gisborne Botanic Gardens**

CARRIED

COR.3 DRAFT COUNCILLOR AND DELEGATED COMMITTEE SUPPORT AND EXPENSES POLICY AND DRAFT COUNCILLOR AND COMMITTEE MEMBER GIFTS, BENEFITS AND HOSPITALITY POLICY**Summary**

Pursuant to sections 41 and 138 of the *Local Government Act 2020* (the Act) Council is required to maintain a Councillor Expenses Policy and a Councillor Gift Policy. These policies are to be reviewed once per term of Council, as such updated policies are presented for adoption by Council.

Resolution 2024/114

Moved: Cr Jennifer Anderson

Seconded: Cr Janet Pearce

That Council:

1. **Adopts the draft Councillor and Delegated Committee Support and Expenses Policy effective 29 August 2024 revoking all previous versions of the policy.**
2. **Adopts the draft Councillor and Committee Member Gifts, Benefits and Hospitality Policy effective 29 August 2024 revoking all previous versions of the policy.**

CARRIED

14 DIRECTOR COMMUNITY REPORTS**COM.1 COMMUNITY AWARDS REVIEW****Summary**

This report provides Councillors with an update and recommended changes for endorsement, following a review of Council's annual Community Awards program.

Resolution 2024/115

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council:

- 1. Endorses the Community Awards ceremony to be held in May during National Volunteer Week from 2025 onwards.**
- 2. Updates the Community Awards categories as described in this report.**

CARRIED**COM.2 GAMBLING HARM MINIMISATION POLICY****Summary**

At the Scheduled Council Meeting on 28 February 2024, Council endorsed the release of the draft Gambling Harm Prevention Policy for public consultation. This report provides an overview of feedback received (including legal advice) and its implications for the policy. The report additionally recommends changes to the draft policy (which has been renamed the Gambling Harm Minimisation Policy) in response to feedback received, and alignment to the policy purpose. The background paper has been updated in response to legal advice.

Motion

Moved: Cr Jennifer Anderson
Seconded: Cr Rob Guthrie

That Council adopts the Gambling Harm Minimisation Policy and revokes the previously adopted Electronic Gaming Machine (Pokies) Community Policy as of Thursday 29 August 2024.

In Favour: Crs Annette Death, Jennifer Anderson and Rob Guthrie

Against: Crs Janet Pearce, Geoff Neil, Mark Ridgeway, Christine Walker and Bill West

LOST 3/5

Cr Mark Ridgeway moved an alternative motion.

Resolution 2024/116

Moved: Cr Mark Ridgeway

Seconded: Cr Geoff Neil

That Council:

1. adopts the **Gambling Harm Minimisation Policy** with changes including the following **Point 5** to replace both **Point 5** and **Point 6** of the **Regulate** section, and for the remaining items in the **Regulate** section to be renumbered appropriately:
 5. Council will engage with any current EGM holder who leases Council owned or managed land and/or facility (and operates the EGMs from that land and/or facility) that is due for renewal at least two years prior to the expiry of the council lease to discuss the implications of this policy. Council will also provide guidance on avenues for support that will encourage the lease holder to plan for and relinquish their EGM licence, and divest themselves of EGMs over an agreed time frame.
2. **revokes the previously adopted Electronic Gaming Machine (Pokies) Community Policy as of Thursday 29 August 2024.**

In Favour: Crs Janet Pearce, Geoff Neil, Mark Ridgeway, Christine Walker and Bill West

Against: Crs Annette Death, Jennifer Anderson and Rob Guthrie

CARRIED 5/3

COM.3 AUSTRALIA DAY GRANTS GUIDELINES

Summary

The Australia Day Grants Guidelines 2025 have been prepared to provide a framework for the applicant and assessment of grants for Australia Day (26 January) events and acknowledgement ceremonies. The Guidelines are presented to Council for recommended adoption.

Resolution 2024/117

Moved: Cr Geoff Neil

Seconded: Cr Janet Pearce

That Council:

1. **Adopts the Draft Australia Day Grants Guidelines 2025;**
2. **Opens applications for the 2025 Australia Day Grants from 2 to 29 September 2024; and**
3. **Notes that as resolved in September 2022, the determination of the Australia Day Grants has been delegated to the Chief Executive Officer.**

CARRIED

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 BARKLY SQUARE MULTIPURPOSE FACILITY LOCATION****Summary**

This report presents the community consultation outcomes for the Barkly Square Multipurpose Facility location to Council for consideration and endorsement.

Resolution 2024/118

Moved: Cr Mark Ridgeway
Seconded: Cr Janet Pearce

That Council endorses the Western Option location and progresses with design for the future Barkly Square Multipurpose Facility.

CARRIED**AO.2 REQUEST FOR INCLUSION OF AN ACCESS LANE ONTO THE PUBLIC ROAD REGISTER - ACCESS LANE, HIGH STREET, KYNETON****Summary**

This report is prepared in response to a request (CRM 313293) to include an unnamed access lane off 78 High Street to the entrance of 80 High Street, Kyneton, in the Council's Register of Public Roads.

Officers assessed the unmaintained access lane under the Public Roads Procedure Policy (2018) before considering its inclusion in the Register of Public Roads. Our evaluation determined that the road width and dead-end turning area do not meet the minimum standards to facilitate service vehicle movement (e.g. waste collection), including visibility and sight distance, and that the road conditions do not meet minimum construction standards for Category 6.

Based on this evaluation, Council officers recommend against adding it to the Register of Public Roads.

Resolution 2024/119

Moved: Cr Mark Ridgeway
Seconded: Cr Rob Guthrie

That Council resolves not to include the existing unmaintained access lane section of High Street Kyneton in the Register of Public Roads and advises the requestor of this decision.

CARRIED

AO.3 REQUEST FOR INCLUSION OF A ROAD ONTO THE PUBLIC ROAD REGISTER - MAGNET LANE, NEW GISBORNE**Summary**

This report responds to the resident's request (CRM 318150/314637) to include an access track named Magnet Lane, from 24 Magnet Lane up to 80 metres past the bend, to the Council's Register of Public Roads. The first 240 metres of Magnet Lane from the Saunders Road/Magnet Lane intersection up to 24 Magnet Lane is on the Register of Public Roads. Please refer to the locality map.

Officers assessed the access track condition under the Public Roads Procedure Policy (2018) before considering its inclusion in the Register of Public Roads. Officers also determined that the track, including the drainage system, needs considerable repairs, including drainage outfall, to meet the Council's minimum standards for a Category 5 unsealed local road. The Council officers recommended not adding the access track section of Magnet Lane to the Register of Public Roads.

Resolution 2024/120

Moved: Cr Rob Guthrie
Seconded: Cr Jennifer Anderson

That Council resolves not to include the existing unmaintained access track section of Magnet Lane in the Register of Public Roads and advises the requestor of this decision.

CARRIED

AO.4 REQUEST FOR INCLUSION OF ROAD ONTO THE PUBLIC ROAD REGISTER - RED GAP ROAD, LANCEFIELD**Summary**

This report is prepared in response to a request by an internal officer.

Officers recommend correcting a historic error in the Council's Asset Management System and the Public Road Register by including Segment 1 Red Gap Road as a Category 4 unsealed road in the Public Road Register, removing Segment 2 Red Gap Road, and registering it as a Fire Access Track.

Recommendation**That Council:**

- 1. Includes Segment 1 of Red Gap Road (855 metres of fire access track extending from the bend of West Goldie Road towards the east side of Red Gap Road) as a Category 4 unsealed road in the Register of Public Roads; and**
- 2. Removes Segment 2 of Red Gap Road (1060 metres of access track extending from the end of Segment 1) from the Register of Public Roads and register it as a Fire Access Track.**

Cr Bill West moved an alternative motion.

Resolution 2024/121

Moved: Cr Bill West
Seconded: Cr Geoff Neil

That Council defers this item for consideration until the Scheduled Council Meeting on 23 October 2024.

CARRIED

AO.5 MANAGEMENT OF UNSEALED ROADS WITHIN TOWNSHIP BOUNDARIES**Summary**

This report summarises a comprehensive overview and analysis of different options to manage unsealed roads within township boundaries in Macedon Ranges Shire.

Unsealed roads are common in Australia and present unique challenges in terms of maintenance and durability, especially when located in townships.

The report discusses the challenges of management options for maintenance and introduction of pavement treatments for unsealed roads. It details issues such as ongoing maintenance requirements, the impact of weather conditions, and the need for regular inspections and repairs.

Resolution 2024/122

Moved: Cr Jennifer Anderson
Seconded: Cr Janet Pearce

That Council:

- 1. Proceeds with the Special Charge Scheme process for Noonan Grove, Woodend, under the previous Special Charge Scheme Policy (Special Charge Scheme for Infrastructure Works Policy 2018).**
- 2. Prepares a detailed Special Charge Scheme for sealing of the unsealed section of Noonan Grove for future Council consideration; including further direct contact with benefiting residents.**
- 3. Supports undertaking an unsealed road network condition audit to inform the future management of Council's unsealed road network.**
- 4. Supports the trial of a "Light Pavement and Spray Seal" for suitable unsealed roads within township boundaries.**
- 5. Notes officers will prepare matrix criteria and strategy to determine the priority and suitable treatment options for various unsealed road types in townships.**

CARRIED

AO.6 CAPITAL WORKS MONITORING**Summary**

This report provides transparency on cost escalations and variances for infrastructure projects. It seeks either further funding, project 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 2024/123

Moved: Cr Rob Guthrie
Seconded: Cr Jennifer Anderson

That Council:

1. **Adopts the following changes to the Capital Works Program budget relating the following infrastructure projects:**
 - (a) **101268 – Gilbert Gordon Social clubrooms renewal: Increase budget by \$18,224;**
 - (b) **100835 – Bridge Design Darraweit Valley Road Darraweit Guim: Increase budget by \$38,000;**
2. **Note that Recommendation 1 (above) results in a surplus of \$343,776 in the Financial Year 2024/2025 Capital Works Program Budget.**

CARRIED

16 NOTICES OF MOTION AND RESCISSION

Nil

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS**Resolution 2024/124**

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 **C2024-68 Kerbside Collection, Transport and Processing Services Tender outcome**

CARRIED

Confidential reasons**18.1 C2024-68 Kerbside Collection, Transport and Processing Services Tender outcome**

This matter is considered to be confidential under Section 3(1) - g(ii) 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 private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

The meeting closed at 8:48pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 16 September 2024.