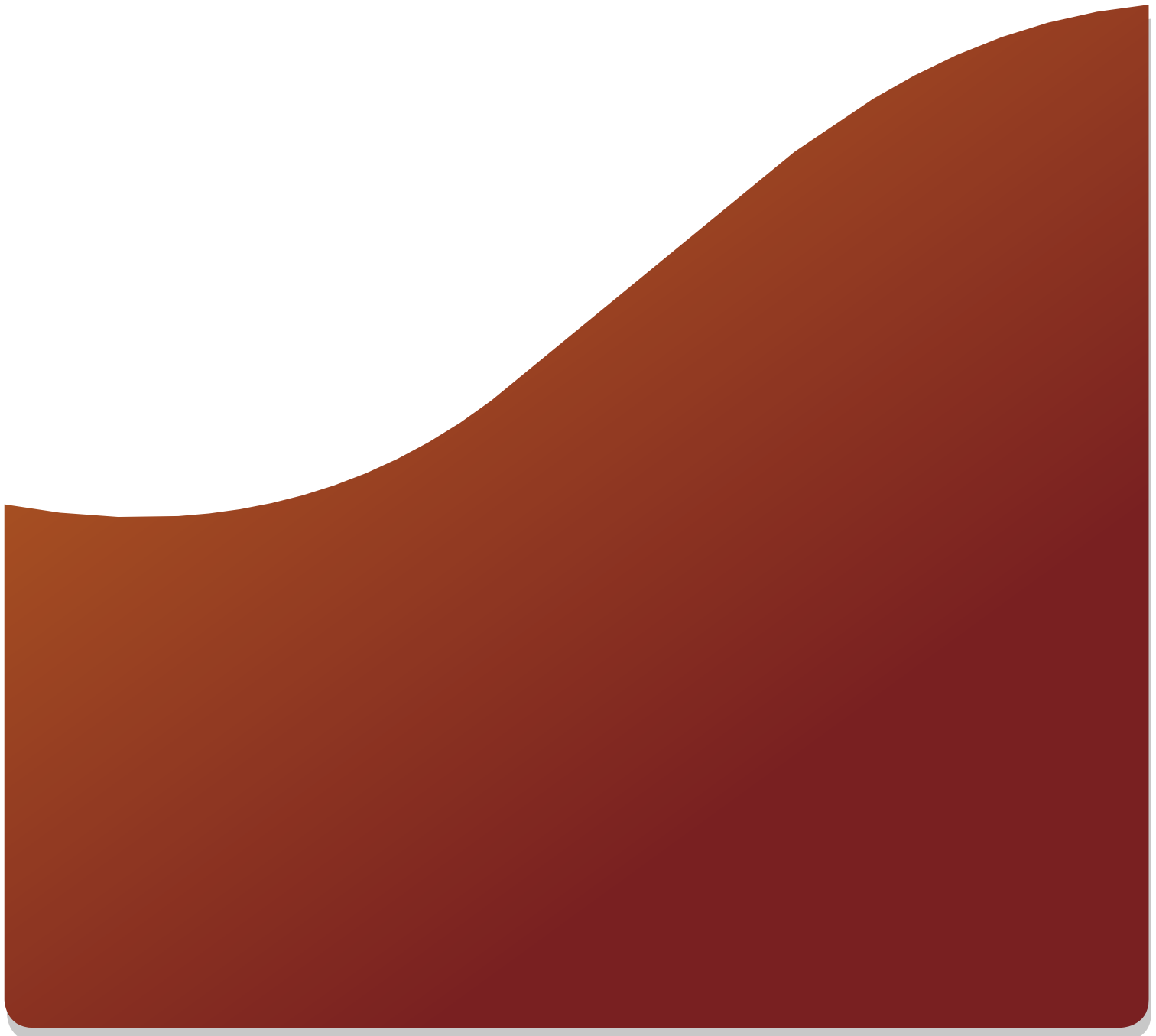


# Council Meeting Minutes

**Ordinary Council Meeting**  
**Wednesday 22 July 2020 at 6.00pm**  
**Held online and livestreamed at [mrsc.vic.gov.au](https://mrsc.vic.gov.au)**



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## 1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING

The Mayor advised those present that the meeting would be recorded and streamed live on the internet in accordance with Council's *'Live Streaming and Publishing Recording of Meetings'* Protocol, which can be viewed on Council's website.

The recording would be bookmarked, archived and made available on Council's website 48 hours after the meeting.

The Mayor noted the meeting was being held online and Councillors were attending via electronic means.

The meeting was conducted in accordance with Council's existing Meeting Procedure Local Law 11, noting that as indicated in some parts of the agenda, procedures were slightly modified to ensure the meeting remained compliant but could run effectively in the online environment.

As this meeting was held online there was no one present in the public gallery.

The Mayor reminded those present that Local Government decision making, unlike State and Federal Government, does not afford the benefit of parliamentary privilege and hence no protection is afforded to Councillors and Council officers for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

## 2. PRESENT

Cr Henry Bleeck	East Ward
Cr Natasha Gayfer	East Ward
Cr Bill West	East Ward
Cr Mandi Mees (Deputy Mayor)	South Ward
Cr Helen Radnedge	South Ward
Cr Andrew Twaits	South Ward
Cr Jennifer Anderson	West Ward
Cr Roger Jukes	West Ward
Cr Janet Pearce (Mayor)	West Ward

### In Attendance

Ms Margot Stork	Chief Executive Officer
Mr Shane Walden	Director Assets and Operations
Mr John Hausler	Director Corporate and Community
Ms Angela Hughes	Director Planning and Environment
Ms Lauren Reader	Governance Coordinator
Ms Wendy Le Brocq	Customer Service Officer

## 3. APOLOGIES

Nil

**4. DECLARATION OF CONFLICTS OF INTEREST**

Cr Pearce declared a conflict of interest in relation to agenda item PE.1, which Cr Pearce had declared in writing to the Chief Executive Officer prior to the meeting.

**It was moved by Cr Anderson seconded by Cr Twaits that the Deputy Mayor, Cr Mees, be elected as temporary chairperson for consideration of agenda item PE.1**

**CARRIED**

**5. MAYOR'S REPORT**

The Mayor tabled a report highlighting Council's response to the coronavirus COVID-19 pandemic and happenings around the shire across the themes of the Council Plan.

**Update – COVID-19 Pandemic**

Our thoughts are with all those communities in Metropolitan Melbourne and the Mitchell Shire with strong restrictions in place. It is also a time to remember the importance of continuing with the basic principles of physical distancing, good hand hygiene, minimising unnecessary travel and contact that will help protect ourselves and others.

We know there are reduced numbers of people visiting our shire. We encourage regional visitors not in lockdown to be mindful of travelling and exploring responsibly. We continue to promote our local businesses on social media and tourism opportunities so that when people are no longer in lockdown and it is safe to move more widely we will be able to welcome them back to our shire. There has never been a more important time for everyone in our communities to continue to support our local businesses.

I would like to reassure you that Council is monitoring data and information from the Department of Health and Human Services (DHHS) every day, analysing and discussing the implications for our shire and deciding on the best way forward. Council continues to work together with the state and federal governments and agencies. We are making decisions based on strong risk analysis and there are processes in place. Under the leadership of our Chief Executive Officer (CEO) we have been fortunate to be able to reopen some services and facilities in a planned and responsible way, and safety is a priority. We thank you all for your understanding.

Tonight we have on the agenda the Budget 2020/21, the Council Plan 2017-2027 (Year Four) and the Strategic Resource Plan 2020/21. Council has considered these carefully and deeply as we continue to adapt to the changing situation and consider the short-term and long-term implications. We have considered a \$1.1 million pandemic support fund and should this be adopted, we will continue the discussions with groups, people in the community and businesses affected to ensure these funds are utilised in the most efficient and effective way.

I would like to take the opportunity to highlight some achievements and activities that have occurred in the shire during this month related to Council's themes.

**1. Liveability: Strengthen community resilience, inclusion, safety, accessibility and connectivity; protect our natural environment, heritage and rural character**

*Veg Action - Winter Veg Recipe Challenge*

This subgroup of the Macedon Ranges Sustainability Group (MRSG) is very active. It is focused on promoting an increase in local and seasonal plant-based foods in the diets of residents, promoting sustainable steps towards eating "more veg, more often" and encouraging people of all dietary preferences to get involved.

I was pleased to be invited as a judge for the competition to be held next month, and had an introduction live streaming session to talk about the importance of health and wellbeing. I mentioned the Active Living Census recently published in *Shire Life* that found 14% of Macedon Ranges adults eat sufficient amounts of vegetables daily to be healthy, around 50% of adults meet the recommended daily intake of fruit and 61% of residents are overweight or obese.

It was a great opportunity to talk about the ways Council is trying to encourage people to keep active and encourage healthy eating. We applaud the initiative by this community group, especially at such an opportune time with the popularity of vegetable gardens increasing.

*Farmers Markets*

These continue to operate in the shire supporting regional producers. There are guidelines in place with registration, hand hygiene, coordinated movement and physical distancing. I attended markets in Woodend, Kyneton and Malmsbury and thank all the volunteers for their work.

*Meet Your Councillor*

As you may be aware, Council organises community forums in different towns throughout the year, which unfortunately is not possible at the moment. Council would like to invite members of the community to join councillors for a Virtual Community Forum to be held on Wednesday 5 August from 6-7pm. This will be advertised shortly and we will ask you to contact the shire to register for the zoom invite. This forum will provide an opportunity to discuss local issues and matters, and councillors look forward to having the opportunity to meet more residents.

*Connections*

Council continues to use innovative ways to stay connected to our community, increasing our social media and utilising digital opportunities. Council has launched the Macedon Ranges Nature Pod podcasts to help raise the profile of the animals and plants within our naturally biodiverse shire. Many events have been cancelled and we know that our environmental program of activities were particularly popular, so we have developed content that residents and the broader community can enjoy. We kick off with a focus on frogs.

**2. Sustainability: Consider and respect the needs of current and future generations in all we do.**

*Council of Small Business Organisations Australia (COSBOA)*

The Go Local First campaign was launched this month. The campaign is funded by the Commonwealth government and seeks to drive behavioural change in consumers to shop at local small and family businesses first. I joined the webinar launch and discussion on the important role small business plays in our economy and our community supporting many groups, organisations and clubs as well. The Australian Business Registration (ABR) 2018 showed there were over 3300 businesses registered in the Macedon Ranges and many have faced great hardship during recent months.

*Cat Curfew*

A reminder that as of 1 July 2020, all cats within the shire must now be confined to their owner's property from sunset to sunrise and are prohibited from entering Council's most sensitive environmental areas. The requirement is part of Council's *Dog and Cat Control Order 2019*, which also included the introduction of designated dog on- and off- leash areas. Council encourages all pet owners to familiarise themselves with the new legal requirements.

**3. Efficiency: Smart service delivery, asset management and resource allocation**

*Macedon Ranges Regional Sports Precinct*

Work is underway following the awarding of the design services tender for the project. Council officers will now work with the team to develop concept plans. Primary facility users will be involved in the design process and the broader community will be kept informed as the project progresses, with the opportunity to provide input at key points along the way.

*Governance*

Councillors, as delegated representatives, continue to attend teleconference meetings as restrictions remain. These included:

- Peri Urban Group of Rural Councils (PUGRC).
- Central Ranges Local Learning and Employment Network (CRLLEN) Board meeting.
- Macedon Ranges Local Safety Committee.
- Audit Committee
- Submitters Committee Meeting

Council heard verbal submissions from those community members who had made submissions to the Council Plan, the Budget Report and the Strategic Resource Plan. There were 49 written submissions received and 15 chose to speak to present for three minutes each. Thank you to all those who took the time to write and present in person and we appreciated hearing your thoughts.

I joined meetings with:

- The Local Government Mayors Advisory Panel (LGMAP)

I appreciated the opportunity to meet with and congratulate the new Minister for Local Government, the Hon Shaun Leane MP. It was a chance to provide some information about our Shire to the Minister, hear from fifteen other Mayors across the State, and the Minister spoke of his strong support and acknowledged the important role that local government plays.

- Australian Local Government Women's Association Victorian Branch (ALGWA Vic) board meeting and a discussion panel.

#### *Communications and Connections*

The CEO and I met with:

- Federal Member for Ballarat, Catherine King MP
- State Member for Macedon, Mary-Anne Thomas MP

We always appreciate the opportunity to discuss key priority projects of Council, our opportunities and challenges with Members of Parliament.

#### *Citizenship Ceremonies*

The virtual online ceremonies continued throughout this month, and we congratulated and welcomed a further nine people originating from five different countries. As always it is such an honour to be involved as the Presiding Officer in what is such a significant moment for these individuals, their families and friends. I will continue to conduct these ceremonies until in-person ceremonies can resume in a safe manner.

Stay safe.  
Thank you.

**It was moved by Cr Anderson seconded by Cr Mees that the Mayor's Report as tabled be received.**

**CARRIED**

## **6. PETITIONS**

Cr Pearce sought leave to present a petition regarding tree planting in Tylden.

**It was moved by Cr Pearce seconded by Cr Anderson that leave be granted.**

**CARRIED**

Cr Pearce presented the petition.

**It was moved by Cr Pearce and seconded by Cr Anderson that the petition signed by approximately 37 persons requesting:**

Dear Mayor, last year Eucalypt trees were planted on the nature strips in Tylden. Several of these trees were planted directly under or near power lines particularly in Clowes Street. Objections were raised by residents including a letter from the Tylden CFA to object to planting under power lines. Last month another five trees were planted in Clowes Street and again directly under power lines. After the recent bushfire season, why is this practice allowed to continue? The undersigned residents of Tylden request that all trees under or near power lines be removed and replanted in an appropriate area

be received and lay on the table until the next Council Meeting at which a report on the matter will be presented.

CARRIED

## 7. ADOPTION OF MINUTES

Ordinary Council Meeting: Wednesday 24 June 2020

### Officer Recommendation:

That the minutes of the Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 24 June 2020 as circulated be confirmed, subject to the following alterations:

1. That a spelling error contained in Councillor Anderson's Notice of Motion concerning the title of the Federal Member for McEwen, and replicated in the minutes of the meeting, be corrected; and
2. That the minutes reflect Councillor Anderson left the meeting at 7.35pm and returned to the meeting at 7.37pm.

It was moved by Cr Mees seconded by Cr Bleeck that the Officer Recommendation be adopted.

CARRIED

## 8. RECORD OF ASSEMBLIES OF COUNCILLORS – JULY 2020

### 1. Summary / Purpose

The purpose of this report is to provide the record of any assembly of Councillors, which has been held since the last Council Meeting, so that it can be recorded in the minutes of the formal Council Meeting.

### 2. Policy Context

Section 80A of the *Local Government Act 1989* (the Act) requires the record of any assembly of Councillors to be reported to the next practicable Council Meeting and recorded in the minutes of that meeting.

### 3. Background Information

The Act provides a definition of an assembly of Councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision, or the exercise of a Council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the Councillors (5) and a member of Council staff; or
2. Is an Advisory Committee of the Council where one or more Councillors are present.

Note: Advisory Committee means any committee established by the Council, other than a special committee, that provides advice to (a) the Council, or (b) a special committee, or (c) a member of Council staff who has been delegated a power, duty or function of the Council under Section 98 of the Act.

Note: Only matters that are the subject of discussion and consideration at an assembly will be listed. Incidental updates and information on matters will not be recorded.

This requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declarations of conflict of interest.

#### 4. Report

Outlined below are the details of assemblies of Councillors held since the last meeting.

1.	Date / Time	Type of Assembly
	24 June 2020 9.00am – 11.45am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Gayfer, Jukes, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Angela Hughes, Sarah Noel, Shane Walden, Lauren Reader, Rob Ball, Jodie Turner, Emilie Byrne, Fiona Alexander, Stephen Pykett
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> <li>• Update on Statement of Planning Policy – Significant Landscapes Amendment and Scheme Translation</li> <li>• Update on Kyneton South Bridge</li> <li>• Public Transparency Policy Draft</li> <li>• Agenda Review: <ul style="list-style-type: none"> <li>- PLN/2019/580 – Re-subdivision of two lots into fifteen lots – 142 and 144 Barry Street, Romsey</li> <li>- Melbourne Kilmore Road Significant Tree Heritage report</li> <li>- Draft Gisborne Futures Structure Plan, Urban Design Framework and Neighbourhood Character Study</li> <li>- Draft Reconciliation Action Plan</li> <li>- Notice of Motion 14/2019-20 Cr Jennifer Anderson</li> </ul> </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>Nil</p> <p>Did they leave the assembly? N/A</p>

Conflicts of interest declared by officers	Nil
	Did they leave the assembly? N/A

2.	Date / Time	Type of Assembly
1 July 2020 9.00am – 12.00pm		Councillor Briefing
Venue		<i>Briefing conducted via teleconference</i>
Present – Councillors		Crs Anderson, Gayfer, Pearce, Radnedge, Twaits, West
Present – Officers		Margot Stork, John Hausler, Angela Hughes, Sarah Noel, Shane Walden, Lauren Reader, Leanne Manton, Leanne Khan, Jodie Turner, Emilie Byrne, Rebecca Millard, Fiona Alexander
Presenters		John Keaney, Keaney Planning; Meredith Gammie and Robert Rorke, Department of Environment, Land, Water and Planning (DELWP)
Items discussed		<ul style="list-style-type: none"> <li>Planning Policy Framework Translation Process</li> <li>Community Funding Scheme Grants Program 2020</li> <li>Draft Positive Ageing Plan 2020-2025</li> <li>Public Transparency Policy</li> <li>Strategies, Plans and Policies Framework</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 assembly? N/A
Conflicts of interest declared by officers		Nil  Did they leave the assembly? N/A

3.	Date / Time	Type of Assembly
8 July 2020 9.00am – 11.15am		Councillor Briefing
Venue		<i>Briefing conducted via teleconference</i>
Present – Councillors		Crs Anderson, Gayfer, Pearce, Radnedge, Twaits, West
Present – Officers		Margot Stork, John Hausler, Angela Hughes, Sarah Noel, Shane Walden, Lauren Reader, Leanne Manton, Rob Ball, Stephen Pykett, Christo Crafford, Will Rayner, Nicole Pietruschka
Presenters		Nil
Items discussed		<ul style="list-style-type: none"> <li>Romsey Road Guard Rails</li> <li>Draft Governance Rules</li> <li>Flag Policy</li> <li>Council Meeting Agenda Items                             <ul style="list-style-type: none"> <li>PLN/2019/274 – 30 Brooke Street, Woodend</li> <li>Submission to the parliamentary inquiry into ecosystem decline</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- 2020/21 Macedon Ranges Events and Festivals Grant Program</li> <li>- Macedon Ranges Event Strategy Draft Report 2020-2025</li> <li>- Response to tendering process for 47 Victoria Street, Macedon</li> <li>- Flag Policy</li> <li>- Place naming proposal – Turners Lane, Kyneton</li> <li>- Kyneton Airfield</li> <li>• Planning Matters                             <ul style="list-style-type: none"> <li>- 1849 Mt Macedon Road, 23-29 Sullivans Road, Woodend</li> </ul> </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 Pearce declared a conflict of interest in writing to the CEO prior to the briefing regarding the item PLN/2019/274 – 30 Brooke Street, Woodend.</p> <p>Did they leave the assembly?</p> <p>Yes</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the assembly? N/A</p>

4.	Date / Time	Type of Assembly
	15 July 2020 9.00am – 11.10am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Jukes, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Angela Hughes, Sarah Noel, Shane Walden, Lauren Reader, Leanne Manton, Hayley Drummond, Rob Ball, Christo Crafford, Damien Hodgkins, Awais Sadiq
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> <li>• Budget Submissions</li> <li>• Delegated Committees - Review of Special Committees</li> <li>• Heritage Update on Melbourne Road / Kilmore Road Intersection</li> <li>• Development of 1 and 83 Edgecombe Road, Kyneton</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>Nil</p> <p>Did they leave the assembly? N/A</p>
	Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the assembly? N/A</p>

**Officer Recommendation:**

**That Council endorse the record of assemblies of Councillors as outlined in this report.**

**It was moved by Cr Anderson seconded by Cr Mees that the Officer Recommendation be adopted.**

**CARRIED**

**9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL****Suspension of Standing Orders**

**6.20pm It was moved by Cr Anderson and seconded by Cr Gayfer that standing orders be suspended to consider questions from the public gallery.**

**CARRIED**

**Questions from the Public****Name: Anonymous**

**Question:** At its meeting of 24 June 2020 the Council voted to include land known as Glen Junor within the draft Gisborne Structure Plan and settlement boundary and to include the land in an Urban Growth Zone. Part 3 of the Council resolution acknowledges that "significant strategic assessment" will be required to support Glen Junor's inclusion in the Gisborne settlement boundary. Part 4 directs Council officers to prepare a detailed schedule of strategic work that would be required to support inclusion of the land, including timeframes and costs. Can Council please advise whether Macedon Ranges rate payer funds will be used to prepare the land supply analysis and technical reports needed to provide the "significant strategic assessment" referred to in the resolution? Alternatively, will the land owner be required to fund these studies?

**Response:** The CEO advised the meeting that Council would not know until later in tonight's agenda as to whether the draft budget for 2020/21 would be adopted in its current form or otherwise. An appropriate officer will write to the resident who submitted the question within 10 working days from today to let her know the answer to this question.

**Resumption of Standing Orders**

**6.23pm It was moved by Cr Anderson and seconded by Cr Gayfer that standing orders be resumed.**

**CARRIED**

**10. DIRECTOR CORPORATE AND COMMUNITY REPORTS:**

**Report No:    Report Title:**

**CS.1                      Community Satisfaction Survey results for 2020**

**Purpose and Overview**

The Local Government Community Satisfaction Survey measures residents' perceptions about the performance of their Local Government Authority. The survey has been undertaken since 1998 with Local Government Victoria coordinating it on behalf of all participating councils.

A review of the survey in 2011 resulted in a significantly different methodology and the results from 2012 onwards provide a new benchmark that cannot be compared to previous results. This year's survey represents the ninth year of this new methodology and provides Council with the opportunity to make a comparative assessment against results from 2012 to 2019.

Council recognises these findings as one of many forms of community feedback it receives, with results indicating the perceptions of the community during a specific period.

The 2020 Macedon Ranges results are generally positive, with favourable results in a majority of individual service areas. The overall performance index improved two points after being unchanged for the last three years.

**Recommendation**

**That Council note the 2020 Community Satisfaction Survey results.**

**It was moved by Cr Anderson seconded by Cr Mees that the Officer Recommendation be adopted.**

**CARRIED**

The Mayor, Cr Pearce, on behalf of all councillors, noted the pleasing results of the survey thanked officers for their work in relation to item CS.1

**Report No:    Report Title:**

**CS.2                      Adoption of Council Plan 2017-2027 (Year four)**

**Purpose and Overview**

The Council Plan 2017– 2027 is the predominant planning and vision setting tool for this Council during its current term. The Council Plan forms part of Council's overall strategic planning framework. In particular it is complemented by the Strategic Resource Plan and Budget.

The Council Plan 2017 – 2027 was originally adopted in June 2017 and it contains priorities and objectives for the term of this Council. At the Council Meeting on 27 May 2020 Council resolved to approve the Draft Council Plan 2017-2027 (Year Four) for public display.

Public notice was given in all local newspapers and any person who wished to make a submission was invited to do so. Council received two submissions in respect to the Council Plan, the details of which can be found in the

attachments to the Submitters Committee Meeting held on 8 July 2020, which is available on Council's website. The purpose of this report is to respond to the submissions and make a recommendation for Council's consideration.

### **Recommendation**

1. That, having prepared the draft Council Plan 2017 – 2027 (Year Four) having placed it on public display and having received and considered all submissions, Council adopt the Council Plan 2017-2027 (Year Four) with the officer recommendations outlined in Appendix 1 of this report;
2. That Council give public notice of its decision to adopt the Council Plan 2017 – 2027 (Year Four) and that the Plan be provided to the Minister for Local Government;
3. That the Plan be made available to the public at Council Offices and Service Centres and on Council's website;
4. That Council endorse the officer responses as contained in Appendix 1 of this report; and
5. That Council write to the submitters and:
  - a. thank them for providing their concerns, objections, support and requests;
  - b. provide them with the responses consistent with this report; and
  - c. advise them that the Council Plan was adopted with the amendments as shown in (1) above.

It was moved by Cr Twaits seconded by Cr West that the Officer Recommendation be adopted.

**CARRIED**

**Report No:    Report Title:**

**CS.3                    Adoption of Final Budget 2020/21**

### **Purpose and Overview**

Section 127 of the Local Government Act 1989 requires councils in Victoria to prepare a budget for each financial year.

In 2017, the Victorian Government published the Local Government Better Practice Guide Planning and Reporting. The Guide states that:

*"The budget is a short-term plan which specifies the resources required to fund a council's services and initiatives over the next 12 months". "At the strategic level, the budget details how the services and initiatives to be funded will contribute to the achievement of the strategic objectives in the council plan". "At the operational level it should express the funding of services and initiatives through financial statements".*

At the Submitters Committee Meeting on 8 July 2020, Council received 48 budget submissions (including late submissions, noting one additional submission received was specifically related to the Council plan and a response

has been provided elsewhere in the agenda) and heard 15 Submitters who made a verbal presentation in support of their budget submission.

At this Submitters Committee meeting Council made the following resolutions:

- 1. That Council notes the submissions received on the draft Council Plan 2017-2027 (Year Four), the draft Strategic Resource Plan 2020/21 and the draft Budget Report 2020/21 and the verbal presentations in support of those submissions;**
- 2. That the submissions be referred for consideration and determination at the Council Meeting to be held at 6.00pm on 22 July 2020; and**
- 3. That responses and recommendations on the draft Council Plan 2017-2027 (Year Four), the draft Strategic Resource Plan 2020/21 and the draft Budget Report 2020/21 be prepared for Council's consideration at that meeting.**

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

### **Recommendation**

- 1. That, having prepared the draft Budget Report 2020/21, having placed it on public display and having received and considered all submissions, Council adopts the Budget with the following amendments –**
  - a) That the budget be amended to increase Grant income for the following areas:**
    - Macedon Ranges Shared rail trail - \$4,939,792
    - Commonwealth government local roads and community infrastructure program - \$1,441,216
    - Rural Councils ICT Infrastructure Support Program grant - \$100,000
    - Growing Victoria's Botanic Gardens Grant - \$180,000
    - Working for Victoria Fund - \$3,469,616
  - b) That the expenditure budgets increase in the following areas:**
    - Increase to capital works - Macedon Ranges Shared rail trail project - \$4,939,792
    - Increase to capital works - Commonwealth government local roads and community infrastructure program \$1,441,216
    - Increase to capital works - IT expenditure \$100,000
    - Working for Victoria Fund Expenditure - \$3,469,616
    - Strategic Planning Traffic Modelling and Economic Analysis - \$60,000
  - c) That the expenditure budget decreases in the following area:**
    - Decrease to capital works – Desktop and notebook computer replacement - \$60,000
  - d) That annual Kindergarten fees in the draft budget be amended to:**
    - Line 316 - Pre Kindergarten per term 2.5 hours (billed in four instalments) \$984

- e) That the financial statements be edited to reflect the disclosure of additional statement lines that ensure the final Budget 2020/21 correlates to the Local Government Model Financial Report and that these changes then are then also reflected in the final Strategic Resource Plan 2020/21.
2. That Council give public notice of its decision to adopt the 2020/21 Budget and that the 2020/21 Budget be provided to the Minister for Local Government.
3. That the 2020/21 Budget be available to the public at Council Offices and Service Centres and on Council's website.
4. That Council endorse the officer responses to submissions as contained in Appendix 1 of this report.
5. That Council write to all the Submitters and –
  - a) thank them for providing their concerns, objections, support and requests;
  - b) provide them with the responses consistent with this report; and
  - c) advise them that the Budget was adopted with the amendments as shown in (1) above.
6. That, the rates and the charges declared at the Council meeting on 27 May 2020 be levied by sending a “rate and charges notice” to the persons who are liable to pay, in accordance with section 158 of the *Local Government Act 1989*.

It was moved by Cr Pearce and seconded by Cr Mees

1. That, having prepared the draft Budget Report 2020/21, having placed it on public display and having received and considered all submissions, Council adopts the Budget with the following amendments –
  - a) That the budget be amended to increase Grant income for the following areas:
    - Macedon Ranges Shared rail trail - \$4,939,792
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    - Growing Victoria's Botanic Gardens Grant - \$180,000
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    - Increase to capital works - Commonwealth government local roads and community infrastructure program \$1,441,216
    - Increase to capital works - IT expenditure \$100,000
    - Working for Victoria Fund Expenditure - \$3,469,616
    - Riddells Creek Movement Network Study – (Stage 1) - \$60,000

noting that there will be no funds allocated to additional work on Gisborne Futures in this 2020/21 budget allocation.

- c) That the expenditure budget decreases in the following area:
  - Decrease to capital works – Desktop and notebook computer replacement - \$60,000
- d) That annual Kindergarten fees in the draft budget be amended to:
  - Line 316 - Pre Kindergarten per term 2.5 hours (billed in four instalments) \$984
- e) That the following additional projects be completed from available open space reserves as follows:

Project	Expenditure	Funding Source
Wyralla Reserve – Stage 2	\$36,267 <sup>1</sup>	Financial Reserve – Public Open Space – South
Romsey Golf Course – Couching, Levelling, Filling and Drainage Works	\$38,790	Financial Reserve – Public Open Space – East
5 New Interpretive Signs – Stanley Park Reserve	\$9,000	Financial Reserve – Public Open Space – South

**Notes:**

1. GST is not incorporated into Budgets, however is included in the submission

- f) That the financial statements be edited to reflect the disclosure of:
  - 1. additional statement lines that ensure the final Budget 2020/21 correlates to the Local Government Model Financial Report and that these changes then are then also reflected in the final Strategic Resource Plan 2020/21; and
  - 2. a forecast 2019/20 actual within the 2020/21 budget financial statements that aligns to the requirements of the model budget report.
- 2. That Council give public notice of its decision to adopt the 2020/21 Budget and that the 2020/21 Budget be provided to the Minister for Local Government.
- 3. That the 2020/21 Budget be available to the public at Council Offices and Service Centres and on Council's website.
- 4. That Council endorse the officer responses to submissions as contained in Appendix 1 of this report.
- 5. That Council write to all the Submitters and –
  - a) thank them for providing their concerns, objections, support and requests;
  - b) provide them with the responses consistent with this report; and

- c) advise them that the Budget was adopted with the amendments as shown in (1) above.
6. That, the rates and the charges declared at the Council meeting on 27 May 2020 be levied by sending a “rate and charges notice” to the persons who are liable to pay, in accordance with section 158 of the Local Government Act 1989.

**CARRIED**

**Report No:    Report Title:**

**CS.4                    Adoption of Strategic Resource Plan 2020/21**

**Purpose and Overview**

The purpose of the Strategic Resource Plan is to outline the financial resources and non-financial resources that are required to maintain the financial sustainability of the Council. Section 126 of the *Local Government Act 1989* requires councils in Victoria to adopt a strategic resource plan each year.

In 2017, the Victorian Government released the Local Government Better Practice Guide Planning and Reporting. The Guide states that:

*“The strategic resource plan is the key medium-term financial plan produced by council, on a rolling basis, that summarises the resourcing forecasts for at least four years....” it “...summarises the financial and non-financial resources required to achieve the strategic objectives and strategies in the council plan...” and “...expresses these through financial statements..” and “...it also describes the key assumptions underlying the forecasts....”.*

The draft Strategic Resource Plan (SRP) complements the Council Plan and has been written in a manner that ensures Council meets its legal obligations.

At the Council Meeting on 27 May 2020, Council resolved to approve the draft Strategic Resource Plan 2020/21 for public display. Public Notice was given in local newspapers and any person who wished to make a submission was invited to do so.

There were no submissions received directly related to the Strategic Resource Plan.

**Recommendation**

1. That, having prepared the draft Strategic Resource Plan 2020/21, having placed it on public display and having considered any submissions, Council adopts the Strategic Resource Plan 2020/21 with:
  - a. The proposed adjustments for changes to the 2020/21 Budget outlined in the recommendation of the Adoption of the Budget 2020/21 report in this agenda; and
  - b. The recommendations outlined in Appendix 1 of this report.
2. That Council give public notice of its decision to adopt the Strategic Resource Plan 2020/21 and that the Plan be provided to the Minister for Local Government.

3. That the Plan be available to the public at Council Offices and Service Centres and on Council's website.
4. That Council endorse the recommendations as contained in Appendix 1 of this report.

The Director Corporate and Community sought to make an Amended Officer Recommendation to clarify the proposed adjustments for changes to the 2020/21 Budget.

**Amended Officer Recommendation:**

1. That, having prepared the draft Strategic Resource Plan 2020/21, having placed it on public display and having considered any submissions, Council adopts the Strategic Resource Plan 2020/21 with:
  - a. The proposed adjustments for changes to the 2020/21 Budget outlined in the Adoption of Final Budget 2020/21 report resolution of Council; and
  - b. The recommendations outlined in Appendix 1 of this report.
2. That Council give public notice of its decision to adopt the Strategic Resource Plan 2020/21 and that the Plan be provided to the Minister for Local Government.
3. That the Plan be available to the public at Council Offices and Service Centres and on Council's website.
4. That Council endorse the recommendations as contained in Appendix 1 of this report.

It was moved by Cr Mees seconded by Cr Gayfer that the Amended Officer Recommendation be adopted.

**CARRIED**

The Mayor, Cr Pearce, on behalf of all councillors, thanked officers for their work in relation to CS.4.

**Report No:    Report Title:**

**CS.5                      Response to tendering process for 47 Victoria Street, Macedon**

**Purpose and Overview**

The 2019/20 Capital Works Program allocated funding for the renovation of 47 Victoria Street, Macedon. On 27 March 2019 Council resolved:

***That Council:***

1. ***Do not proceed with the statutory process to sell 47 Victoria Street, Macedon;***
2. ***Seek the estimated \$186,000 via the 2019/20 budget process to fund works to renovate the building suitably for community use;***
3. ***If this is not successful, seek the required funding through subsequent budget review and development processes; and***

- 4. *Thank the Victoria Street Neighbourhood House Working Group for their efforts in preparing an Expression of Interest and advise the proponents that further discussions regarding their expression of interest will be held if budget funding to renovate the building is identified.***

An amount of \$142,500 was allocated by Council in the 2019/20 council budget for works. A separate community contribution totalling \$43,500 was to be provided by the Victoria Street Neighbourhood House Working Group (“the Group”) through a cash contribution and in-kind works.

Throughout 2019 and early 2020 Council officers worked with the Group to develop plans to renovate the building. This included the preparation of a Memorandum of Understanding outlining the roles and responsibilities of Council and the Group.

In February 2020 Council’s Project Management Team prepared the necessary tender documents and called for tenders to renovate 47 Victoria Street, Macedon. Five tenders were evaluated. The tender prices received indicate a significant budget shortfall exists to complete the project to the original proposed standard. After expenses incurred to date have been taken into account the budget shortfall is \$92,127. Officers now seek direction from Council.

The Officer’s recommendation is that Council allocate a further \$92,127 to the project, in the 2020/21 budget to allow the renovation works of 47 Victoria Street to proceed. It is proposed that the shortfall be funded through the Commonwealth Government Local Roads and Community Infrastructure Program.

#### **Recommendation**

##### **That Council:**

- 1. Allocate additional funding in the 2020/21 budget of \$92,127 (ex GST) to enable the completion of the renovation works at 47 Victoria Street, Macedon from the Commonwealth Government Local Roads and Community Infrastructure Program.**
- 2. Note the change in name of the ‘Victoria Street Neighbourhood House Working Group’ to the ‘Macedon Community House Inc.’ (MCH).**
- 3. Note that a draft Memorandum of Understanding has been prepared between Macedon Ranges Shire Council and Macedon Community House Inc. (MCH) for delivery of works for 47 Victoria Street, Macedon including the contribution by MCH for cash and in-kind works.**

**It was moved by Cr Mees seconded by Cr Radnedge that the Officer Recommendation be adopted.**

**CARRIED**

**Report No:    Report Title:**

**CS.6                      Flag Policy**

**Purpose and Overview**

To consider a draft Flag Policy for adoption, which has been developed in accordance with Council's resolution of 24 April 2019.

**Recommendation**

**That Council:**

- 1. Adopt the Flag Policy and publish the policy on Council's website.**
- 2. Refer to a future budget process consideration of a budget allocation to:**
  - a. erect additional (fourth) flagpoles at Kyneton and Gisborne offices to enable a flagpole to be kept free for flying flags on request;**
  - b. erect four flagpoles at Romsey and Woodend Service Centres to fly the Australian national flag, the Aboriginal flag and the Torres Strait Islander flag; and to enable a flagpole to be kept free for flying flags on request;**
  - c. enable the illumination of all flagpoles at night to ensure Council's compliance with Australian flag protocols.**

It was moved by Cr Mees seconded by Cr Twaits that the Officer Recommendation be adopted.

**CARRIED**

**11. CHIEF EXECUTIVE OFFICER'S REPORTS:**

**Report No:    Report Title:**

**CX.1                      Draft Positive Ageing Plan PARTICIPATE 2020-2025**

**Purpose and Overview**

Council is undertaking the development of a new positive ageing plan. Officers seek approval for the draft plan, PARTICIPATE 2020-2025, to be placed on public exhibition.

**Recommendation**

**That Council:**

- 1. Resolve to place the draft Positive Ageing Plan PARTICIPATE 2020-2025 on public exhibition for a period of four weeks.**
- 2. Note that following community consultation, Officers will report back to a Council Meeting with a summary of community feedback and draft plan for consideration.**

It was moved by Cr Gayfer seconded by Cr Radnedge that the Officer Recommendation be adopted.

**CARRIED**

**Report No:    Report Title:**

**CX.2                    Community Funding Scheme 2020**

**Purpose and Overview**

The Community Funding Scheme (CFS) is one of Council's funding programs that delivers direct benefit to the community each year.

The total funds available for the Community Funding Scheme for 2020-21 is \$160,000. Included in this total is a \$15,000 contribution from Castello's Tavern in Gisborne which is allocated to projects that benefit the Gisborne district.

The funding streams are listed below:

- Community and cultural development projects,
- Enhancing the effectiveness of local community groups,
- Supporting local environmental priorities, and
- Enhancing community places and infrastructure.

This report details the application evaluation process in accordance with the scheme guidelines and lists the projects recommended for funding from the 2020/21 program.

**Recommendation**

**That Council:**

1. **Approve the 2020/21 Community Funding Scheme allocations as detailed in Table 2 of this report including specific conditions placed on the recipients;**
2. **Redirect \$16,054 of the 2020/21 CFS budget to the proposed community COVID response grant round;**
3. **Notify all applicants in writing the outcome of their application and provide applicants the opportunity to receive feedback on their application.**

**It was moved by Cr Mees seconded by Cr Twaits that the Officer Recommendation be adopted.**

**CARRIED**

6.45pm Cr Pearce left the meeting and Cr Mees assumed the chair.

**12. DIRECTOR PLANNING AND ENVIRONMENT REPORTS:**

**Report No:    Report Title:**

**PE.1                    Application to Planning Permit PLN/2019/274 – Use of the land for a retail premises (market, restaurant and bar), function centre and on office, liquor licence (on premise), removal of vegetation and waiver of car parking requirement – 30 Brooke Street, Woodend**

**Purpose and Overview**

It is proposed to redevelop the existing building on the subject site so that it may be used as a Market, Restaurant, Function Centre, Bar and Office. A liquor licence is also proposed in association with the Restaurant, Function Centre

and Bar uses, as well as a full waiver of car parking requirements and removal of five Blue Gum street trees located along the Brooke Street frontage. The building footprint is not extended.

The application has been advertised. Six support submissions were received as well as twenty-one objections. The objections express a range of concerns largely oriented to amenity and car parking impacts.

Key issues to be considered relate to the impact of the proposal on the amenity of the adjoining area, impact of car parking waiver and appropriateness of a multi-use development in an Industrial area.

The application has been assessed against the Macedon Ranges Planning Scheme and is considered appropriate. It is recommended that a Notice of Decision to Grant a Permit be issued.

### **Recommendation**

#### **That Council:**

**Resolve to issue a Notice of Decision to Grant a Permit for Use of the land for a Retail Premises (Market, Restaurant and Bar), Function Centre and an Office, Liquor licence (on premise licence), Removal of Vegetation and Waiver of Car Parking requirement at Crown Allotment 7 Section 26 Township of Woodend, 30 Brooke Street, Woodend, subject to the following conditions:**

- 1. Before the commencement of any works, amended plans must be submitted to and approved to the satisfaction of the Responsible Authority. The amended plans must be drawn to scale and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
  - a) Revised Function Centre patron numbers on Ground Floor Plan in accordance with Condition 5;**
  - b) Relocate bicycle racks adjacent to the loading bay to along the building's Brooke Street frontage;**
  - c) A Parton Management Plan in accordance with Condition 23;**
  - d) A Roadworks Site Plan in accordance with Condition 24; and**
  - e) A Landscape Plan in accordance with Condition 34.**

**When approved, these plans will be endorsed and will form part of this permit.**

- 2. The use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.**
- 3. The existing Blue Gums street trees directly along the subject site Brooke Street frontage nominated to be removed are to be removed by a suitably qualified arborist at the cost of the permit holder.**

#### **Land Use**

- 4. The use is only permitted between the following hours:**
  - a) Restaurant Use:**

- Sunday to Thursday (Inclusive) 8am – 10pm;
  - Friday and Saturday (Inclusive) 8pm – 11pm;
  - b) Bar Use:
    - Sunday to Thursday (Inclusive) 3pm – 10pm;
    - Friday and Saturday (Inclusive) 3pm – 1am;
  - c) Office Use:
    - Monday to Friday (inclusive) 6am – 7pm;
  - d) Function Centre Use:
    - Sunday to Thursday (Inclusive) 7am – 11pm;
    - Friday and Saturday (Inclusive) 7am – 12am midnight;
  - e) Market Use open to the public:
    - Saturday and Sunday (inclusive) 8am – 4pm;
    - With the exception, Saturday or Sunday for no more than four (4) times per calendar year, 8am – 9pm;
5. No more than the maximum number of patrons to each of the following uses may be present on the land at any one time:
- a) Restaurant Use:
    - No more than 100 patrons
  - b) Bar Use:
    - No more than 200 patrons
  - c) Function Centre Use:
    - No more than 200 patrons
  - d) Market Use:
    - No more than 40 stalls

#### **Liquor Licence**

6. The sale and consumption of liquor may only occur between the hours specified for each respective Restaurant, Bar and Function Centre use.
7. The sale and consumption of all liquor may only occur within the endorsed red line area.

#### **Noise and Amenity Management**

8. The provisions, recommendations and requirements of the Acoustic Report prepared by Clarity Acoustics, Report number R01 Reve1 19037 dated 18 June 2019, must be implemented and complied with to the satisfaction of the Responsible Authority.
9. Within three (3) months of the commencement of all uses allowed by this permit an acoustic report prepared by a suitably qualified acoustic consultant must be prepared and submitted to the Responsible Authority which assesses compliance with SEPP N-2 to its satisfaction. If, there is non-compliance, further works must be implemented immediately to ensure compliance with SEPP N-2. The Acoustic Report to be available for public viewing.
10. Noise emitted from the premises must not exceed the permissible noise levels determined in accordance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (as amended).

11. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2 (as amended).
12. No live music or live entertainment pre-recorded or amplified music may be played outside the building at any time. No speakers may be sited outside the premises to the satisfaction of the Responsible Authority.
13. Air-conditioning and other plant and equipment installed on the subject building shall be positioned and baffled so that noise disturbance is minimised and appropriately screened from public view, to the satisfaction of the Responsible Authority.
14. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
15. Main frontage entrance doors must be closed before 9pm any day of the week to limit noise.

#### **Security and Management**

16. Video cameras must be installed in positions where they are capable of recording activity at all entrances and in all entry foyers and must be operated at all times when the venue is open to the public to the satisfaction of the Responsible Authority. Video records must be kept for at least one month and made available for viewing or removal at all times by a Police Officer, an officer of the Liquor Licensing Commission authorised under Section 154 of the Liquor Control Act 1987 or an authorised officer of the Responsible Authority, all to the satisfaction of the Responsible Authority.
17. There must at the times applicable to the permit, be present on the land a person above the age of 18 years, who has been authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").
18. The Manager must be authorised to make any statement on behalf of the occupiers to any "authorised officer" of the Responsible Authority, any "authorised officer" of Liquor Licensing Victoria or to any member of the Victoria Police Force regarding compliance with this permit.
19. The Manager must ensure that no disturbance emanates from the land or occurs within the immediate environs of the land, which would be likely to cause a nuisance to the adjoining occupiers or be a detriment to the amenity of the neighbourhood.
20. The Manager must take all reasonable action to ensure that no alcohol is consumed outside the permitted red-line areas.
21. The operator and/or security staff must request patrons to not congregate on the footpath, in front of the premises when required.

22. Security or staff are to patrol the front of the premises for 30 minutes after the close of the venue to ensure that patrons do not congregate on the footpath.

#### **Patron Management**

23. Prior to the commencement of the use a Patron Management Plan must be provided and must include (but not limited to) the following:
- Details of the liquor licence sought including type of licence;
  - Details of the hours of operation of the premises;
  - Details of any proposed special events and specific management strategies for dealing with such special events;
  - Security arrangements (if any);
  - Strategies for dealing with intoxicated, drunk and disorderly patrons;
  - Details of the maximum number of patrons to be permitted on the premises;
  - General rubbish storage and removal arrangements including hours of pick up;
  - Bottle storage and removal arrangements including hours of pick up;
  - Noise reduction measures (if applicable);
  - Processes in place for limiting noise such as music, emptying bins, generators and from patrons in and around the licenced venue;
  - Processes for managing litter in and around the venue;
  - Details of patron and resident management regarding outdoor areas to minimise impacts on the amenity of nearby properties;
  - Evacuation procedures.

This Patron Management Plan will be an endorsed and be an enforceable document.

#### **MRSC Engineering Conditions**

24. Prior to the commencement of works, a Roadworks Site Plan must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must show:
- a) Four (4) accessible car parking spaces in accordance with Australian Standard AS/NZS 2890.6: 2009 at the site frontage.
  - b) New concrete footpath including kerb ramps at the southern side of Brooke Street, between Wood Street and Bowen Street.
  - c) New angled car parking spaces with sealed surface and line marking at the following locations:
    - i. Southern side of Brooke Street;
    - ii. Northern side of Brooke Street between property No. 25 and 33 Brooke Street, inclusive.
  - d) New angled car parking spaces with crushed rock surface and parking bay at the following locations:
    - i. Western side of Bowen Street, between Brooke Street and Ligar Street;
    - ii. Eastern side of Wood Street, between No. 12 Wood Street property and Brooke Street.

- e) Modification and/or upgrade of the existing road/stormwater drainage system to make way for the new car parking spaces.
- f) New public street lighting to Australian Standards at the following locations:
  - i. South-eastern corner of Brooke Street and Wood Street intersection;
  - ii. South-western corner of Brooke Street and Bowen Street intersection.
- g) Location of Western Water stand pipe and FlexiRide bus stop.

25. Prior to the commencement of use, all works identified in the roadworks plan must be undertaken or completed to the satisfaction of the Responsible Authority.

Detailed construction plans for the above works must be submitted to and approved by the Responsible Authority. The plans must show all new assets as specified above including existing assets such as utility, pits, pipelines, table drain, trees, property access, poles etc. Existing and proposed surface levels must be shown.

26. Prior to the commencement of works, an “Asset Protection Permit” must be obtained from Council for any of the following circumstances:
- a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
  - b) Occupying a road for works.
  - c) Connecting any land to a stormwater drain.
  - d) Opening, altering or repairing a road.
  - e) Opening, altering or repairing a drain.
  - f) Accessing a building site from a point other than a crossover.
  - g) Construct/repair/widen/remove any crossover.
27. Prior to the commencement of works, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:
- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures.
  - b) Dust control.
  - c) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction.
  - d) Where access to the site for construction vehicle traffic including parking will occur.
  - e) The location of any temporary buildings or yards.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

28. At least 14 days prior to commencement of works, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:
- a) Name and contact details of appointed Civil Contractor and Superintendent.
  - b) Existing conditions survey of all existing assets including private properties.
  - c) Construction Management Plan.

- d) Traffic Management Plan.
- e) Environmental Management Plan.
- f) Occupational Health & Safety and Job Safety Analysis Plans.
- g) Council issued Asset Protection Permit.
- h) Council approved Engineering Plans.

All works must be carried out generally in accordance with measures set out in the above documents approved by the Responsible Authority.

29. Prior to the commencement of use, a non-refundable deposit of \$10,000 must be paid to Council to upgrade the unsealed section of Wood Street, between Brooke Street and Urquhart Street.
30. Prior to the commencement of use, the development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
  - a) Stormwater runoff from all buildings, tanks and paved areas are drained to a legal point of discharge.
  - b) All drainage courses or outfall drainage lines required to the legal point of discharge and which pass through lands other than those within the boundaries of the site must be constructed at no cost to the Responsible Authority.
  - c) Provision for stormwater runoff from external upstream catchment through the subject land such that the development is not flooded by 1 in 100 year ARI flow.
  - d) Details of any pollution control device to intercept litter, grease etc. to be generated from the site.
  - e) Stormwater quality treatment system that meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). Alternatively, payment of the stormwater quality offset contribution to the Responsible Authority.
31. Detailed construction plans for the above works must be submitted to and approved by the Responsible Authority.
32. The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
33. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the development works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.

#### **MRSC Parks and Gardens Conditions**

34. Before the use starts, or any trees or vegetation removed, a landscape plan (an electronic copy) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The plans must be drawn to scale, with

dimensions, and be generally in accordance with the plans submitted with the application but modified to show:

- a) Street Planting along Brooke Street frontage of five (5) advanced trees;
- b) Street Planting to be no closer than 1.2 metres from back of kerb;
- c) A plant schedule nominating tree species, that are planted at minimum height 1.6metres and 45 Litre pots;
- d) Use of native vegetation species; and
- e) Include the following notations:
  - It is the responsibility of the contractor to confirm the location of all underground services prior to commencement of any excavation.
  - Tree planting is to occur between April & September to maximise establishment and survival.
  - An advanced Tree Planting Detail with a minimum 52L Greenwell water saver and three (3) hardwood stakes.

Once approved these plans become the endorsed plans of this permit. Landscaping in accordance with this approved plan and schedule shall be completed before any of the uses commence.

#### Permit Expiry

35. This permit will expire if one of the following circumstances applies:
  - a) The use is not commenced within two (2) years of the date of this permit;
  - b) The use is discontinued for a period of two (2) years.

Before the permit expires or within six (6) months afterwards the owner or occupier of the land may in writing request the responsible authority to extend the expiry date.

#### Permit Notes:

- Future owners of the land must be made aware of the existence of this permit.
- A liquor licence must be obtained from the Victorian Commission for Gambling and Liquor Regulation in accordance with the provisions of the Liquor Control Reform Act 1998.
- No assessment has been made of the proposal's compliance with The Tobacco (Amendment) Act 2005 and it is recommended that the applicant obtain independent advice in this regard.
- Any smoking area must comply with the requirements of the Tobacco Act 1987.
- The premises must comply with the Public Health and Wellbeing Act 2008 and the Food Act 1984 (where applicable) and associated Council Local Laws. Council's Environmental Health Department should be contacted on (03) 5422 0333 regarding these requirements.
- A Build Over Easement permit must be sought for any building or structure to be built over an easement in favour of Macedon Ranges Shire Council.

It was moved by Cr Anderson seconded by Cr Radnedge

That Council resolve to issue a Notice of Refusal for Planning Permit PLN/2019/274 for the Use of the Land for a Retail Premises (Market, Restaurant and Bar) Function Centre and an Office, Liquor Licencing (on premise licence) removal of vegetation and wavier of the car parking requirement at Crown Allotment 7 Section 26 Township of Woodend, 30 Brookes Street Woodend, on the following grounds:

1. The proposal conflicts with Objective 7 and related strategies of Local Policy Clause 21.13-3 (Woodend) of the Macedon Ranges Planning Scheme and associated objectives of Woodend Town Structure Plan and Neighbourhood Character Study, May 2014.
2. The proposal conflicts with the purpose of the Industrial 3 Zone and will
  - A) affect the safety and amenity of adjacent, more sensitive land uses of the surrounding residentially zoned land and
  - B) misalign with the objective for limited retail uses only in the zone
3. The proposal conflicts with Local Policy Clause 21.10 Economic Development and Tourism, Macedon Ranges Planning Scheme by
  - A) proposing to use an industrial site for the non-industrial use of a retail premises and function centre
  - B) not appropriately responding to the reasonable amenity expectations of adjoining residentially zoned land
  - C) not minimising negative impacts of the development on residential amenity
4. The proposal fails to provide the minimum on-site car parking spaces in accordance with Clause 52.06 of the Macedon Ranges Planning Scheme.
5. The proposal relies on the availability of public on-street carparking on roads in the industrial and residentially zoned areas to accommodate its carparking demand requirement.
6. The proposal will create traffic safety conflicts for pedestrians and cyclists due to an increase in vehicle traffic within both the industrial and residential road network.
7. The proposal will lead to adverse amenity impacts as a result of an increased demand for car parking spaces within nearby industrial and residential streets, increase in traffic in the surrounding street network, and noise emission caused by the venue and patrons entering and exiting the site.
8. The proposed hours of the operation are incompatible with the nearby residential zone, resulting in unreasonable amenity impacts to residents with regard to noise, traffic, car parking and patron activity.
9. The sale and consumption of liquor is incompatible with the existing uses in the surrounding area.

10. The proposal will impose additional road infrastructure maintenance costs to the Responsible Authority by the expected increase in traffic usage of nearby unsealed roads for both patron carparking and to access the subject site.
11. The removal of public street trees to accommodate additional on-street car parking is inappropriate and will detrimentally impact the amenity of the area.
12. The proposal represents an over development of the site due to its location, scale, patron numbers and hours of operation.
13. The proposal will impose unknown costs to the Responsible Authority for improvements to the road network including formalising car parking arrangements and street lighting installation.

**CARRIED**

7.02pm Cr Pearce returned to the meeting and resumed the chair.

**Report No:    Report Title:**

**PE.2                      2020/21 Macedon Ranges Events and Festivals Grant Program**

**Purpose and Overview**

The Macedon Ranges Events and Festivals Grant Program provides support to events that deliver social and economic benefit to the community.

The 2020/21 program has an approved \$75,000 budget and offers a range of in-kind support.

This report details the process of evaluation in accordance with the program guidelines and lists the events recommended to receive funding and in-kind support from the 2020/21 program.

The final assessment and recommendation is presented to Council for endorsement.

**Recommendation**

**That Council:**

1. Receive the 2020/21 Events and Festivals Grant Program Assessment and note the funding options of \$75,000 and \$90,000.
2. Confirm total funding availability as either:
  - a. \$75,000 from the 2020/21 Events and Festivals Grant Program budget; or
  - b. \$90,000, being \$75,000 from the 2020/21 Events and Festivals Grant Program budget plus additional \$15,000 from the Business and Community Recovery Plan budget if adopted.
3. Endorse the Assessment Panel recommendations to allocate In-kind and financial support according to either the \$75,000 or \$90,000 schedule in this report, subject to confirmed total funding availability.

**4. Write to all applicants thanking them for submitting an application and advising them of the outcomes.**

The Director Planning and Environment sought to make an Amended Officer Recommendation regarding recommended total funding for the program in light of the adoption of the 2020/21 Budget.

**Amended Officer Recommendation**

**That Council:**

- 1. Receive the 2020/21 Events and Festivals Grant Program Assessment and note the funding options of \$75,000 and \$90,000.**
- 2. Confirm total funding availability as \$90,000, being \$75,000 from the 2020/21 Events and Festivals Grant Program budget plus additional \$15,000 from the Business and Community Recovery Plan budget.**
- 3. Endorse the Assessment Panel recommendations to allocate In-kind and financial support according to the \$90,000 schedule in this report.**
- 4. Write to all applicants thanking them for submitting an application and advising them of the outcomes.**

**It was moved by Cr Mees seconded by Cr Twaits that the Amended Officer Recommendation be adopted.**

**CARRIED**

**Report No:    Report Title:**

**PE.3                      Draft Macedon Ranges Event Strategy 2020-2025**

**Purpose and Overview**

To seek Council approval for the Draft Macedon Ranges Event Strategy 2020-2025 to go out for community consultation.

The five-year strategy will provide Council with a framework to guide its support for the establishment and growth of events for the social and economic benefit of the shire.

The draft strategy has been prepared by consultancy, Urban Enterprise, with input from Council officers and key stakeholders from the events sector.

The second stage of consultation is community consultation on the draft strategy. All feedback received during the public consultation stage will be considered in finalising the strategy, which will then be brought back to Council for adoption at a future Ordinary Council Meeting.

**Recommendation**

**That Council:**

- 1. Approve the Draft Macedon Ranges Event Strategy 2020-2025 for community consultation;**
- 2. Publish the Draft Macedon Ranges Event Strategy 2020-2025 on its 'Have Your Say' website page and make it available at the Council**

offices in Gisborne, Kyneton, Romsey, and Woodend between Monday 27 July and Monday 24 August 2020;

3. Consider all submissions received by 5:00pm on Monday 24 August 2020 in finalising the Macedon Ranges Events Strategy 2020-2025; and
4. Consider the final version of the Macedon Ranges Events Strategy 2020-2025 at a future Ordinary Meeting of Council for adoption.

It was moved by Cr Mees seconded by Cr West that the Officer Recommendation be adopted.

CARRIED

### 13. DIRECTOR ASSETS AND OPERATIONS REPORTS:

**Report No:**    **Report Title:**

AO.1              Kyneton Airfield

#### **Purpose and Overview**

At the Ordinary Council Meeting 27 May 2020, Council resolved:

***“That Council:***

1. ***Note the completion of the Due Diligence report – ‘Kyneton Airfield Document Review of Strategic Intent’.***
2. ***Note that as the Due Diligence report itself contains confidential Council business information as defined by section 3(1)(a) of the Local Government Act 2020, that is, information that would prejudice the Council’s position in commercial negotiations if prematurely released, then pursuant to Section 66(2)(a) of the Local Government Act 2020, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public and agree that the meeting minutes reflect consideration of the report in the closed part of the meeting.***
3. ***Agree that following consideration of the Due Diligence report by Councillors, Officers review the report with a view to making a copy of the report publicly available, subject to the redaction of any confidential information, by no later than 19 June 2020.***
4. ***Note that the Kyneton Airfield Advisory Committee were advised that the consideration of the Kyneton Airfield Master Plan 2019 was deferred pending Council’s commercial-in-confidence review.***
5. ***Note this report, AO.1 – Kyneton Airfield, is the requested report on ‘the matters pertaining to the Kyneton Airfield’.***
6. ***Direct that the Kyneton Airfield Master Plan 2019 be presented for consideration by Council no later than the end of July 2020.”***

This report considers the submissions and feedback received during the public consultation period, provides an overview of the process to date and presents the draft Kyneton Airfield Master Plan 2019 for consideration by Council.

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

1. Endorse the Kyneton Airfield Master Plan 2019.
2. Note that delivery of any actions identified within the Kyneton Airfield Master Plan 2019 are subject to Council's budget processes.
3. Note officers will provide a response to all persons who made a submission on the draft Kyneton Airfield Master Plan 2019; and
4. Direct that the members of the Kyneton Airfield Advisory Committee be thanked for their time and effort and advised of Council's decision on the Kyneton Airfield Master Plan 2019

**It was moved by Cr Mees seconded by Cr Jukes**

**That Council:**

1. Endorse the Kyneton Airfield Master Plan 2019, with the following changes:
  - a) Remove references to business and/or tourism hub development and Special Use Zone.
  - b) Replace yearly timing in the implementation plan with a numbered priority order.
2. Note that delivery of any actions identified within the Kyneton Airfield Master Plan 2019 are subject to Council's budget processes and operational priorities.
3. Note that officers will assist to facilitate grant funding opportunities as they arise to support infrastructure upgrades and improvement works at Kyneton Airfield.
4. Note officers will provide a response to all persons who made a submission on the draft Kyneton Airfield Master Plan 2019; and
5. Direct that the members of the Kyneton Airfield Advisory Committee be thanked for their five years of service and be advised of Council's decision on the Kyneton Airfield Master Plan 2019.

**LOST**

**It was moved by Cr Anderson and seconded by Cr Radnedge**

**That Council:**

1. Endorse the Kyneton Airfield Master Plan 2019, with the following changes:
  - a) Remove, all references to a Business and/or Tourism Hub from the Masterplan.
  - b) Remove, all references to new Privately owned aircraft storage Hangars on 8 Rawson Place.
  - c) Replace, on Page 27 – in the section titled "Access Road" "will" with "may"
  - d) Replace, on Page 27 – in the section titled "Car Parks" "would" with "may"
  - e) Replace, on Page 30 the word "will" with "may" in the sentence starting "An additional internal vehicle access road will need to"
  - f) Remove, on Page 32 - the entire section entitled "Special Use Zone"

- g) Replace, on page 34 – the point “Prepare draft SUZ / DDO / AEO schedules.” with “Investigate any required changes to the DDO/AEO schedules”
  - h) Remove on Page 34 – the entire point “Exhibit a Planning Scheme Amendment to rezone the Airfield Precinct SUZ and apply revised DDO and AEO overlays”.
  - i) Replace, on page 32 – the year dates with simple numbering.
2. Note that delivery of any actions identified within the Kyneton Airfield Master Plan 2019 are subject to Council’s budget processes.
  3. Note officers will provide a response to all persons who made a submission on the draft Kyneton Airfield Master Plan 2019.
  4. Direct that the members of the Kyneton Airfield Advisory Committee be thanked for their time and effort and advised of Council’s decision on the Kyneton Airfield Master Plan 2019.

**CARRIED**

The Mayor, Cr Pearce, on behalf of all councillors, thanked officers for their work in relation to item AO.1.

#### **14. NOTICES OF MOTION**

##### **Notice of Motion No. 1/2020-21 – Councillor Anderson**

That Council direct the Chief Executive Officer to:

1. Write to the Executive Officer of the Peri Urban Group of Rural Councils advising that Macedon Ranges Shire Council does not intend renewing its membership of the organisation following the expiration of the 2019/20 membership period; and
2. Thank the Peri Urban Group of Rural Councils for its ongoing work in furthering the interests of Peri Urban Councils and wish the organisation well for the future.

**It was moved by Cr Anderson seconded by Cr Twaits that Council direct the Chief Executive Officer to:**

1. **Write to the Executive Officer of the Peri Urban Group of Rural Councils advising that Macedon Ranges Shire Council does not intend renewing its membership of the organisation following the expiration of the 2019/20 membership period; and**
2. **Thank the Peri Urban Group of Rural Councils for its ongoing work in furthering the interests of Peri Urban Councils and wish the organisation well for the future.**

**CARRIED**

##### **Notice of Motion No. 2/2020-21 – Councillor Anderson**

That Council direct the Chief Executive Officer to:

1. Consult with the Stanley Park Committee of Management to establish interim arrangements for the management of Stanley Park from 1 September 2020;
2. Develop an appropriate community consultation process to gauge community preferences for the management of Stanley Park; and
3. Following consultation prepare a report for Council recommending options for the ongoing management of Stanley Park.

**It was moved by Cr Anderson seconded by Cr Twaits that Council direct the Chief Executive Officer to:**

- 1. Consult with the Stanley Park Committee of Management to establish interim arrangements for the management of Stanley Park from 1 September 2020;**
- 2. Develop an appropriate community consultation process to gauge community preferences for the management of Stanley Park; and**
- 3. Following consultation prepare a report for Council recommending options for the ongoing management of Stanley Park.**

**CARRIED**

**15. URGENT AND OTHER BUSINESS**

Nil

**16. CONFIDENTIAL REPORTS**

Nil

**Closure of Meeting**

The meeting closed at 7.39pm.

**Councillor Pearce  
Mayor**