

Council Meeting Minutes

Ordinary Council Meeting
Wednesday 27 May 2020 at 6.00pm
Held online and livestreamed at mrsc.vic.gov.au

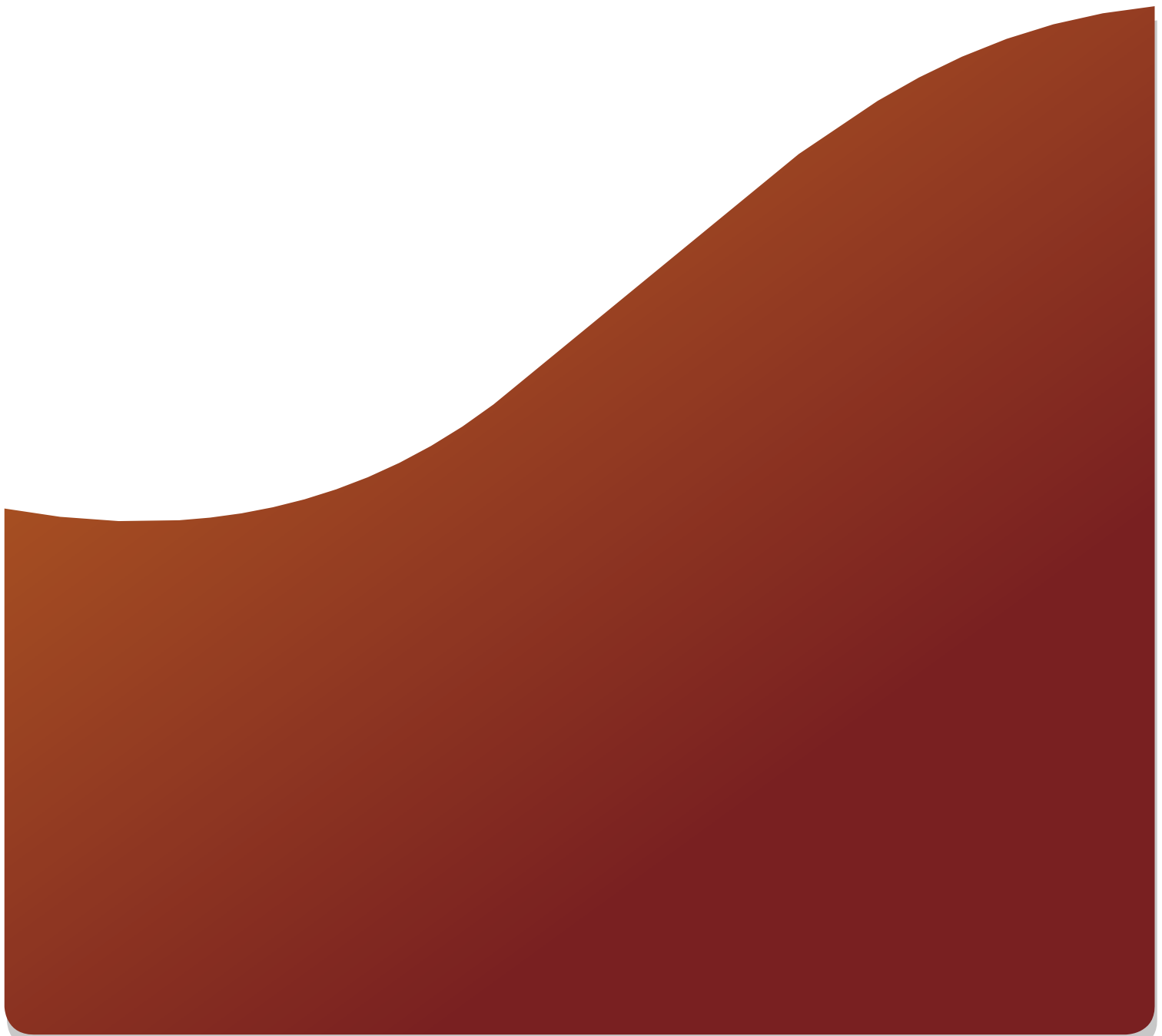


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1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING

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 Services
Ms Angela Hughes	Director Planning and Environment
Ms Sarah Noel	Acting Director Transition
Ms Lauren Reader	Governance Coordinator
Mr Brad Tellis	Coordinator Customer Service
Ms Fiona Alexander	Manager, Community Services
Mr Leon Den Dryver	Manager, Finance

3. APOLOGIES

Nil

4. DECLARATION OF CONFLICTS OF INTEREST

Cr Pearce declared a conflict of interest in relation to agenda item PE.5, which Cr Pearce had declared in writing to the Chief Executive Officer prior to the meeting.

Cr West advised the meeting he did not hold a conflict of interest in relation to agenda item PE.4 and that Cr West had sought advice on the matter.

It was moved by Cr Jukes seconded by Cr Radnedge that the Deputy Mayor, Cr Mees, be elected as temporary chairperson for consideration of agenda item PE.5

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

Council recognises the ever-changing situation of the coronavirus COVID-19 pandemic over the last two months. Our communities and businesses, including Council, have been impacted, and we have seen major changes in the way we live and interact. Adapting to this has been the priority for Council during the emergency response phase and now as we plan to move in to the recovery phase we are continually assessing the challenges that we will face during the socioeconomic recovery and also the opportunities.

Updates on Council's service changes are on our website, together with important information on support and resources available for businesses and people of all ages in our community especially those vulnerable. We provide a link to the Department of Health and Human Services website as the official source of information on COVID-19, and continue to work closely with State and Federal Governments.

Council has established a Recovery Operations Centre as a centralised service working with Health and Community services where residents can ask for support, request information, offer assistance or put forward recovery ideas and suggestions relating to the pandemic. We have provided an initial support package to businesses and residents which we will look to expand, and requests for hardship assistance is available.

On behalf of Council, I would like to thank and acknowledge the work and dedication of volunteers, community groups and organisations that have banded together with compassion, generosity, kindness and huge hearts and innovative ways to provide support. I have spoken to many in the community who have been assisting others. It is fitting that the theme for National Volunteer Week from 18-22 May was "Changing Communities, Changing Lives."

Thank you to Council staff for their work and contributions over the past months as well.

National Reconciliation Week from today, 27 May (signifying the anniversary of the historical 1967 Referendum, where Australian people voted to alter sections of the Constitution relating to Aboriginal and Torres Strait Islander people) until 3 June (the anniversary of the High Court Mabo decision), importantly has the theme this year of “In This Together”.

Reconciliation Victoria reminds us that, “it is a time for all Australians to reflect on our shared histories and relationships with Aboriginal and Torres Strait Islander peoples and explore how each of us can contribute to achieving meaningful reconciliation.”

Council is making progress in our first Reconciliation Action Plan and we hope in the months ahead that it will be presented at an Ordinary Council Meeting in order to publicly exhibit the draft RAP.

I would like to highlight some areas related to themes in the Council Plan.

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

ANZAC Day

The circumstances meant that there were no public gatherings for services for this significant day when we remember those who fought and those currently serving in the Armed Forces. Many people stood in their driveways at dawn with a light and in silence as the bugle was heard from the centre of towns in our Shire. We recognise those who sacrificed their lives in the pursuit of peace, the courage of people and those who still suffer from the effects of war. It was a very special day indeed.

Macedon Ranges Trail Project Funding

Council thanks the State Government and local Member for Macedon, Mary-Anne Thomas MP for their generous support providing \$8.75 million as part of building works to this project. This will link rural landscapes, towns, heritage and the community. We know from community feedback that safe walking, running and bike path connections for all ages and abilities in and between towns is seen as important. This will cover 23 kilometres linking Woodend to Macedon to New Gisborne to Riddells Creek. It will support tourism, create local jobs and support local business.

Australian Network on Disability Annual Conference

This was held by virtual means and was a great success. The theme was “Stronger Together.” The conference provided an opportunity to hear from experts and diverse experiences of people about inclusion of people with disability. Presentations included: Ensuring we don’t leave anyone behind; How COVID-19 provides opportunities to improve accessibility and inclusion in the workplace; Championing Inclusion; the Index Benchmark Report; presentations from organisations who were award winners over the last year; the Attorney General’s Department and Support Networks.

The CEO spoke about connecting the right people to the right jobs, the importance of data and “what gets measured get done”, workplace culture,

improving the experience of the customer with a disability, and that we look to creating a new normal for inclusion, cohesion and fairness for all. We need to move forward with what we have learnt this time during this pandemic and not fall back. She finished by stating that we were “inspired, motivated and invigorated ... to focus on the journey ahead as we build a disability confident Australia.”

Council’s Disability Action Plan is incorporated in to the Council Plan so it is considered in all that we do.

International Day Against Homophobia, Biphobia, Intersexism and Transphobia (IDAHOBIT)

Many logged on to social media for the virtual raising of the Rainbow Flag on 17 May, celebrating 30 years since the World Health Organisation (WHO) removed homosexuality from the Classification of Diseases and Related Health Problems.

Council again raised the Rainbow Flag in three locations demonstrating our commitment to building a just and inclusive community, promoting equality and respect for lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) people. We aim to champion peoples’ rights and raise awareness of discrimination, violence and mental health issues. We have moved forward a long way but need to keep going.

Virtual Story Time - Goldfields Library

We know the value of our libraries. They are “important cornerstones of community health” and not only provide the opportunity to educate but also importantly provide “a sense of place for gathering”. Recognising this and adapting to these current times, Goldfields Library Corporation has organised to have the “Library in Your Lounge Room.” I was delighted to be invited and contribute with a virtual story time on YouTube for preschool children from my home. The Click and Collect system also started in our shire this week for book collections which I know has been eagerly awaited by many.

Kyneton Museum Celebration - Fifty years

On 16 April 1970, the then Kyneton Folk Museum opened its doors to the public. Councils Arts and Culture Facebook page featured the original recording of the official opening by the then Premier of Victoria, Sir Henry Bolte which was attended by 300 people.

The celebrations this year were held online with community participating and sharing memories. People have been donating items for many years and it is important for education - more than 300 young people from seven different schools passed through the museum last year. Of course the museum would not be operating without the input and devotion from the Friends of Kyneton Museum group who volunteer and are an integral part of its stories and connection to the community and we thank them.

Acknowledgments

Congratulations to:

- Wilimee, Lyons Will Estate and Dilworth and Allain Wineries located in Lancefield and Romsey named in the Young Gun of Wine's 2020 list of the top 50 Australian winemakers. A great acknowledgement of their hard work and commitment. We recognise the quality of these small businesses and vigneron in our Shire.
- Cricket Victoria 2019-2020 - A Sport for All award winners:
 - Gisborne Cricket Club (GCC) took out the Inclusion and Diversity of the Year award recognising the work of Scott Vernon, driving the All Abilities program ensuring there is a supportive and inclusive environment.
 - Rachael Lineham from GCC took out the Junior Cricket Initiative.
 - Chelsea McCarthy was selected as Young leader of the Year for initiating a girl's cricket team in Romsey.
- Kyneton Toyota - winning the Toyota Southern Regional Rural Dealer of the Year for the second year running. Also nine excellence awards to be ranked as number 1 Rural Service Department in Australia and being recognised for their holistic and team approach to customer service.

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

Farmers Markets

The monthly Lancefield, Malmsbury and Woodend Farmers Markets continued during this time with a reduction in stall holders but with clear rules in place, social distancing and importantly supporting our regional producers.

Cool Changes 3442 Foundation Workshop

Following on from the successful Sustainable Malmsbury Project, the first online workshop was held this week for the Woodend and surrounding areas which has started the planning. This program is designed to work with local communities across the shire to facilitate the development of local meaningful climate action plans that will be accessible to all in the area and beyond. Myself and Councillor Anderson attended, along with a mix of interested community and professional people (around 25) with a range of knowledge and experience.

Funding support

During the past months grants have been received through the State Government:

- Seven agribusinesses in the Shire received grants (worth up to \$25,000) through the State Government's Small-Scale and Craft Program assisting them to scale up, expand operations and diversify their products. This acknowledges the importance of their supply of premium produce and the impact these small businesses have on creating jobs, supporting tourism and the economy.

- Mount Macedon Memorial Cross Reserve received \$50,000 towards implementation of its Masterplan. The reserve is a major attraction to our Shire, recent statistics showed a more than 66 percent increase in visits to the Cross in recent years. Funds will be used for a heritage analysis to preserve and enhance the site's commemorative features and will ensure more stories of local World War II (WWII) Veterans can be depicted at the site.

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

All face-to-face meetings have been temporarily suspended, however many meetings have continued via teleconference or video conferencing.

Virtual Ordinary Council Meeting

Council was proud to be the first Shire in the State to hold a Virtual Special Council Meeting following the passing of legislation by the State Government. We thank the State for their support and like tonight, this allows Council to continue to transact the vital business of Councils in the current circumstances whilst restrictions are slowly lifted and protecting the health and wellbeing and safety of Councillors, staff and the community.

Submitters Committee Meeting

In July 2019 Council endorsed the establishment of a special committee of Council, known as the Submitters Committee, to hear from applicants, landowners and objectors on statutory planning applications and any other matters on which Council has invited submissions to be made.

The first Submitters Committee meeting was held via virtual means on 13 May where eight people presented regarding planning matters which are on the agenda for this meeting.

Governance

Councillors, as delegated representatives, continued to attend numerous teleconference meetings. These included:

- Audit committee
- Central Ranges Local Learning and Employment Network (CRLLEN)
- Municipal Fire Management Planning Committee
- Goldfields Library Corporation
- Agribusiness Forum
- Macedon Ranges Local Safety Committee
- Peri Urban Group Rural Councils (PUGRC)

Communication and connections

The Chief Executive Officer (CEO) and myself met (often on multiple occasions) with:

- Mary-Anne Thomas MP- State Member for Macedon
- Rob Mitchell MP- Federal Member for McEwan
- Lisa Chesters MP- Federal Member for Bendigo
- Loddon Campaspe Mayor and CEO bimonthly meeting.

- Municipal Association of Victoria (MAV) Mayors Forums.

I joined meetings with:

- The Local Government Mayors Advisory Panel (15 in total) met with the Minister for Local Government, the Hon. Adem Somyurek and Local Government Victoria (LGV) every second week.
- Victorian Branch of the Australian Women in Local Government Association (ALGWA) Annual General Meeting (AGM) was held at the end of March. I was very proud to be elected as Deputy President Rural and there have been frequent meetings since then.
- Presentation by Victorian Auditor-General's Office (VAGO). I joined this information session on the upcoming sexual harassment survey going out to all Councillors and participating Councils which includes the Macedon Ranges.

I have also been providing short weekly Mayor video updates on Council's social media sites.

State Government Working For Victoria Initiative

Macedon Ranges Shire is one of the first shires to sign up and offer a wide range of positions (92) supporting this initiative. This includes a variety of roles ranging from supporting and assisting vulnerable people in our community, producer and editor skills, environmental and park works and internal projects. These temporary jobs will assist fellow Victorians who are out of work and Council has encouraged its casual staff to register for this initiative.

Local Government Act / Local Government Elections

The *Local Government Act 2020* received Royal Assent on 24 March with the first and second sections of legislation coming into operation April and May. The new Act has introduced some important changes to council and election processes.

Local Government elections will be held on the 24 October 2020 via postal voting and information sessions will be available. We encourage anyone interested to look on line and Councillors are available to discuss this with interested residents. The Election "Caretaker" Period begins on 22 September.

Community Satisfaction Survey

Interviews for the 2020 Community Satisfaction Survey have now been completed. This year 61 councils participated with approximately 25,000 telephone interviews being conducted.

The program has been operating for 21 years. The survey provides an interface between councils and their communities. Conducted annually, the survey seeks feedback from local people on the place in which they live, work and play to inform councils on their services and activities.

Analysis has begun, and the resulting state-wide report will be provided to the Minister this month, with councils to receive their individual reports upon Ministerial approval.

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

CARRIED

6. PETITIONS

Nil

7. ADOPTION OF MINUTES

Ordinary Council Meeting: Wednesday 25 March 2020
Special Council Meeting: Friday 1 May 2020

Officer Recommendation:

That the minutes of the Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 25 March 2020 and the Special Meeting of the Macedon Ranges Shire Council held on Friday 1 May 2020 as circulated be confirmed.

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

CARRIED

8. RECORD OF ASSEMBLIES OF COUNCILLORS – APRIL - MAY 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
	22 March 2020 3.00pm – 5.00pm	Councillor Briefing
	Venue	<i>Via teleconference</i>
	Present – Councillors	Crs Anderson, Gayfer, Jukes, Mees, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Gina Lyons, Shane Walden, Sarah Noel, Leanne Manton, Nathan Upson, Stephen Pykett
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Coronavirus (COVID-19) update: <ul style="list-style-type: none"> - response to date - current situation - Council meetings - CGT procurement matter
	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

2.	Date / Time	Type of Assembly
	25 March 2020 3.30pm – 4.30pm	Councillor Briefing
	Venue	Gisborne Administration Centre – <i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Jukes, Mees, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Angela Hughes, Shane Walden, Sarah Noel, Lauren Reader, Leanne Manton, Rob Ball
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Gisborne Futures Project • Agenda Review • Economic Development Strategy • Gisborne Primary School – use of laneway

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
	1 April 2020 8.30am – 11.30am	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, Leanne Manton, Nathan Upson, Dean Frank, Gary Randhawa, John Edwards, Rod Clough and Michelle Nolte
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Risk Management • Final Ash Wednesday Park Master Plan • Feasibility Study for Glass Recycling/Reuse • Loan Guarantee and Community Contributions Policy • Economic Development Strategy • Planning Matters • Pandemic Response
	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

4.	Date / Time	Type of Assembly
	8 April 2020 8.30am – 9.10am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Mees, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, Tim Nightingale, Shane Walden, Sarah Noel, Lauren Reader, Leanne Manton, Stephen Pykett, Will Rayner
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • RV Facilities Plan – Kyneton Disposal Point

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

5.	Date / Time	Type of Assembly
	15 April 2020 8.30am – 10.15am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Jukes, Mees, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Angela Hughes, Shane Walden, Sarah Noel, Lauren Reader, Leanne Manton, Leon den Dryver, Leanne Khan
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Feedback on Draft Budget, Council Plan & Strategic Resource Plan • COVID-19 discussion • Planning Scheme Amendment C126 – Review & Response to Submissions
	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

6.	Date / Time	Type of Assembly
	22 April 2020 8.30am – 10.25am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Gayfer, Jukes, Mees, Pearce, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Angela Hughes, Gary Randhawa, Sarah Noel, Lauren Reader, Leanne Manton, Leon den Dryver, Fiona Alexander
	Presenters	Seamus Haugh, Brian Westley, Barry Green, Mark Simons, Regional Roads Victoria
	Items discussed	<ul style="list-style-type: none"> • Budget Discussions • Regional Kitchen • Continuation of Delivered Meals for Six Months • Documents referred to in Strategies and Policies • Discussion with Regional Roads Victoria [confidential]
	Conflicts of interest declared by Councillors and record of	Nil

them leaving the meeting when the matter about which they declared the conflict of interest was discussed	Did they leave the assembly? N/A
Conflicts of interest declared by officers	Nil Did they leave the assembly? N/A

7.	Date / Time	Type of Assembly
	29 April 2020 8.30am – 10.25am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Jukes, Mees, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Angela Hughes, Shane Walden, Gary Randhawa, Sarah Noel, Lauren Reader, Leanne Manton, Leon den Dryver, Hayley Drummond, Rod Clough, Dean Frank
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Agenda review <ul style="list-style-type: none"> - c138macr – Lot 1 TP 879826 Walshes Road, Woodend rezoning - Ash Wednesday Park Master Plan - Powercor’s vegetation management practices - Small Project Grants – Consideration of grant applications - Revised Instrument of Delegation to members of Council staff (S6) - Flag Policy - Update on East Paddock, Hanging Rock, Woodend (confidential item) - Knight Court, Kyneton – Potential discontinuance and sale (confidential item) - Response to invitation for expressions of interest for the future management of the former Kyneton Primary School • Budget discussion
	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

8.	Date / Time	Type of Assembly
	6 May 2020 12.00pm – 2.40pm	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>

Present – Councillors	Crs Anderson, Bleeck, Gayfer, Pearce, Radnedge, Twaits, West
Present – Officers	Margot Stork, John Hausler, Angela Hughes, Shane Walden, Sarah Noel, Lauren Reader, Leanne Manton, Althea Jalbert, Jill Karena, Stephen Pykett, Bob Elkington, William Rayner, Awais Sadiq
Presenters	Nil
Items discussed	<ul style="list-style-type: none"> • Mobile Trading Guidelines • COVID-19 Pandemic Update • 2020-21 Budget, Strategic Resource Plan and Council Plan • Business Awards and Regional Tourism Review • Tourism Activity Update • Planning Matters <ul style="list-style-type: none"> - PLN/2019/580 Barry Street Romsey • Submitters Committee virtual meeting trial • Hanging Rock East Paddock • Former Kyneton Primary School (KPS) site
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>

9.	Date / Time	Type of Assembly
	13 May 2020 8.30am – 11.20am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
Present – Councillors		Crs Anderson, Bleeck, Gayfer, Jukes, Mees, Pearce, Radnedge, Twaits, West
Present – Officers		Margot Stork, John Hausler, Shane Walden, Sarah Noel, Lauren Reader, Stephen Pykett, Danni Findlay, Leanne Manton, Stephen Hiley, Awais Sadiq, Naomi Scrivener, Christo Crafford, Leon den Dryver
Presenters		Nil
Items discussed		<ul style="list-style-type: none"> • Agribusiness Forum – Terms of Reference • Reconciliation Action Plan • Council Meeting Agenda Review <ul style="list-style-type: none"> - PLN/2010/477 – 1-3 Station Street, Riddells Creek - PLN/2015/294/A – 936 Bacchus Marsh Road, Bullengarook - PLN/2019/340 – Rochford Road, Lancefield - PLN/2018/55/C – 9 Ladye Place, Woodend - Planning Scheme Amendment C126 – Submissions - RV Facilities Plan – Kyneton disposal point

	<ul style="list-style-type: none"> - Heritage overlay control Bunjil Creek bridge and channel - Hanging Rock Project Control Group report - Quarterly Report for the period ended 31 March 2020 - Draft Budget, Strategic Resource Plan and Council Plan - Kyneton Airfield • Review of the Flag Policy
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/2018/55/C – 9 Ladye Place, Woodend.</p> <p>Did they leave the assembly? Yes</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the assembly? N/A</p>

10.	Date / Time	Type of Assembly
	20 May 2020 9.15am – 11.20am	Councillor Briefing
	Venue	<i>Briefing conducted via teleconference</i>
	Present – Councillors	Crs Anderson, Bleeck, Gayfer, Jukes, Mees, Pearce, Radnedge, Twaits, West
	Present – Officers	Margot Stork, John Hausler, Shane Walden, Angela Hughes, Lauren Reader, Leanne Manton, Leon den Dryver, Stephen Pykett, Will Rayner, Nicole Pietruschka, Danni Findlay, Christo Crafford, Alexia Paterson
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Draft Budget, Draft Strategic Resource Plan and Draft Council Plan • Peri Urban Group of Rural Councils Economic Development Strategy Review • Events and Festivals Strategy • Woodend Community Centre Redevelopment Master Plan & Feasibility Study & Stakeholder Consultation • Planning Matters: <ul style="list-style-type: none"> - Brooke Street, Woodend - Holgates Brewery
	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 Planning Matters – Brooke Street, Woodend.</p> <p>Did they leave the assembly? Yes</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 Mees seconded by Cr Gayfer that the Officer Recommendation be adopted.

CARRIED

9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL

RECOGNITION OF AUSTRALIA DAY HONOUR RECIPIENT

In the 2020 Australia Day Honours Awards, Mr Charles Curwen AO, Mr James Lindsay OAM and Mr Manfred Zabinkas OAM were recipients for their significant contribution to the community.

Mr Curwen and Mr Lindsay attended the 26 February 2020 Ordinary Council Meeting to receive a letter under the Common Seal of Council in recognition of their achievements.

Mr Manfred Zabinkas OAM was invited to attend this meeting to receive a letter under the Common Seal of Council in recognition of the award which was presented in recognition of 25 years of work assisting and saving wildlife and providing a 24 hour voluntary service to rescue sick, injured and orphaned wildlife.

Officer Recommendation:

That a letter under the Common Seal of Council be presented to Mr Manfred Zabinkas OAM at a suitable time in recognition of the Order of Australia award.

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

CARRIED

Suspension of Standing Orders

6.24pm It was moved by Cr Anderson and seconded by Cr Mees that standing orders be suspended to consider questions from the gallery.

CARRIED

Questions from the Public

Name: Robert Kimmins

Question: Could priority be given to a budget approval for a continuous footpath along Fersfield Road?

Response: The CEO responded as follows:

The question has been provided in writing previously to officers and a written response has been provided in writing to Mr Kimmins on this matter. Mr Kimmins was advised that Council's draft 2020-2021 budget contains an allocation of funds to construct one of the missing sections of the path, between 51 and 61 Fersfield Road and the draft budget will be out for community consultation shortly. Council Officers are unable to make a firm commitment to the project sought by Mr Kimmins until after the budget has been adopted. The remaining sections of the path will be considered in future budgets, but Mr Kimmins is able to put in a submission to the budget process.

Resumption of Standing Orders

6.26pm It was moved by Cr Anderson and seconded by Cr Mees that standing orders be resumed.

CARRIED

10. DIRECTOR PLANNING AND ENVIRONMENT REPORTS:

Report No: Report Title:

**PE.1 Application for extension of time for Planning Permit
PLN/2010/477 – Development of land for a supermarket with
associated car parking, a reduction in the car parking
requirements and signage – 1-3 Station Street, Riddells
Creek**

Purpose and Overview

The application proposes to extend the time allowed under Condition 72 of Planning Permit PLN/2010/477 by two years to commence and complete the approved development.

Planning Permit PLN/2010/477 allows the development of the land for a supermarket with associated car parking, a reduction in the car parking requirements and signage. The proposal includes the construction of three (3) buildings to accommodate a supermarket, sixteen (16) shops, and a café. It was issued on 22 December 2014 at the direction of the Victorian Civil and Administrative Tribunal (VCAT).

Officers have assessed the application for the extension of time. It is considered appropriate to extend the time allowed under the planning permit by two years.

Recommendation

That Council grant an extension of time for a period of 2 years from 20 December 2019 to commence and complete the approved development.

It was moved by Cr Anderson seconded by Cr Radnedge

That Council refuse to grant an extension of time to Planning Permit PLN/2010/477 for land at 1-3 Station Street, Riddells Creek on the following grounds:

1. The length of time that has passed without the commencement of any buildings or works allowed by this planning permit is indicative of the permit being ‘warehoused.’
2. Car parking demand in the area has significantly increased since the original planning permit was issued and a reduction in car parking requirement is no longer justified
3. The development does not accord with the Design and Development Overlay Schedule 23 (DDO23) which has been introduced to the site since the original issue of the planning permit. In particular:
 - a) The development as viewed from the Public Gardens Reserve will lead to detrimental visual impact, including scale, finishes, inadequate space for screen planting.
 - b) The design of the proposed supermarket does not contribute to the architectural or urban design of Riddells Creek in particular the activation of Station Street.
 - c) Inadequate visual landscaping opportunities are provided to soften the impact of the proposal.
 - d) The proposal is an overdevelopment of the site and there is no evident need for such a large supermarket in Riddells Creek.
4. The approved development does not accord with the Macedon Ranges Statement of Planning Policy and the associated protection of the Macedon Ranges Shire as being declared a distinctive area and landscape under part 3AAB- Distinctive Areas and Landscapes, section 46AO of the Planning and Environment Act 1987 an area, which have been introduced since the granting of the original planning permit.
5. The significance of the creek that runs through the site has been quantified with its naming, which did not exist at the time of the original application
6. The development does not comply with the requirements of Clause 53.16 Stormwater Management in Urban Development, introduced to the Victorian Planning Provisions since the granting of the original permit.

CARRIED

Report No: Report Title:

PE.2 Application for Planning Permit PLN/2019/279 – Application for Miscellaneous Consent MCA/2019/63 – Use and development of the land for a child care centre and medical centre – 2-8 Poplar Drive, Romsey

Purpose and Overview

The application is for the use and development of a child care centre and medical centre. The child care centre is proposed to accommodate up to one hundred and four (104) children with a maximum of nineteen (19) staff members. It is proposed to operate 6:30am to 6:30pm – Monday to Friday.

The medical centre is proposed to accommodate eleven (11) staff (9 medical practitioners and 2 admin staff). The hours of operation for the medical centre will be Monday to Friday - 8:30am to 8pm and 8:30am to 3:30pm on Saturday. Five (5) practitioners will provide services after 5pm on Monday to Friday. Two (2) practitioners will be available in case of emergency between 8pm and 10pm.

The notice of application was given pursuant to Section 52 of the Planning and Environment Act 1987. Nineteen (19) objections and one (1) petition have been received to date.

Key issues to be considered relate to the appropriateness of the proposal in accordance with the zoning of the land and issues in relation to noise, traffic and general amenity.

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 Planning Permit be issued.

Recommendation

That Council:

- 1. Issue a Notice of Decision to Grant a Planning Permit for the use and development of the land for a child care centre and medical centre for the land at LOT 177, LOT 178, LOT 179 and LOT 180 PS 735236V P/Monegetta, 2-8 Poplar Drive, Romsey subject to the conditions below:**
 - 1. Before the development commences, three copies of amended plans to the satisfaction of the Responsible Authority 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 be generally in accordance with the plans submitted on 11 February 2020, prepared by Archsign Pty Ltd but modified to show:**
 - a) Location of waste storage area for the Medical Centre;**
 - b) Height of the northern terrace wall on the first floor level of the Medical Centre along the northern elevation to be 1.7m;**
 - c) Additional articulation (i.e. additional design features, recession of walls or employment of various buildings colours and materials) along the northern, western and southern elevations of Medical Centre;**
 - d) Landscape Plan in accordance with Condition 2 of this permit.**
 - 2. Before the development commences, three copies of a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the landscape plan will be endorsed and will then form part of this permit. The plan must show:**
 - a) A survey of all existing vegetation and natural features;**
 - b) Three advanced trees (minimum height of 1.6m and 45 Litre pot when planted) in the Poplar Drive reserve frontage – with offsets from infrastructure as per Councils Tree Management Policy, 2019;**
 - c) Species in this case to be *Fraxinus pennsylvanica* 'Cimmzam' Cimmarron Ash;**

- d) An advanced tree planting detail with a minimum 52 Greenwell Water saver and 3 hardwood stakes;
- e) All existing street trees to be retained must be fenced prior to any works commencing, or any heavy machinery entering the site;
 - Tree Protection fencing is to comprise temporary security fencing of minimum 1.8m high and fixed to block bases.
 - Fencing is to be installed a minimum of two (2) metres in each direction from the trunk surrounding the tree to create an exclusion zone and must remain in place until the conclusion of works.
 - No trenching or removal of soil, dumping or storage of fuel, material or equipment is to take place within the protected zone.
- f) Provision of additional landscaping (inclusive of tree or shrubs) along the entire southern boundary;
- g) The area or areas set aside for landscaping;
- h) A schedule of all proposed trees, shrubs/small trees and ground cover;
- i) The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
- j) Appropriate irrigation systems.

Notes on Landscape Plan

The following notations added to the landscape plan;

- Contractors are 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.
3. The uses and development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
 4. Unless with the prior written consent of the Responsible Authority, before the commencement of the uses, the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
 5. Before the commencement of the development, LOT 177 PS 735236V P/Monegeetta, LOT 178 PS 735236V P/Monegeetta, LOT 179 PS 735236V P/Monegeetta and LOT 180 PS 735236V P/Monegeetta must be consolidated under the Subdivision Act 1988.
 6. Unless with the prior written consent from the Responsible Authority, the loading and unloading of goods from any vehicles must only be carried out within the boundaries of the land and must not be conducted before 8:00am or after 6:00pm on any day.
 7. Unless with the prior written consent from the Responsible Authority, the child care centre hereby permitted must only operate between the following hours:

Child Care Centre

- Monday to Friday – 6:30am to 6:30pm

8. Unless with the prior written consent from the Responsible Authority, the medical centre hereby permitted must only operate with following number of practitioners on site at any one time and between the hours:

Medical Centre

- Nine (9) Practitioners: Monday to Friday – 8:30am to 5pm
- Five (5) Practitioners: Monday to Friday – 5pm to 8pm
- Two (2) Practitioners (Emergency Only): Monday to Friday – 8pm to 10pm
- Nine (9) Practitioners: Saturday – 8:30am to 3:30pm
- Sunday and Public Holidays – Closed

9. The child care centre hereby permitted must not exceed one hundred and four (104) children on site at any one time unless with the prior written consent of the Responsible Authority.
10. The child care centre hereby permitted must not exceed nineteen (19) employees on site at any one time unless with the prior written consent of the Responsible Authority.
11. The development shall be adequately lit at all times during the hours of darkness. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
12. A directional sign to the satisfaction of the Responsible Authority shall be provided directing drivers to the area set aside for car parking and must be located and maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres.
13. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.
14. The development and uses hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) Transport of materials, good or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin.
15. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
16. Air-conditioning and other plant and equipment installed on the subject building(s) shall be positioned and baffled so that noise

disturbance is minimised and appropriately screened from public view, to the satisfaction of the Responsible Authority.

17. A minimum of fifty one (51) car spaces must be provided on the land for the uses including the provision of three (3) disabled car spaces for the exclusive use of disabled persons. The disabled car spaces must be provided as close as practicable to a suitable entrance of the building and must be clearly marked with a sign to indicate that the space must only be utilised by disabled persons, to the satisfaction of the Responsible Authority.
18. The buildings and internal facilities must be designed having particular regard to the accessibility and convenience of disabled people in accordance with the provisions of the Victorian Building Regulations unless otherwise agreed to in writing by the Responsible Authority.
19. Provision shall be made for the storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.
20. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcements, broadcasts or playing of music.
21. Vehicles under the care, management or control of the operator of the uses, including staff vehicles must not be parked in any nearby road.

MRSC Engineering Conditions

22. 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.

23. 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.
24. Prior to the commencement of the uses, the development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- a) The development as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
 - b) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
 - c) All stormwater drains required to the legal point of discharge and which pass through land other than those within the boundaries of the development must be constructed at no cost to the Responsible Authority.
 - d) Details of stormwater detention system to ensure 10 year ARI post-development flows are restricted to pre-development level.
 - 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.

Detailed construction plans for the above works must be submitted to and approved by the Responsible Authority.

25. Prior to the commencement of the uses, the following works must be constructed or carried out to the satisfaction of the Responsible Authority:
- a) Construction of crossover in Poplar Drive in accordance with endorsed plans.
 - b) Crossovers are to be a minimum of 10m from any intersection, 1m from any power pole, sign or service pit and an absolute minimum of 3m from any street tree.
 - c) Removal of all redundant crossovers in Poplar Drive and Maple Drive and reinstatement of kerb and gutter, nature strip and footpath.
26. Prior to the commencement of the uses, the areas set aside for the parking of vehicles and access driveways as shown on the endorsed plans must be:
- a) Constructed in concrete or asphalt to the satisfaction of the Responsible Authority.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Drained and maintained.
 - d) Marked to indicate each car space and all access lanes.
 - e) Clearly marked to show the direction of traffic along access lanes and driveways.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

27. **The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).**
28. **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) Responsible Authority**

VicRoads Condition

29. **Vehicular access to the subject land via Poplar Drive must be left-in, left-out and must be mitigated with a suitable treatment to the satisfaction of and at no cost to Council.**

Expiry of Permit

30. **This permit will expire if one of the following circumstances applies:**
 - a) **The development is not commenced within two years of the date of this permit.**
 - b) **The development is not completed within four years of the date of this permit.**
 - c) **The use is not commenced within two years of the completion of the development.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

Permit Notes:

- **Future owners of the land must be made aware of the existence of this permit.**
 - **Business identification signage has not been approved as part of this permit and a separate permit application may be required to be made in this regard.**
 - **Child care centre will need to be registered under the provisions of the Food Act with Councils Environmental Health Unit.**
2. **Grant a Miscellaneous Consent to allow for buildings and works within 5 metres from the rear boundary of lots 177, 178, 179 and 180 and for buildings and works within 10 metres of the western boundary of Lot 177 in accordance with Clause 3 of Section 173 Agreement AQ027145M.**

It was moved by Cr Gayfer seconded by Cr West

That Council resolve to issue a Notice of Refusal for the use and development for a child care centre and a medical centre for the land at LOT 177, LOT 178, LOT 179 and LOT 180 PS 735236V P/Monegetta, 2-8 Poplar Drive, ROMSEY on the following grounds:

1. **The proposal is contrary to Clause 15.01 (built environment), Clause 21.08 (built environment and heritage) and Clause 21.13-4 (Local Areas and Small Settlements – Romsey) of the Macedon Ranges Planning Scheme in terms of its scale and intensity, design, appearance and location.**
2. **The proposal is contrary to the purpose of the General Residential Zone in that the site is not in an appropriate location for a non-residential use of this intensity, and its design, appearance, bulk and scale is not sympathetic to the neighbourhood character of the area.**
3. **The development fails to comply with the Design and Development Overlay Schedule 18 (Precinct 2 - Greenfield Area) in the following ways:**
 - a) **The proposed front setback of the medical centre to Poplar Drive**
 - b) **The proposed medical centre exceeds the maximum building height of 7.5 metres**
 - c) **The development fails to provide for a minimum 55% site permeability**
4. **The proposal is generally inconsistent with Clause 65 (decision guidelines) of the Macedon Ranges Planning Scheme.**

CARRIED

Cr West requested a division

**FOR: Cr Gayfer, Cr Anderson, Cr West, Cr Radnedge, Cr Pearce, Cr Traits
AGAINST: Cr Mees, Cr Bleeck, Cr Jukes**

Report No: Report Title:

PE.3 Application to amend Planning Permit PLN/2015/294/A – Use and development of the land for agriculture: for horticulture and the keeping of 30 poultry, four sheep and two alpacas (application to amend planning permit, conditions and plans) – 936 Bacchus Marsh Road, Bullengarook

Purpose and Overview

Planning Permit PLN/2015/294 was issued on 10 March 2017 allowing the site to be used and developed for agriculture, horticulture, the keeping of thirty poultry, four sheep and two alpacas, and the alteration of access to a road in a Road Zone Category 1.

It is proposed to amend this planning permit to increase the number of animals that may be kept on the site and to increase the areas used for horticulture and animal grazing.

Parts of the proposed amendment are retrospective.

The application has been advertised and three objections have been received to date.

Key issues to be considered relate to the impact of the increased agricultural use in the Rural Conservation Zone, the protection and enhancement of native vegetation (including fencing), waterways and pest plant and animal control.

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

Recommendation

That Council:

Amend the Planning Permit PLN/2015/294/A as follows:

- 1. Amend the preamble of the permit read as follows:
Use and development of the land for agriculture: For horticulture and the keeping of 30 poultry and Twelve (12) Dry Sheep Equivalent Animals**
- 2. Issue the Notice of Decision to Amend a Permit by amending the permit conditions to read as follows:**
 - 1. Before the development and use commences, three (3) copies of amended plans to the satisfaction of the Responsible Authority 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 be generally in accordance with the plans amended 24 March 2016 and prepared by Caddick Designs, but modified to show:**
 - a) Detail that the greenhouses are to be covered with ‘clear plastic’.**
 - b) The location of any water tanks on the site (These must be located in a concealed location, shielded by buildings on the site).**
 - c) A 1.8m high Colorbond (muted tone) fence along the full south-west side of the proposed planting field indicated in LMZ2 area.**
 - 2. Within three (3) months of the issue of this permit, fencing required under Condition 1c) must be erected and thereafter maintained to the satisfaction of the Responsible Authority.**
 - 3. All track construction and maintenance equipment, earth moving equipment and associated machinery must be made free of soil, seed and plant material before being taken to the works sites and again before being removed from the works sites to the satisfaction of the Responsible Authority.**
 - 4. Before the development and use commences, three (3) copies of an updated Land Management Plan based on the *Land Management Plan* prepared by Coliban Ecology (dated February 2016) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the LMP will be endorsed and will then form part of**

this permit. The LMP must include in addition to other content in the February 2016 Plan at least:

- No horticultural activities may occur in LMZ4.
- Planting in LMZ4 must be limited to local indigenous vegetation.
- Non-indigenous vegetation must be removed from LMZ4.
- No native vegetation (including trees, shrubs, grasses and herbs) to be removed, damaged, destroyed, felled, lopped or uprooted unless with the prior written consent of the Responsible Authority.
- Recommendations for any proposed actions in addition to those in the attached Revegetation Plan and the Weed and Pest Management Plan as referenced in conditions 4 and 5.

5. Before the development and use commences, three (3) copies of a Revegetation Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority as an attachment to the *Land Management Plan* for the review land. When approved, the plans will be endorsed and will then form part of this permit. The plans must show:
 - a) A site plan showing where revegetation will be located.
 - b) Further planting areas within *Land Management Zone Three (LMZ3)* with native understorey ground cover vegetation to prevent any nutrients entering the ephemeral creek.
 - c) Removal of non-native planted vegetation within LMZ4.
 - d) Vegetation screening around the two sheds. These must be of indigenous native species with the following spacing:
 - Trees: 1 tree/5m²
 - Shrubs: 1 plants/2-3m²
 - Ground cover/grasses: 4-5 plants/m².
 - e) Local indigenous plants including scientific and common names.
 - f) Density/hectare – based on EVC benchmark revegetation guidelines.
 - g) Ongoing weed management for revegetation areas.
6. Before the development and use commences, three (3) copies of a Weed and Pest Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority as an attachment to the *Land Management Plan* for the review land. When approved, the plans will be endorsed and will then form part of this permit. The plans must show:
 - a) A site plan that indicates the weeds that are present on the site.
 - b) A weed list including species listed by common names and scientific names.
 - c) Method/s of control for each species.
 - d) Timing of control.
 - e) Frequency of control.
 - f) Weed management techniques to be employed for the next five years.
 - g) Any current weed control present on the site.

- h) **Monitoring techniques for pests.**
 - i) **Timing of pest treatment and control.**
 - j) **Pest management techniques to be employed for the next three years.**
7. **The development and use as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.**
8. **Before the use and development commences, the owners of the land must enter into an agreement with the Responsible Authority and in accordance with Section 173 of the *Planning and Environment Act 1987*. This agreement must provide for:**
- a) **The owner of the land must implement all the recommendations and requirements of the Land Management Plan endorsed under the Planning Permit PLN/2015/294 on an ongoing basis to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.**
 - b) **The owner of the land must implement all the recommendations and requirements of the Revegetation Plan endorsed under the Planning Permit PLN/2015/294 on an ongoing basis to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.**
 - c) **The owner of the land must implement all the recommendations and requirements of the Weed and Pest Management Plan endorsed under the Planning Permit PLN/2015/294 on an ongoing basis to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.**

Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land, under Section 181 of the same Act, prior to the commencement of the use and development.

The owners must pay all costs including the costs of the Responsible Authority, associated with the preparation, execution, registration and (if later sought), cancellation of the Section 173 Agreement.

9. **Unless with the prior written consent of the Responsible Authority, deliveries to and from the site must only take place between the hours of 8:30am and 5pm.**
10. **All external lighting must be designed, baffled (where appropriate) and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.**
11. **The development and use hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:**
- a) **Transport of materials, good or commodities to or from the land;**

- b) Appearance of any building, works or materials;
 - c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) Presence of vermin.
12. Goods must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare, to the satisfaction of the Responsible Authority.
13. Provision shall be made for the appropriate storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.
14. The nature and colour of building materials employed in the construction of the buildings and works hereby permitted shall harmonise with the environment, to the satisfaction of the Responsible Authority.
15. No direct sales of goods or other materials may be made to the public on site, to the satisfaction of the Responsible Authority.
16. The boundaries of the area to be used for the purpose of animal husbandry and grazing shall be fenced to the satisfaction of the Responsible Authority, and once erected the fencing must be maintained in a suitable condition to constrain animal movement to Creek to the satisfaction of the Responsible Authority.
17. There are to be no more than 12 Dry Sheep Equivalent (DSE) animals on the site at any time, to the satisfaction of the Responsible Authority.

VicRoads conditions

18. Prior to the development coming into use hereby approved:
- a) The existing unsealed crossover must be upgraded to be constructed in accordance with Truck Access to Rural Properties, Type A. SD2064.
 - b) The access lane, driveway and crossover works must be provided and available for use and be:
 - Formed to such levels and drained so can be used in accordance with the plan; and
 - Treated with an all-weather seal or some other durable surface.
19. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).

Southern Rural Water conditions

20. The extraction and use of groundwater for the purpose of providing water for this development must be licensed in

accordance with Section 51 of the *Water Act 1989*. This matter must be resolved prior to the commencement of any works.

21. The existing dam used to provide water for this development must only be filled from direct runoff or from a licensed water source.
22. The existing dam used to provide water for this development must be constructed in accordance with a 'turkeys nest' design so as no natural surface water runoff can enter the dam.
23. All works must not interfere with any nearby waterway being a watercourse, drainage line or a natural channel with a regular flow.
24. Irrigation development must be supported with sediment control barriers to eliminate the movement of soils and sediment loaded water onto adjoining properties and the downstream catchment.
25. Sediment control measures outlined in the EPA's *Publication No 275 Sediment Pollution Control*, must be employed during the construction phase of buildings and maintained until the disturbed areas have been revegetated.
26. On completion of the works Southern Rural Water must be advised so as a site inspection can be undertaken.

Western Water conditions

27. The recommendations and actions contained within the Land Management Plan prepared by Coliban Ecology Final Draft dated 24/3/16 Reference No CE20160213-001-R must be followed and implemented to the satisfaction of Western Water (other than the land area identified as LMZ4).
28. The LMZ4 rehabilitation and revegetation protection areas identified in the Addendum Land Management Plan prepared Eco Vision Australia Reference No. 76HO19 LMP ADD dated August 19, 2019 must be followed and implemented to the satisfaction of Western Water.
29. Stocking rates within the LMZ4 area must be kept to a minimum to avoid over grazing. The area must be periodically rested to allow regeneration of grass cover to the satisfaction of Western Water.
30. The effluent disposal field must be protected by being isolated from any building, driveway, livestock, vehicles or permanent recreational area that could render it unavailable in the future and should be planted with suitable grasses that will aid in moisture removal.
31. Any existing or proposed shed must not be used for the purposes of accommodation, or contain facilities that result in the discharge of wastewater.

- 32. **Sediment Pollution Controls shall be employed and maintained until any disturbed areas have regenerated.**
- 33. **Storm water must be managed in a way to minimise risk to erosion of the surrounding land.**

Melbourne Water conditions

- 34. **Prior to the development plans being endorsed and the commencement of works, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions relating to floor levels and fencing. Plans must be submitted with ground and floor levels to Australia Height Datum.**
- 35. **Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains and waterways.**
- 36. **The land owner must fence off the waterway to a distance of 20m both sides of the waterway, measured from the centreline of the waterway, to restrict stock access to the satisfaction of the Responsible Authority. Allowance is made for gates, in order to access the rear part of the property.**
- 37. **The land owner must prepare a Revegetation Plan for the fenced off creek area, and submit this to Melbourne Water for comments and approval.**
- 38. **The land owner must implement the agreed Revegetation Plan in order to protect the waterway in the long term.**
- 39. **Any new shed must be constructed with finished floor levels set no lower than 524m Australian Height Datum (AHD), which is 300mm above the applicable flood level of 523.7m AHD.**
- 40. **Any new fencing below the applicable flood level must be of an open style (50%) or timber paling construction type, to allow for the passage of flood water/overland flow.**
- 41. **Imported fill must be kept to a minimum on the property below the applicable flood level and must only be used for the sub floor areas of the building envelopes.**
- 42. **Prior to the commencement of works, a separate application direct to Melbourne Water must be made for the approval of any new or modified storm water connection to Melbourne Water's drains or watercourses.**

Expiry of permit

- 43. **This permit will expire if one of the following circumstances applies:**

- a) The development is not started within two years of the issue date of this permit.
- b) The development is not completed within four years of the issue date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

44. This permit as it relates to use will expire if the use does not commence within two (2) years after the issue date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

It was moved by Cr Twaits seconded by Cr Radnedge

That Council resolve to issue a Notice of Refusal to amend the permit for the use and development of the land for agriculture: for horticulture and the keeping of 30 poultry, four sheep and two alpacas for the land at CA 24A TP 282290X P/Bullengarook 936 Bacchus March Road, BULLENGAROOK on the following grounds:

1. The proposal is contrary to Clause 14 and Clause 21.07-1 of the Macedon Ranges Planning Scheme (Natural Resource Management) as it fails to demonstrate and provide adequate justification that the increased agricultural use will support sustainable agricultural pursuits.
2. The proposal is inconsistent with the Clause 12.01-1S (Protection of Biodiversity) as the application does not adequately demonstrate that the use will serve to preserve and enhance an environmentally sensitive area.
3. The proposal does not demonstrate that the use will not adversely impact upon the surrounding environment and is inconsistent with Clause 21.05-1 (Biodiversity and Native Vegetation Management) and Clause 21.05-2 (Significant Environments and Landscapes).
4. The amendment, as proposed, is inconsistent with the purpose, conservation values and decision guidelines of the Rural Conservation Zone Schedule 3.
5. The application material does not adequately demonstrate that the use will be managed in a way which will prevent adverse impacts upon the surrounding area, noting that the site is located within an environmentally sensitive area.
6. The amendment is contrary to Clause 65 of the Macedon Ranges Planning Scheme (Decision Guidelines) as there has been a history of planning non-compliance on this site, pre-dating the issuance of the

Planning Permit PLN/2015/294, which leads to concerns about the suitability of the amendment to the site and surrounds.

CARRIED

Report No: Report Title:

PE.4 Application for Planning Permit PLN/2019/340 – Use and development of the land for a rural store and a dwelling (including an outbuilding), reduction of car parking and alteration to access from a road zone, category 1 – Rochford Road, Lancefield

Purpose and Overview

It is proposed to use and develop the land at Rochford Road, Lancefield for a dwelling with associated outbuilding and rural store. The dwelling is to be located in the approximate centre of the site adjacent to western boundary.

The application was advertised. Eight submissions in support of the application have been received. No objections have been received to date.

Key issues to be considered relate to the impact of the proposal on the agricultural land and the genuine need for a dwelling on the land given small scale of agricultural use being proposed for the land.

The application has been assessed against the Macedon Ranges Planning Scheme and is considered not appropriate. It is recommended that a Notice of Refusal to Grant a Planning Permit be issued.

Recommendation

That Council issue a Notice of Refusal for the use and development of the land for a rural store and a dwelling (including an outbuilding), reduction of car parking and alteration to access from a Road Zone, Category 1 for the land at LOT 5 LP 96904 P/Lancefield Rochford Road, LANCEFIELD VIC 3435, on the following grounds:

- 1. The agricultural use proposed is not sufficient to justify the need for a permanent dwelling on site due to the following reasons:**
 - A generic nature of the farm plan which concentrates more towards maintenance of the site rather than improving the agricultural capacity;**
 - Minor level of infrastructure for horse husbandry use (5 horses) including an arena and seven (7) paddocks with an additional speller paddock, reflects a small scale and low intensity rural use that appears to be more in line with a hobby farm or rural lifestyle block, rather than a substantial bona fide agricultural pursuit.**
- 2. The size of the dwelling is large (6 bedrooms) indicating that the property will be primarily used for rural lifestyle living.**
- 3. Use of the land for a rural store can operate without a dwelling on site and it does not relate to the agricultural (horse husbandry) use.**

4. The proposal is contrary to Clause 14 of the Planning Policy Framework as it does not protect productive farmland due to inappropriate fragmentation which will compromise the long term capacity of the land to be used for agriculture.
5. The proposal is contrary to Clause 21.07-1 of the Local Planning Policy Framework as it fails to demonstrate and provide adequate justification that the dwelling is required for sustainable agricultural pursuits.
6. There is potential for consolidation of the subject land into allotments within the immediate vicinity.
7. The proposal is contrary to the purposes and decision guidelines of the Farming Zone as the dwelling will exacerbate the fragmentation of existing farming land and holdings; remove land from agricultural use; and facilitate an opportunity of a non-agricultural use (dwelling), that would be incompatible with and adversely affect the adjoining and nearby land uses for agriculture.
8. It is considered that the use of the land for a dwelling is not consistent with the MSS requirement to protect agricultural land, facilitate productive agricultural activity and ensure new development is related to the ongoing, productive use of the land for agriculture.
9. The proposal would result in the proliferation of dwellings, and degradation of agricultural land (by fragmentation).

It was moved by Cr Jukes seconded by Cr Bleeck

That Council resolve to issue a planning permit for the use and development of the land for a rural store and a dwelling (including an outbuilding), reduction of car parking and alteration to access from a Road Zone, Category 1 for the land at LOT 5 LP 96904 P/Lancefield Rochford Road, LANCEFIELD subject to the conditions below:

1. Before the use and development commences, three copies of an amended Farm Management and Business Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, Farm Management and Business Plan will be endorsed and will then form part of this permit. Farm Management and Business Plan must be generally in accordance with the plan received with the application but modified to show:
 - a) A detailed business plan and farm management plan;
 - b) Land capability for the agricultural practices;
 - c) Number of animals currently on site and future capacity;
 - d) Land management practices for the protection and enhancement of the environmental values of the land;
 - e) A site plan showing:
 - All the existing and proposed buildings;
 - Agricultural areas including paddocks and internal fencing;

- Dams;
 - The allotment divided into zones (i.e. agricultural zone and residential/domestic zone);
- f) Number of current clients as well as future clients;
- g) Number of employees currently in the business, as well as expected employment numbers for future;
- h) Specify the proposed capital expenditure for the project. If it is staged, what is the proposed capital expenditure of each stage.

All to the satisfaction of the Responsible Authority.

2. The use and development as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
3. Before the development commences, the owner/s of the lot must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act 1987. The agreement must provide for:
- a) The owner of the land must implement all the recommendations and requirements of the Farm Management and Business Plan endorsed under Planning Permit PLN/2019/340 on an ongoing basis to the satisfaction of the Responsible Authority, unless otherwise agreed in writing with the Responsible Authority.

Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act prior to the commencement of the development.

The owner/s must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.

4. Prior to occupation of the dwelling, the following must be provided to the satisfaction of the responsible authority:
- a) Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- b) The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire-fighting purposes.
- c) The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.
5. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
6. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.

MRSC Engineering Conditions

- 7. 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 Council land to a stormwater drain;**
 - d) Opening, altering or repairing a Council road;**
 - e) Opening, altering or repairing a Council drain;**
 - f) Accessing a building site from a point other than a crossover;**
 - g) Construct/repair/widen/remove any crossover.**

- 8. Prior to the commencement of use, the access driveway to the dwelling must be constructed to meet the following requirements to the satisfaction of the Responsible Authority:**
 - a) The driveway, including any culvert crossings, must be constructed to a standard so that it is accessible in all weather conditions and be capable of accommodating a vehicle of 15 tonnes for the trafficable road width.**
 - b) The driveway must have a minimum trafficable width of 3.5m, be clear of encroachments 4 metres vertically and have no obstructions within 0.5m either side of the formed width of the driveway.**
 - c) Curves must have a minimum radius of 10 metres.**
 - d) The average grade must be no more than 1 in 7 with a maximum of no more than 1 in 5 for no more than 50 metres.**
 - e) Dips must have no more than a 1 in 8 entry and exit angle.**

- 9. Prior to the commencement of use, potable water supply with a storage capacity of at least 10,000 litres must be provided to the dwelling for domestic use and firefighting purposes to the satisfaction of the Responsible Authority.**

- 10. Stormwater runoff from all buildings, tanks and paved areas must be dissipated as normal unconcentrated overland flow clear of all buildings and property boundaries.**

- 11. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) to the satisfaction of the Responsible Authority.**

MRSC Health Conditions

- 12. All wastewater from the dwelling must be treated and disposed of using operated and maintained in compliance with the relevant EPA Code of Practice.**

- 13. Prior to the occupation of the new dwelling, it shall be fitted with a wastewater treatment and disposal system to a design approved**

Council's Environmental Health Officer and such that all effluent is disposed of within the boundaries of the allotment.

A separate permit must be obtained from Council's Environmental Health Department prior to its installation.

- 14. The wastewater disposal area must be kept free of stock, horses, buildings, driveways and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away.**

VicRoads Conditions

- 15. Prior to the development hereby approved by this permit commences use, the following must be completed to the satisfaction of and at no cost to VicRoads:**

- a) The existing crossover must be upgraded to be sealed and in accordance with VicRoads standard drawing SD2064 and must have sealed shoulders for a width of 1.0 metre minimum.**

- 16. The crossover and driveway must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety (e.g. by spilling gravel onto the roadway).**

Expiry of Permit

- 17. This permit will expire if one of the following circumstances applies:**

- a) The development is not commenced within two (2) years of the date of this permit.**
- b) The development is not completed within four (4) years of the date of this permit.**
- c) The use is not commenced within two (2) years of the completion of the development.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

Permit notes

- Future owners of the land must be made aware of the existence of this permit.**
- Separate consent for 'works within the road reserve' and the specifications of these works may be required under the Road Management Act 2004. For the purposes of this application the works will include provision of (a) the upgrade of a crossover; and (b) any other works in the arterial road reserve**
Please forward details to: nr.mailbox@roads.vic.gov.au

- **Further information regarding VicRoads' consent to work within the road reserve can be found on the VicRoads Website: <https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve> or by telephoning (03) 5434 5078.**

CARRIED

7.20pm Cr Pearce left the meeting. Cr Mees assumed the chair.

Report No: Report Title:

PE.5 Application to amend Planning Permit PLN/2018/55/C - Use and development of the land for a second dwelling (amendment for second vehicle crossover) - 9 Ladye Place, Woodend

Purpose and Overview

Planning Application PLN/2018/55, was originally issued on 13 August 2018, and allows the construction of a second dwelling on the site, to be accessed via a common driveway with the main dwelling.

This application seeks to amend the planning permit to allow a new crossover and driveway to be constructed to serve the second dwelling only. This driveway is proposed to be accessed via Ladye Place. A street tree is proposed to be removed to facilitate the construction of the new crossover.

The application was advertised and four (4) submissions were received relating to impacts on the amenity and neighbourhood character, as well as the protection and enhancement of native vegetation.

Key issues to be considered when assessing this application are potential amenity impacts and implications on the nearby vegetation.

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 an Amendment to a Planning Permit be issued.

Recommendation

That Council resolve to issue a Notice of Decision to Grant an amendment to a planning permit for use and development of land for a second dwelling (amendment for second vehicle crossover) at Lot 1 on TP199034 and Lot 2 on PS729990, 9 Ladye Place Woodend, subject to the following:

- A. Summary of amendment changes to the existing planning permit conditions of PLN/2019/55/B:**
- 1) Add Lot 1 on TP199034 to the address preamble**
 - 2) Delete Condition 1 requiring further plans, as they have been supplied**
 - 3) Insert a new Condition 1 requiring the removal of redundant driveways and the crossover at Mount Macedon Road**
 - 4) Renumber the current Condition 2 to become Condition 4**

- 5) Insert a new Condition 2 requiring the consolidation of the two lots
- 6) Re-word Condition 3 to include the removal of driveways
- 7) Conditions 5-14 remain the same
- 8) Endorse Site Plan - Bruce Kirkman Architect-Revision G

B. Amend the Planning Permit conditions for PLN/2018/55/C:

- 1. Prior to the occupation of the development, the existing redundant section of the driveway and the vehicle crossing located off Mount Macedon Road must be removed and the nature strip reinstated to the satisfaction of the Responsible Authority.
- 2. Before the development commences Lot 1 on TP199034 and Lot 2 on PS729990 must be consolidated under the Subdivision Act 1988. Evidence that the Plan of Consolidation has been registered with the Land Title Office must be provided to, and to the satisfaction of the Responsible Authority.
- 3. The removal, widening and construction of the driveways must be undertaken in accordance with the recommendations contained on the endorsed plans, to the satisfaction of the Responsible Authority.
- 4. The development and use as shown on the endorsed plans must not be altered unless with the prior written consent of the Responsible Authority.
- 5. The materials to be used in the construction of the buildings and works hereby permitted shall be of non-reflective type, to the satisfaction of the Responsible Authority.
- 6. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the tree protection fencing must be erected to the satisfaction of the Responsible Authority in accordance with the approved tree protection zone(s). The fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level, and include signage clearly marked “Tree Protection Zone – No Entry” on all sides.
- 7. Once erected and approved by the Responsible Authority, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority. Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection such as bridging over with timber).
- 8. Unless with the prior written consent of the Responsible Authority, the following actions must not be undertaken in any tree protection zone as identified on the endorsed plan, to the satisfaction of the Responsible Authority:
 - a. Materials or equipment stored within the zone;
 - b. Nothing is to be attached to any tree (including temporary service wires, nails, screws or any other fixing device);
 - c. Open cut trenching or excavation works (whether or not for laying of services) undertaken within the zone;
 - d. Changes to the soil grade level within the zone.
- 9. Council is to be informed within 48 hours of any damage to tree trunks, crown or root systems. All damage is to be immediately

repaired by a qualified arborist to the satisfaction of the Responsible Authority. Cut branches and roots are not to be sealed with wound sealing products unless specified by the Responsible Authority.

10. Unless with the prior written consent of the Responsible Authority, all services (including water, electricity, gas and telephone) must be installed underground, and located outside of any identified Tree Protection Zone, or if no such zone is identified on the endorsed plans, the drip line of any nearby canopy tree, to the satisfaction of the Responsible Authority.

MRSC Engineering, Infrastructure and Projects Conditions

11. 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.
12. Storm water runoff from the dwelling must be dissipated as normal un-concentrated overland flow clear of property boundaries and buildings in adjacent properties.
13. No polluted and/or sediment laden run-off 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) to the satisfaction of the Responsible Authority.

Permit Expiry

14. This permit will expire if one of the following circumstances applies:
 - a. The development is not commenced within two years of the date of this permit.
 - b. The development is not completed within four years of the date of this permit.
 - c. The use is not commenced within two years of the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

Permit Notes:

- Future owners of the land must be made aware of the existence of this permit.

It was moved by Cr Anderson seconded by Cr Radnedge

That Council resolve to Refuse to Amend the planning permit for the use and development of the land for a second dwelling (amendment for a second vehicle crossover) for the land at Lot on TP199034 and Lot 2 on PS729990, 9 Ladye Place, Woodend, on the following grounds:

1. The proposal is inconsistent with the orderly planning of the area contrary to the Low Density Residential Zone, the Restructure Overlay and Clause 21.13-3 (Woodend) and Clause 65 (decision guidelines) of the Macedon Ranges Planning Scheme.
2. The proposal is not appropriate nor consistent with the objectives and decision guidelines of Clause 45.05 (Restructure Overlay) of the Macedon Ranges Planning Scheme which seeks to identify old and inappropriate subdivisions which are to be restructured and to preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.
3. A new crossover is not required to serve the two existing dwellings on the site and will further undermine the objectives and decisions guidelines of Clause 45.05 (Restructure Overlay) by enabling the dwellings to be accessed independently of each other when the objectives of the Restructure Overlay is to consolidate lots.
4. The proposal is inconsistent with Clause 12.01-2S (Native Vegetation Management), Clause 21.05-1 (Biodiversity and Native Vegetation Management) and Clause 21.05-2 (Significant Environments and Landscapes) of the Macedon Ranges Planning Scheme as the proposed new vehicle crossover will result in the removal, destruction and lopping of native vegetation when such an impact to vegetation could be avoided.
5. The proposal will result in increased hard surfaces and increased storm water runoff, contrary to Objective 1 of Clause 21.07-3 (Water) of the Macedon Ranges Planning Scheme.

CARRIED

7.37pm: Cr Pearce returned to the meeting and assumed the chair.

Report No: Report Title:

PE.6 Heritage overlay control Bunjil Creek bridge and channel

Purpose and Overview

The purpose of this report is to outline the next steps that can be taken to protect the heritage place, the Bunjil Creek bridge and channel in Gisborne, a heritage structure that has been identified as of value to the Gisborne community during proposed Regional Roads Victoria (RRV) works.

The report provides a background to the RRV Kilmore Road Intersection Upgrade project, which proposes the demolition of this heritage place, the community consultation that has been undertaken to date, and the heritage

assessment that has been carried out to identify the local significance of this 1874 bluestone bridge and channel. A request has been submitted under delegation to the Minister for Planning for an interim heritage overlay to be placed on the bluestone bridge and channel. This report proposes to introduce a permanent heritage overlay control through an amendment to the Macedon Ranges Planning Scheme.

Recommendation

That Council:

1. **Adopt the Local-Level Heritage Assessment: Bunjil Creek Bridge & Channel, Gisborne, GJM Heritage, April 2020.**
2. **Request the Minister for Planning authorise the preparation of Planning Scheme Amendment C143macr to the Macedon Ranges Planning Scheme to apply Heritage Overlay (HO351) permanently to the Bunjil Creek Bridge and Channel.**

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

CARRIED

11. CHIEF EXECUTIVE OFFICER’S REPORTS:

Report No: Report Title:

CX.1 Regional Kitchen Pty Ltd

Purpose and Overview

This report outlines address issues pertaining to Regional Kitchen Pty Ltd and shareholder responsibilities.

Recommendation

As this report concerns a contractual matter then, pursuant to Section 89(2)(d) of the Local Government Act 1989, it be considered by Council together with any other confidential matters at the conclusion of that part of this meeting open to the public.

The Chief Executive Officer proposed an Amended Officer Recommendation to refer to the correct provision of the Local Government Act for the consideration of confidential information in the closed section of the meeting.

Amended Officer Recommendation:

That as this report concerns 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.

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

CARRIED

Report No: Report Title:

CX.2 Continued delivered meals service to January 2021

Purpose and Overview

At its Ordinary Meeting on 28 August 2019 Council resolved to stop providing Meals-Individual (delivered meals) from 1 July 2020. The Australian Government is offering additional Commonwealth Home Support Program funding to increase providers' capacity to deliver meals during the COVID-19 pandemic. This report proposes to continue Council's delivered meals service to 1 January 2021.

Recommendation

That Council:

- 1. Resolve to amend its resolution of 28 August 2019 and provide the Meals-Individual program from 1 July 2020 to 1 January 2021.**
- 2. Provide notice to the Australian Government Department of Health of Council's intention to provide Meals-Individual until 1 January 2021.**

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

CARRIED

Report No: Report Title:

CX.3 Hanging Rock Project Control Group report

Purpose and Overview

To provide an update to Council on the Hanging Rock Project Control Group.

Recommendation

That Council receive this report as being an update from the Hanging Rock Project Control Group

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

CARRIED

12. DIRECTOR CORPORATE SERVICES REPORTS:

Report No: Report Title:

**CS.1 Contracts to be awarded as at 27 May 2020 and
Procurement Policy breach**

Purpose and Overview

The following report indicates whether or not delegated authority to award the contract exists. It also presents Council with the opportunity to (a) specifically grant delegated authority to the Chief Executive Officer and/or (b) specifically review delegated authority in any instance where Council deems it appropriate.

Recommendation

That Council:

- 1. Grant delegated authority to the Chief Executive Officer to award the following contract:**
 - **C20.1067 Supply of Retail Fuel (Retender)**
- 2. Note the breach of the Procurement Policy, which will be disclosed in the 2019/20 Annual Report.**

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

CARRIED

Report No: Report Title:

CS.2 Quarterly Report for the period ended 31 March 2020

Purpose and Overview

The Quarterly Report for the period ended 31 March 2020 is presented for Council’s consideration and information. This report includes the following:

- Section 1 – Quarterly financial statements
- Section 2 – Capital works progress report
- Section 3 – Council Plan actions – progress report
- Section 4 – Risk management report
- Section 5 – Implementation of Council resolutions
- Section 6 – Customer service standards responsiveness
- Section 7 – Governance schedule
- Section 8 – Councillor expenditure
- Section 9 – Councillor activities in the community

Recommendation

That Council note the Quarterly Report for the period ended 31 March 2020.

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

CARRIED

Report No: Report Title:

CS.3 Draft Council Plan 2017-2027 (Year Four – 2020/21) for public display

Purpose and Overview

The Council Plan 2017 – 2027 is the principal planning and vision-setting document for Council during its current term.

This report is presented to seek endorsement of the draft Council Plan 2017 – 2027 (Year Four - 2020/2021), for the purposes of public display.

This report explains the stages of planning that have been undertaken to bring the Year Four draft Council Plan to this point.

Recommendations

- 1. That Council endorse the draft Council Plan 2017–2027 (Year Four – 2020/2021) for the purposes of public display.**
- 2. That the draft Council Plan 2017–2027 (Year Four – 2020/2021) be placed on public display on Council’s website and at Council offices on Tuesday 2 June 2020 and remain on public display until Tuesday 30 June 2020.**
- 3. That a public notice be placed in the local newspapers advising that:**
 - (a) the draft Council Plan 2017–2027 (Year Four – 2020/2021) is on public display**
 - (b) written submissions are invited**
 - (c) submitters will have the opportunity to speak in support of their submission in accordance with s223 of the *Local Government Act 1989* at the Submitters Committee meeting scheduled for 8 July 2020).**
- 4. That, whilst the draft Council Plan 2017–2027 (Year Four – 2020/2021) is on public display, Councillors and officers be available for discussion by mutual agreement and prior arrangement, with ratepayers, residents, community groups and local businesses, both within and outside normal business hours.**
- 5. That the period for any person to make a written submission shall close at 11.00am on 30 June 2020.**
- 6. That an agenda for the Submitters Committee to be held on Wednesday 8 July 2020 be distributed to Councillors on Friday 3 July 2020 and all submissions received by 11.00am on 30 June 2020 be attached to the agenda.**
- 7. That a Submitters Committee Meeting be held online and livestreamed via Council’s website at 6.00pm on Wednesday 8 July 2020 to provide an opportunity for any person who wishes to make a submission on the draft Council Plan 2017-2027 (Year Four – 2020/2021) to be heard.**

8. That a report and recommendations be presented to the Ordinary Council Meeting on 22 July 2020 to enable Council to consider submissions and to adopt the Council Plan 2017–2027 (Year Four – 2020/2021).

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

CARRIED

Report No: **Report Title:**

CS.4 **Draft Budget Report 2020/21**

Purpose and Overview

The Local Government Better Practice Guide Planning and Reporting 2019-20, issued by the Victorian Government, 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 describing in detail the income, expenditure, assets, liabilities, equity, cash and capital works required.”

This report is presented to seek endorsement of the draft Budget Report 2020/21, for the purposes of public display.

This report explains the stages of planning that have been undertaken in preparing the draft Budget Report and outlines the legislative requirements required by Council.

Recommendation

PART A - ENDORSEMENT OF DRAFT BUDGET REPORT FOR PUBLIC DISPLAY

- A1. That, for the purposes of Sections 127 and 129 of the *Local Government Act 1989*, Council endorse, the draft Budget Report 2020/21 for the purposes of public display.
- A2. That the draft Budget Report 2020/21 be placed on public display on Council's website and at the Council Offices Tuesday 2 June 2020 and remain on public display until Tuesday 30 June 2020.
- A3. That a public notice be placed in the local newspapers advising that the draft Budget Report 2020/21 is on public display and written submissions are invited (and will be considered in accordance with Section 223 of the *Local Government Act 1989*).
- A4. That, whilst the draft Budget Report 2020/21 is on public display, Councillors and Officers be available for discussion, by mutual agreement and prior arrangement, with Ratepayers, Residents,

community groups and local businesses, both within and outside normal business hours.

- A5. That the period for any person to make a written submission shall close at 11.00am on 30 June 2020.
- A6. That all submissions received by 11.00am on 30 June 2020 are to be attached to the Agenda for the Submitters Committee meeting to be held on 8 July 2020.
- A7. That a Submitters Committee meeting be held online and livestreamed via Council’s website at 6.00pm on Wednesday 8 July 2020 to provide an opportunity for any person who wishes to make a verbal presentation in support of their submission on the draft Budget Report 2020/21 to be heard.
- A8. That a report and recommendations be presented to the Ordinary Council Meeting on 22 July 2020 to enable Council to consider submissions and to adopt the Budget Report 2020/21, with or without amendment.
- A9. That the Chief Executive Officer be authorised to carry out all administrative procedures necessary to enable Council to carry out its functions under the *Local Government Act 1989*, in relation to the finalisation and publication of the Budget Report.

PART B - DECLARATION OF RATES AND CHARGES

That for the period 1 July 2020 to 30 June 2021 and in accordance with Sections 158, 158A, 159, 162, 167, 169 and 172 of the *Local Government Act 1989*, Council hereby declares:

- B1. That the amount intended to be raised by rates, the municipal charge and various waste charges will be \$52.3m.
- B2. That the valuation system to be used for rating purposes will be the Capital Improved Value.
- B3. That five Differential Rates on the Capital Improved Value of rateable land will be applied as follows –
 - 1. General Rate of 0.23814 cents in the dollar.
 - 2. Agricultural Land Rate of 0.19052 cents in the dollar.
 - 3. Commercial/Industrial Rate of 0.28577 cents in the dollar.
 - 4. Recreational Land Rate of 0.11907 cents in the dollar.
 - 5. Not for Profit Housing Rate of 0.11907 cents in the dollar.
- B4. That rates will be separately levied in respect of each portion of rateable land for which the Council has a separate valuation and each rate will be determined by multiplying the Capital Improved Value of each portion of land by the applicable cents in the dollar according to the use of the land or if the land is unused according to the zoning of the land under the planning scheme.

- B5.** That a municipal charge of \$212 will be levied on each portion of rateable land – unless that land is exempt.
- B6.** That an annual service charge will be levied for the collection and disposal of garbage and for the collection and sorting of recyclable materials in respect of premises to which the service is available - whether or not the owner or occupier of any such premises avails himself or herself of the service. The service charges will be:
- \$420 for properties that have a food organics garden organics bin (4 bins). Ratepayers who are entitled to and have been granted a pension concession will be able to obtain a rebate of \$37 on this charge; and
 - \$346 for properties that do not have a food organics garden organics bin (3 bins).
- If the owner or occupier requires and is able to be supplied with additional bin(s) or a larger refuse bin, the additional/larger bin(s) will be charged annually as follows in addition to the service charges: -
1. Additional (140L) refuse bin \$217 per bin.
 2. Additional recycle bin \$102 per bin.
 3. Additional glass recycling bin \$56 per bin.
 4. Additional food organics garden organics (FOGO) bin \$74 per bin.
 5. Larger (240L) refuse bin (replacing a 140L bin) \$153 per bin.
- B7.** That it be noted the Victorian Environment Protection Amendment (Landfill Levies) Act 2011 (which came into operation on 1 July 2011) requires Council to collect the Environment Protection Authority Landfill Levy (EPA Levy). The EPA Levy equates to \$29 per refuse bin in 2020/21.
This is the amount that will be shown separately on each Rate Notice – in those instances where the Ratepayer has a refuse bin. Local councils throughout Victoria are required to collect the EPA Levy on behalf of the Victorian State Government and because it does not form part of Council's revenue, it is shown separately on Council's Rate Notice.
- B8.** That a rebate will be provided to areas of high environmental significance that are registered by the Trust for Nature. The rebate will be calculated on the proportion of the land, which is subject to the covenant, applied to the Site Value of the land.
- B9.** That the rates and charges will be levied by sending rate notices to the persons who are liable to pay them.
- B10.** That the rates and charges will be payable by four equal instalments on the date fixed by the Minister for Local Government, that is:
- 30 September 2020
 - 30 November 2020
 - 28 February 2021
 - 31 May 2021
- B11.** That penalty interest may be payable on rates and charges that have not been paid by the due date and the penalty interest will be

calculated at the rate fixed under Section 2 of the *Penalty Interest Act 1983*.

PART C - DIFFERENTIAL RATES

That for the period 1 July 2020 to 30 June 2021 Council considers that Differential Rates will contribute to the equitable and efficient carrying out of its functions and therefore declares:

- C1.** In accordance with Section 161 of the *Local Government Act 1989*, Council specifies the following objectives and characteristics in relation to the General Rate:
1. The types and classes of land to which the rate applies is all rateable land other than agricultural land, recreational land, commercial/industrial land and land used by Not for Profit Organisations to provide low-income residential housing;
 2. The Differential Rate is considered fair and equitable having regarded:
 - (a) The amount of revenue required to be raised is in accordance with the Council Plan, Strategic Resource Plan and Budget; and
 - (b) The range of infrastructure, physical services, health services and community services available to the owners and occupiers of residential and vacant land.
- C2.** In accordance with Section 161 of the *Local Government Act 1989* Council specifies the following objectives and characteristics in relation to the Agricultural Land Rate:
1. The types and classes of land to which the rate applies is agricultural land which means any rateable land defined as farm land under Section 2 of the *Valuation of Land Act 1960* on the condition that the owner or occupier of the land is a person carrying on the activities defined by the *Valuation of Land Act 1960*, who is regarded as a Primary Producer by the Australian Taxation Office.
 2. The Differential Rate is considered fair and equitable having regarded:
 - (a) The amount of revenue required to be raised is in accordance with the Council Plan, Strategic Resource Plan and Budget;
 - (b) The range of infrastructure, physical services, health services and community services available to the owners and occupiers of agricultural land;
 - (c) The restrictions upon the use and development of agricultural land in the Planning Scheme; and
 - (d) The need to encourage the retention of viable agricultural land for agricultural purposes.

The Agricultural Land rate will be 20% less than the General rate.

- C3.** In accordance with Section 161 of the *Local Government Act 1989*, Council specifies the following objectives and characteristics in relation to the Commercial/Industrial Rate:

1. The types and classes of land to which the rate will apply is all rateable land which is not agricultural land and which is used predominantly for carrying on one or more of the following activities for the purpose of generating income – commercial, industrial, business, wholesale trade, retail trade, manufacturing, professional or administrative; and
2. The Differential Rate is considered fair and equitable having regarded:
 - (a) The amount of revenue required to be raised in accordance with the Council Plan, Strategic Resource Plan and Budget; and
 - (b) The range of infrastructure, physical services (including car parking, street lighting and street cleaning) and facilities available to the owners and occupiers of land described in paragraph 1.

The Business rate will be 20% more than the General rate.

- C4. In accordance with Section 161 of the *Local Government Act 1989*, Council specifies the following objectives and characteristics in relation to the Not for Profit Housing Rate:
1. The types and classes of land to which the rate will apply are properties containing low-income residential housing owned and/or managed by a volunteer, charitable or not-for-profit organisation for which the organisation is responsible for the payment of rates and for which a State Government pension concession is not claimed.
 2. The Differential Rate is considered as fair and equitable having regarded:
 - (a) The amount of revenue required to be raised is in accordance with the Council Plan, Strategic Resource Plan and Budget; and
 - (b) The public service that volunteer, charitable or not-for-profit organisations are delivering to the community by providing low-income residential housing.

The Not for Profit Housing Rate is 50% of the General Rate.

- C5. In accordance with Section 2 of the *Cultural and Recreational Lands Act 1963*, Council declares all rateable Cultural and Recreational Land at 50% of the General Rate.

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

CARRIED

Report No: Report Title:**CS.5 Draft Strategic Resource Plan 2020/21****Purpose and Overview**

The Local Government Better Practice Guide Planning and Reporting 2019-20 issued by the Victorian Government 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 of a Council for at least four years.... The strategic resource plan summarises the financial and non-financial resources required to achieve the strategic objectives and strategies in the council plan and presents these in financial statements and statements of non-financial resources. It also describes the key assumptions underlying the forecasts for income, expenditure assets liabilities, equity, cash and capital works.”

This report explains the stages of planning that have been undertaken in preparing the draft Strategic Resource Plan and outlines the legislative requirements required by Council.

Recommendation

- 1. That Council endorse the draft Strategic Resource Plan 2020/21 for the purposes of public display.**
- 2. That the draft Strategic Resource Plan 2020/21 be placed on public display on Council's website and at Council offices on Tuesday 2 June and remain on public display until Tuesday 30 June 2020.**
- 3. That a public notice be placed in the local newspapers advising that:
 - a. the draft Strategic Resource Plan 2020/21 is on public display**
 - b. written submissions are invited**
 - c. Submitters will have the opportunity to speak in support of their submission in accordance with s223 of the *Local Government Act 1989* at the Submitters Committee meeting scheduled for 8 July 2020.****
- 4. That, whilst the draft Strategic Resource Plan 2020/21 is on public display, Councillors and Officers be available for discussion, by mutual agreement and prior arrangement, with Ratepayers, Residents, community groups and local businesses, both within and outside normal business hours.**
- 5. That the period for any person to make a written submission closes at 11.00am on 30 June 2020.**
- 6. That an agenda for the Submitters Committee to be held on Wednesday 8 July 2020 be distributed to Councillors on Friday 3 July 2020 and all submissions received by 11.00am on 30 June 2020 be attached to the agenda.**
- 7. That a Submitters Committee Meeting be held online and livestreamed via Council's website at 6.00pm on Wednesday 8 July 2020 to provide**

an opportunity for any person who wishes to make a submission on the draft Strategic Resource Plan 2020/21 to be heard.

- 8. That a report and recommendations be presented to the Ordinary Council Meeting on 22 July 2020 to enable Council to consider submissions and to adopt the Strategic Resource Plan 2020/21, with or without amendment.**
- 9. That the Chief Executive Officer be authorised to carry out all administrative procedures necessary to enable Council to carry out its functions under the *Local Government Act 1989*, in relation to the finalisation and publication of the Strategic Resource Plan 2020/21.**

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

CARRIED

The Mayor, Cr Pearce, on behalf of all Councillors, thanked the Director of Corporate Services for providing responses to questions and providing clarification on budget matters. Cr Pearce noted the challenges in developing a Budget in the current circumstances and encouraged the community to provide feedback in writing.

Additionally, Cr Pearce, on behalf of all Councillors, thanked the Manager, Finance, Mr Leon den Dryver for his twelve years of service to Council and his highly valued contributions.

13. DIRECTOR ASSETS AND OPERATIONS REPORTS:

Report No: Report Title:

AO.1 Kyneton Airfield

Purpose and Overview

At the Ordinary Council Meeting 28 February 2020, Council resolved:

“That Council:

- Note the Chief Executive Officer (CEO) facilitated a workshop on 18 December 2019.***
- Defer consideration of the Kyneton Airfield Master Plan 2019, including submissions and feedback received, pending a due diligence review of information outside of the terms of reference for the Kyneton Airfield Advisory Committee.***
- Direct that the Kyneton Airfield Advisory Committee be advised that the consideration of the Kyneton Airfield Master Plan 2019 is still deferred pending Council’s commercial-in-confidence review.***
- Direct the Chief Executive Officer to provide a report to Council on the matters pertaining to the Kyneton Airfield no later than the May 2020 Ordinary Council Meeting.”***

This report details the actions taken against the above resolution.

Recommendation**That Council:**

1. **Note the completion of the Due Diligence report – ‘Kyneton Airfield Document Review of Strategic Intent’.**
2. **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.**
3. **Note this is the requested report on ‘the matters pertaining to the Kyneton Airfield’.**
4. **Direct that the Kyneton Airfield Master Plan 2019 be presented for consideration by Council no later than the end of July 2020.**

The Director Assets and Operations proposed an Amended Officer Recommendation to include additional recommendations that the Due Diligence Report be considered in the closed section of the meeting in accordance with the Local Government Act 2020, and that a copy of the report be made publicly available, following the redaction of confidential information, by no later than 19 June 2020.

Amended Officer Recommendation:**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.**

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

CARRIED**14. NOTICES OF MOTION**

Nil

15. URGENT AND OTHER BUSINESS

It was moved by Cr Mees seconded by Cr Radnedge that an item of urgent and other business be admitted to the agenda.

CARRIED

15.1 Notice of Motion No. 13/2019-20 – Councillor Mandi Mees

It was moved by Cr Mees seconded by Cr Radnedge

That Council notes concerns received by a number of community members in Macedon regarding pedestrian and traffic safety in the township and acknowledges their request to investigate speed reductions. Council directs the CEO to undertake a review of the speed limits on the roads in the Macedon township and prepare a report on pedestrian and traffic safety and options to reduce current speed limits, for consideration at a future Council meeting.

CARRIED

The Mayor, Cr Pearce, advised those watching the meeting that Councillors and officers would shortly close the meeting to consider confidential matters via another technology platform.

Cr Pearce further advised that at the commencement of the closed session of the meeting, Councillors would be asked to confirm whether they were alone or in the presence of other meeting attendees only.

Closure of Meeting to consider Confidential Reports

Cr Anderson moved and Cr West seconded that the meeting be closed pursuant to Section 66(2)(a) of the *Local Government Act 2020* to consider confidential reports.

CARRIED

The meeting closed at 8.14pm pursuant to Section 66(2)(a) of the *Local Government Act 2020* to consider the following reports:

16. CONFIDENTIAL REPORTS

16.1 Regional Kitchen Pty Ltd

16.2 Kyneton Airfield – Due Diligence Report

Opening of Meeting

It was moved by Cr Anderson and seconded by Cr Mees that the meeting be re-opened.

CARRIED

Closure of Meeting

The meeting closed at 8.39pm.

**Councillor Janet Pearce
Mayor**