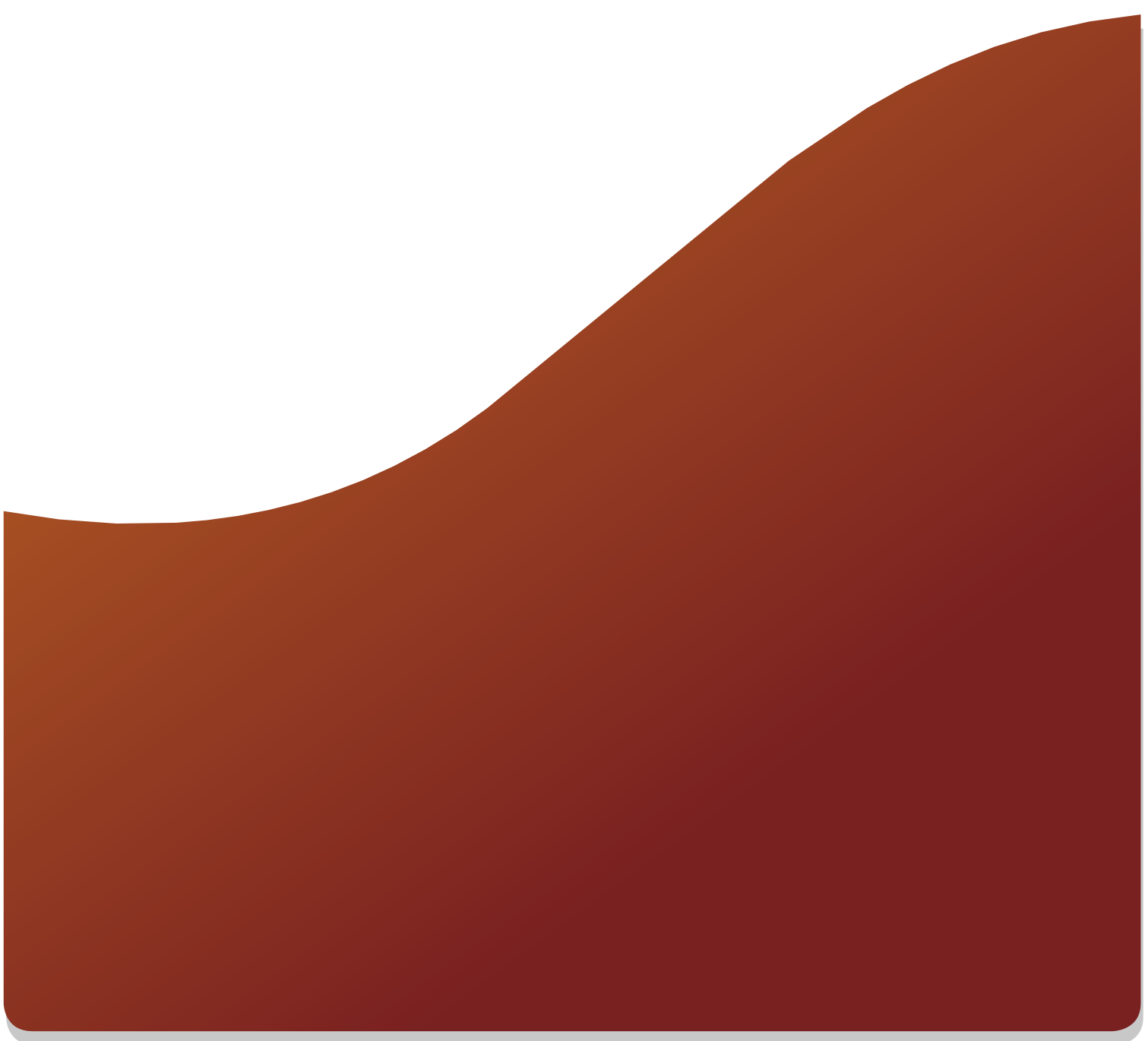


# Council Meeting Minutes

**Wednesday 24 February 2021 at 7.00pm**  
**Gisborne Administration Centre**  
**40 Robertson Street, Gisborne**



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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 Policy*, 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.

While Councillors attended this meeting in person, in line with current directions by the Chief Health Officer, face-to-face Council Meetings are not to be held with members of the public in attendance. As such, there was no one present in the public gallery.

Face masks were worn in accordance with the current directions of the Chief Health Officer.

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 Annette Death	East Ward
Cr Geoff Neil	East Ward
Cr Bill West	East Ward
Cr Dominic Bonanno	South Ward
Cr Rob Guthrie	South Ward
Cr Anne Moore	South Ward
Cr Jennifer Anderson (Mayor)	West Ward
Cr Janet Pearce	West Ward
Cr Mark Ridgeway (Deputy Mayor)	West Ward

**In Attendance**

Mr John Nevins	Acting Chief Executive Officer
Mr Shane Walden	Director Assets and Operations
Mr John Hausler	Director Corporate and Community
Ms Angela Hughes	Director Planning and Environment
Ms Sarah Noel	Executive Manager People Culture and Performance
Ms Kate Young	Manager Legal and Corporate Governance
Mr Awais Sadiq	Acting Manager Statutory Planning
Mr Christos Crafford	Coordinator Statutory Planning
Ms Allison Watt	Coordinator Governance
Ms Jessica Baguley	Senior Governance Officer

**3. APOLOGIES**

Nil.

#### 4. DECLARATION OF CONFLICTS OF INTEREST

Cr Guthrie declared that he would not take part in the debate on Notice of Motion No. 10/2020-21 as it may be perceived that he has a bias in relation to the Glen Junor matter.

Cr Ridgeway declared a general conflict of interest in item PE2 PLN/2020/291 – 85 Harpers Lane, Kyneton as he has a close association with residents who live close to the subject site.

#### 5. MAYOR'S REPORT

This month's Mayor's report focus on community consultation and health and well being.

##### Community Events

Councillors were pleased to attend the following events and committee meetings in accordance with COVID-19 safe practices:

- Launch of Riddells Creek Scout group on 3 February
- Grand opening of the Romsey Men's Shed on 6 February
- Launch of the First Romsey Scout Group on 9 February
- Award presentations for long serving members of Romsey and Lancefield Lions Club, Glen Erin Winery, 21 February
- Health and Wellbeing Advisory Committee meeting Wednesday 17 February
- Workspace Australia Board meeting
- Central Ranges Local Learning Board meeting Tuesday 23 February

Some scheduled events had to be cancelled due to COVID lockdown and restrictions and we look forward to those able to be rescheduled and acknowledge and appreciate the efforts of all community event organisers in these times of uncertainty due to COVID restrictions, including those who have been unable to reschedule their events.

##### Community Vision Assembly

Macedon Ranges Shire residents were invited to register interest for the Macedon Ranges Shire Community Vision Deliberative Citizens' Assembly (*registrations closed on 14 February*). Council will ask the assembly to be part of developing a Community Vision for the Macedon Ranges and how that vision can be implemented through the Council Plan and Financial Plan. This assembly will be made up of around 25 people selected at random from the registrations received to represent the diversity of our shire. It is proposed that the assembly will meet in Kyneton on four occasions in March and April. The list of those lucky enough to be chosen has been finalised, and we thank all those who applied, and wish those who have gained a place successful deliberations. Councillors look forward to receiving the assembly's recommendations to form the foundation of our decision making process which will then go out to the broad public for further consultation.

##### Submitters Committee Meeting

A Submitters Committee meeting was held on 10 February 2021 in relation to a subdivision application at 85 Harpers Lane Kyneton, which is the subject of item PE.1 on the agenda tonight. This forum provides an opportunity for Councillors to hear from

applicants/landowners and objectors/ submitters on statutory planning applications and any other matters on which Council has invited submissions to be made.

### **Community Satisfaction Survey**

Four hundred residents will be asked to participate in the annual Community Satisfaction Survey via telephone during February. The independent survey is being conducted on behalf of councils across Victoria with results benchmarked against the state-wide average of other municipalities, as well as other large rural shires.

### **Community Consultation**

During the month of February the following consultations have been occurring:

- Kyneton Town centre urban design framework (open until 26 February)
- Draft strategic environmental works plan for several waterway reserves in the Port Phillip and Westernport catchments (closes 28 February)
- Help improve tourism signage (closes 12 March)
- Woodend Community Centre redevelopment (closes 15 March)

Please keep a look out on our have your say section of our website, social media and newspaper advertisements for all our consultation events.

### **Free outdoor fitness classes this March**

Through the healthy heart initiative of Victoria initiative Council is delivering programs and facilities that support people of all ages and abilities to use outdoor exercise equipment and open spaces called the Free Inclusive Training (FIT) project. Council, through funding, has installed outdoor exercise stations in Gisborne, Romsey, Woodend and Kyneton. Additional water fountains, bike stands, connecting paths, seats lighting and signs have also been installed to make these areas more accessible and inclusive. Free fitness classes advising how to use the equipment will commence 1 March. Please see our website or call customer service for details.

### **Launch of #SpeakingUpSpeaksVolumes**

North West Melbourne Primary Health Network (PHN), which covers parts of the Macedon Ranges launched, its #speakingupspeaksvolumes campaign on Sunday 21 February. This campaign supports LGBTIQ+ peoples' mental health as studies have shown this group to be more likely to attempt suicide, experience discrimination, violence and bullying in the home, workplace and the community than the rest of the population. Many of our local residents, health care providers and celebrities are involved in supporting this cause. I encourage everyone to have a look at the North West Melbourne PHN website for more details.

### **Macedon Ranges Ride Guide**

Council has launched a new edition of the popular Macedon Ranges Ride Guide. Designed with input from the Macedon Ranges Cycling Club, Wombat Mountain Bike Club and local endurance rider Tiffany Winchester, the free guide features 18 road, gravel and mountain bike routes throughout the region.

### **Restoration Works**

Council is continuing to work to improve the health of Jacksons Creek in Gisborne and Five Mile Creek in Romsey with the removal of several Elms and Willows along sections of each waterway.

**It was moved by Cr Pearce, seconded by Cr Neil that the Mayors Report be received.**

**CARRIED**

**6. PETITIONS**

Cr Bonanno presented a petition comprising more than 350 signatures formally requesting council to keep the land located at 284 Kilmore Road, Gisborne, known as Glen Junor, in the draft Gisborne Futures project and that further community consultation on the merits of the Glen Junor Project be allowed to continue as part of the Gisborne Futures project. This is to include the site within the proposed settlement boundary and draft Gisborne Structure Plan.

**Motion**

**It was moved by Cr Bonanno, seconded by Cr Ridgeway that the petition be accepted and noted and that it be referred to the Gisborne Futures Project where a report will come back to Council in due course.**

**CARRIED**

**7. ADOPTION OF MINUTES**

Scheduled Council Meeting: Wednesday 27 January 2021

**Officer Recommendation:**

**That the minutes of the Scheduled Council Meeting of the Macedon Ranges Shire Council held on Wednesday 27 January 2021 as circulated be confirmed.**

**It was moved by Cr Guthrie, seconded by Cr Moore that the Officer Recommendation be adopted.**

**CARRIED**

**8. RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF – FEBRUARY 2021**

**Summary / Purpose**

The purpose of this report is to provide the record of meetings of Councillors and Council staff, which have been held since the last Council Meeting, so that they can be recorded in the minutes of a scheduled Council Meeting.

**Policy Context**

Rule 31(a) of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councillors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting.

**Background Information**

Rule 31(b) specifies the meetings for which a written record will be kept and reported to the next practicable Council Meeting are as follows:

- (i) an advisory committee of the Council, if at least one Councillor is present;
- or

- (ii) a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:
- i. the subject of a decision of the Council;
  - ii. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee
- but does not include a meeting of the Council, a delegated committee of the Council, a meeting of the audit and risk committee, a club, association, peak body, political party or other organisation.

Rule 31(c) provides that the written record of meetings must include:

- (i) the names of attending Councillors, staff members and other persons;
- (ii) a short title of the matters discussed; and
- (iii) any conflicts of interest disclosed by Councillors or Council staff and whether they temporarily left the meeting whilst the subject matter of their disclosed conflict of interest was discussed.

Note: Only matters that are the subject of discussion and consideration at a meeting 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.

### Report

Outlined below are the details of meetings of Councillors and Council staff held since the last meeting.

1.	Date / Time	Type of Meeting
	Wednesday 27 January 2021 at 4.05pm	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	Cr Anderson (Mayor) Cr Ridgeway (Deputy Mayor) Cr Bonanno Cr Death Cr Guthrie Cr Moore Cr Neil Cr Pearce Cr West
	Present – Officers	John Nevins John Hausler Angela Hughes Kate Young Harjinder Singh Sarah Noel Allison Watt Christo Crafford
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> <li>• Agenda for 27 January Council Meeting</li> <li>• Timetable for Council Plan/Budget</li> </ul>



Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Neil stated that, while he does not have a conflict, he does have an interest in agenda item PE.1 in that he is a customer of Western Water and a member of the CFA.</p> <p>Did they leave the meeting? Yes</p> <p>Cr Anderson declared a conflict of interest in agenda item 14 Notice of Rescission No. 09/2020-21 for reasons disclosed previously in writing to the CEO.</p> <p>Did they leave the meeting? Yes</p> <p>Cr Guthrie stated that he would exclude himself in relation to agenda item 14 Notice of Motion No. 10/2020-21 on the basis of apprehended bias, pending the receipt of legal advice. However, the item was not discussed.</p> <p>Did they leave the meeting? No</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

<b>2.</b>	<b>Date / Time</b>	<b>Type of Meeting</b>
	Tuesday 2 February 2021 at 9.52am	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	<p>Cr Jennifer Anderson (Mayor)</p> <p>Cr Mark Ridgeway (Deputy Mayor)</p> <p>Cr Dominic Bonanno</p> <p>Cr Annette Death</p> <p>Cr Rob Guthrie</p> <p>Cr Anne Moore</p> <p>Cr Geoff Neil</p> <p>Cr Janet Pearce</p> <p>Cr Bill West</p>
	Present – Officers	<p>John Nevins</p> <p>John Hausler</p> <p>Angela Hughes</p> <p>Shane Waldon</p> <p>Sarah Noel</p> <p>Kate Young</p> <p>Allison Watt</p> <p>Colin Marshall</p> <p>Terry Fitzpatrick</p> <p>Simon Findlay</p> <p>Dean Frank</p> <p>Harjinder Singh</p> <p>Awais Sadiq</p> <p>Rob Ball</p> <p>Leanne Khan</p>
	Presenters	Nil

Items discussed	<ul style="list-style-type: none"> <li>• Kyneton Airfield Update</li> <li>• Call for Notices of Motion for the National General Assembly 2021</li> <li>• Hanging Rock Recreation Clubs</li> <li>• Planning Scheme Amendment C126 — Errors, Anomalies &amp; Minor Changes Panel Report</li> <li>• PLN/2020/473 Gisborne Community Health Centre, 5 Neal Street, Gisborne</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Nil</p> <p>Did they leave the meeting? N/A</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

<b>3.</b>	<b>Date / Time</b>	<b>Type of Meeting</b>
	Tuesday 9 February 2021 at 9.41am	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	Cr Jennifer Anderson (Mayor) Cr Mark Ridgeway (Deputy Mayor) Cr Dominic Bonanno Cr Death Cr Rob Guthrie Cr Anne Moore Cr Geoff Neil Cr Janet Pearce Cr Bill West
	Present – Officers	John Nevins John Hausler Angela Hughes Shane Walden Sarah Noel Allison Watt Will Rayner Nicole Pietruschka Harjinder Singh Damien Hodgkins Rob Ball Leanne Khan Gary Randhawa Daniel Martin Meaghan McNamara Justin Walsh Jack Wiltshire
	Presenters	Caroline Adams, Principal, City Collective (external guest) Mark McKenna, Studio Leader, City Collective (external guest)
	Items discussed	<ul style="list-style-type: none"> <li>• Macedon Ranges Event Strategy 2020-25 for Final</li> </ul>

	<p>Adoption</p> <ul style="list-style-type: none"> <li>• Planning matters: <ul style="list-style-type: none"> <li>- Kyneton Airfield Planning Applications</li> <li>- PLN/2020/291 - 85 Harpers Lane, Kyneton</li> </ul> </li> <li>• Strategic Planning Work Program</li> <li>• Draft Waste Management &amp; Resource Recovery Strategy 2020-2021</li> <li>• Macedon Ranges Regional Sports Precinct</li> <li>• Rural Land Use Strategy</li> <li>• Submission to the Department of Environment, Land and Water on Environmentally Sustainable Development</li> <li>• Review of agenda for Council Meeting on 24 February 2021</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Ridgeway declared a conflict of interest in relation to planning application PLN/2020/291 - 85 Harpers Lane, Kyneton.</p> <p>Did they leave the meeting? Yes</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

<b>4.</b>	<b>Date / Time</b>	<b>Type of Meeting</b>
	Wednesday 10 February 2021 at 7.02pm	Delegated Submitters Committee Meeting
	Venue	Online (Zoom)
	Present – Councillors	<p>Cr Jennifer Anderson (Mayor)</p> <p>Cr Mark Ridgeway (Deputy Mayor)</p> <p>Cr Dominic Bonanno</p> <p>Cr Annette Death</p> <p>Cr Rob Guthrie</p> <p>Cr Anne Moore</p> <p>Cr Geoff Neil</p> <p>Cr Janet Pearce</p> <p>Cr Bill West</p>
	Present – Officers	<p>John Nevins</p> <p>Angela Hughes</p> <p>Kate Young</p> <p>Allison Watt</p> <p>Jessica Baguley</p> <p>Harjinder Singh</p> <p>Brad Tellis</p> <p>Wendy Le Brocq</p> <p>Val Alford</p>
	Submitters	<ul style="list-style-type: none"> <li>• Chairmaine Smith</li> <li>• Natalie Korinsky (on behalf of Gienia Wegrzyn)</li> <li>• Nicola Turner (and on behalf of Andy Turner)</li> <li>• Ian Williams (and on behalf of Ruth Williams)</li> <li>• Hans Feitsma</li> <li>• Lynette Joy</li> </ul>

	<ul style="list-style-type: none"> <li>• Peter Gait</li> <li>• Christo Kakris</li> <li>• Annalisa Clark</li> <li>• Wendy Pearce (and on behalf of John Pearce)</li> <li>• Neil Pharaoh (written submission read by the Director Planning and Environment)</li> <li>• Dr John Turner (written submission read by the Director Planning and Environment)</li> <li>• Ross Closter (on behalf of applicant)</li> </ul>
Item discussed	Planning matter — PLN 2020/291 – 85 Harpers Lane Kyneton
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	Cr Ridgeway declared a conflict of interest in relation to planning application PLN/2020/291 - 85 Harpers Lane, Kyneton.  Did they leave the meeting? Yes
Conflicts of interest declared by officers	Nil  Did they leave the meeting? N/A

<b>5.</b>	<b>Date / Time</b>	<b>Type of Meeting</b>
	Tuesday 16 February 2021 at 9.30am	Councillor Briefing
	Venue	Online (Zoom)
	Present – Councillors	Cr Jennifer Anderson (Mayor) Cr Mark Ridgeway (Deputy Mayor) Cr Dominic Bonanno Cr Annette Death Cr Rob Guthrie Cr Anne Moore Cr Geoff Neil Cr Janet Pearce Cr Bill West
	Present – Officers	John Nevins Angela Hughes Sarah Noel John Hausler Shane Walden Kate Young Allison Watt Jessica Baguley Travis Harling Rob Ball Leanne Khan Michelle Wyatt Grady Peterson Silvana Predebon Awais Sadiq Damien Hodgkins Meghan McNamara Justin Walsh

	Elicia Aitken
Presenters	Nil
Items discussed	<ul style="list-style-type: none"> <li>• Budget Workshop 1</li> <li>• Gisborne Futures</li> <li>• Charging the Regions 2 — Public Electric Vehicle Charging</li> <li>• Declaring a Climate Emergency — Options and Implications</li> <li>• Lancefield Development Plan</li> <li>• Planning matters <ul style="list-style-type: none"> <li>- PLN/2020/141 - 67 Simpson Street, Kyneton</li> <li>- PLN2020/225 - 36 Sullivans Road, Woodend</li> </ul> </li> <li>• Macedon Ranges Regional Sports Precinct —Further Discussion on the Options and Supporting Information</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Guthrie stated that he would exclude himself in relation to the Gisborne Futures agenda item on the basis of apprehended bias, pending the receipt of legal advice.</p> <p>Did they leave the meeting? Yes</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

**Officer Recommendation:**

**That Council endorse the record of meetings of Councillors and Council staff set out in the report titled “Record of Meeting of Councillors and Council Staff – February 2021”.**

**Amended Officer Recommendation:**

**That Council endorse the record of meetings of Councillors and Council staff set out in the report titled ‘Record of Meeting of Councillors and Council Staff – February 2021’ with the correction that Cr Neil did not leave the Councillor Briefing on Wednesday, 27 January 2021, as indicated.**

**It was moved by Cr West, seconded by Cr Pearce that the Amended Officer Recommendation be adopted.**

**CARRIED**

**9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL**

**[7.16pm] It was moved by Cr Ridgeway, seconded by Cr Guthrie that standing orders be suspended.**

**CARRIED**

Acting Chief Executive Officer John Nevins read and provided a response to a question from a member of the public:

**Question:** When will the full findings from the Gisborne Futures Community Survey be made public?

**Response:** Council received 647 responses to the Gisborne Futures survey, the full results of which are now available on the Council website, along with redacted versions of individual responses. All personal and other information which could identify a survey respondent has been removed to meet privacy requirements.

A summary response and options paper, outlining issues and themes raised in these submissions, and the surveys is expected to come to the March Council Meeting.

**[7.17pm] It was moved by Cr Pearce, seconded by Cr Death that standing orders resume.**

**CARRIED**

**10. DIRECTOR PLANNING AND ENVIRONMENT REPORTS:****Report No:    Report Title:**

**PE.1            Application for Planning Permit PLN/2020/121 –  
Development of six (6) dwellings and waiver of one visitor  
car parking space – 74 Hamilton Street, Gisborne and 27  
Lyell Street, Gisborne**

**Purpose and Overview**

The subject site is located at 74 Hamilton Street and 27 Lyell Street, Gisborne. The application proposes the construction of six (6) dwellings and a waiver of the visitor car parking requirement.

The application was advertised with four (4) objections received.

Key issues to be considered in the assessment of this application relate to traffic including parking impact and impact on amenity of adjoining lots.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is considered appropriate. On balance it is considered that the development is in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, particular provisions and general provisions. It is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

**Recommendation**

**That a Notice of Decision to Grant a Permit is issued for Development of Six (6) Dwellings and waiver of one visitor car parking space for the land at LOT 1 LP 33302 P/Gisborne (TP 198783R), Lot 26 LP 33302 P/Gisborne, 74 Hamilton Street, Gisborne 3437, 27 Lyell Street, Gisborne, subject to the following conditions:**

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:**
  - a) Any modifications to the Floors and Elevations drawings consistent with the voluntary changes submitted to Council on 12 January 2021;**
  - b) Dwelling 2, 3, 4 and 5 east facing kitchen window to be treated to prevent overlooking in accordance with Clause 55.04-6 (Overlooking objective) of the Macedon Ranges Planning Scheme;**
  - c) A minimum 1.80 metre high timber paling fence along the eastern property boundary opposite Dwelling 6 secluded private open space in accordance with Standard B22 of Clause 55.04-6 (Overlooking objective) of the Macedon Ranges Planning Scheme;**
  - d) A Landscape Plan in accordance with Condition 7.**

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

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than storm water down pipes and gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. The development must be provided with external lighting capable of illuminating access to garage and rear areas for dwelling. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
6. Prior to the occupation of dwelling/s, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
7. Before the development starts, or any trees or vegetation removed, a revised landscape plan (an electronic copy) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The revised landscape plan must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
  - a) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant;
  - b) A least one planting of medium / large sized canopy tree (capable of achieving minimum of 4 metres in height) within the Secluded Private Open Space area of each dwelling;
  - c) A least one planting of medium / large sized canopy tree (capable of achieving minimum of 3 metres in height) within the front setback area of Dwellings 2, 3, 4 and 5;
  - d) At least two plantings of medium / large sized canopy tree (capable of achieving minimum of 6 metres in height) within the front setback area of Dwelling 1 and 6;
  - e) The use of drought tolerant species; and
  - f) Appropriate irrigation systems.
8. The garden areas shown on the endorsed plan and schedule must only be used as gardens and must be constructed, completed and maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Any tree or shrub damaged, removed or destroyed must be replaced by a tree or shrub of similar size and variety to the satisfaction of the Responsible Authority.

**MRSC Engineering Unit conditions**



9. 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.
  
10. At least 14 days prior to commencement of works, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:
  - a) Name and contact details of appointed Civil Contractor and Superintendent.
  - b) Existing condition survey of all existing assets including private properties
  - c) Construction Management Plan
  - d) Traffic Management Plan
  - e) Environmental Management Plan
  - f) Occupational Health & Safety and Job Safety Analysis Plans
  - g) Council issued Asset Protection Permit
  - h) Council approved Engineering Plans

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

11. Prior to occupation of the dwellings, the following works must be constructed or carried out to the satisfaction of the Responsible Authority:
  - a) A new 1.5m wide concrete footpath along Neal Street frontage of the site.
  - b) Reinstatement of the existing three on-street car parking spaces including the time restricted parking sign in Neal Street frontage of the site.
  - c) A new sealed crossover for each dwelling. Crossovers are to be a minimum of 8.0 metres from any intersection, 1 metre from any power pole, sign or service pit and a minimum of 3 metres from any street tree.
  - d) All new crossovers must be designed such that no stormwater runoff from kerb and channel is entering the property via the crossovers and no scraping occurs underside the vehicles. This must be supported by longitudinal sections along the crossovers.
  - e) Removal of any redundant crossovers, parking spaces and reinstatement of kerb and channel and nature strip.

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

12. Prior to occupation of the dwellings, 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 lands other than those within the boundaries of the development are 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) Objectives of the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) are satisfied. 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.

13. Prior to the occupation, a drainage easement must be created within Lot 26, LP 33302 to contain stormwater drainage service for the development to the satisfaction of the Responsible Authority.
14. 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) to the satisfaction of the Responsible Authority.
15. The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).

#### **Build Over Easement Condition**

16. A Build Over Easement permit must be sought for any building or structure to be built over an easement in favour of Macedon Ranges Shire Council.

#### **Permit Expiry**

17. This permit will expire if one of the following circumstances applies:
  - a) The development does not start within two (2) years of the date of issue of this permit.
  - b) The development is not completed within four (4) years of the date of issue of this permit.

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:**

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.

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

**Motion:**

**That Council resolve to issue a notice of refusal for planning permit PLN/2020/121 for the Development of Six (6) Dwellings and waiver of one visitor car parking space on the following grounds:**

- 1. The proposal will represent an overdevelopment of the land in terms of bulk and design which is contrary to objectives of neighbourhood character under Clause 15.01-5S (Neighbourhood Character) and Clause 21.08-3 (Built Environment) of the Macedon Ranges Planning Scheme.**
- 2. The proposal will be contrary to Gisborne/New Gisborne Outline Development Plan 2009 (Reference Document) as the subject site is not located within the preferred medium residential density area outlined in the plan.**
- 3. The proposal will be contrary to the objective of Clause 21.13-1 (Gisborne and New Gisborne) as it will not result in environmentally sustainable development which seeks to ensure the semi-rural and village character of Gisborne.**
- 4. The proposal does not meet the following standards under Clause 55 (Two or More Dwellings on a Lot) of the Macedon Ranges Planning Scheme and will result in an unacceptable outcome in terms of the following objectives:**
  - a) Clause 55.02-1 (Neighbourhood Character); and**
  - b) Clause 55.03-1 (Street Setback).**
- 5. The proposal will be contrary to Clause 52.06 (Car Parking) of Macedon Ranges Planning Scheme as no visitor car parking space will be provided within the subject land.**

**It was moved by Cr Guthrie, seconded by Cr Moore that the motion to refuse be adopted.**

**CARRIED**

Having declared a conflict of interest in the following agenda item, Cr Ridgeway left the meeting at 7.32pm.

**Report No:    Report Title:**

**PE.2                    Application for Planning Permit PLN/2020/291 – Subdivision of the land into 87 lots, removal of easements and the removal of native vegetation – 85 Harpers Lane, Kyneton**

**Purpose and Overview**

The application is to subdivide the land in eighty seven (87) lots, to remove electricity easements, and removal of native vegetation. The land is zoned Low Density Residential Zone and is subject to Environmental Significance Overlay (ESO4).

The application was advertised and twenty six (26) submissions were received.

The Applicant has lodged an appeal at the Victorian Civil and Administrative Tribunal (VCAT) against Council's failure to determine the application within the statutory timeframe.

Key issues to be considered relate to the subdivision format relative to the character and landscape of the site and surrounds, lot sizes, the removal and viability of retained vegetation, topography, the removal of a waterway, flooding and drainage issues, traffic and pedestrian safety as well as the proposed road layout and connectivity with surrounding roads, the viability of reticulated sewerage and water services, amenity and public open space provision.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is considered contrary to the relevant policies. On balance it is considered that the proposal will not be in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, overlay, particular provisions and general provisions.

It is recommended that the application not be supported, and that Council resolve that if the applicant had not lodged an appeal at VCAT, that the application would have been refused.

Council's resolution in respect to this application will be the position that will be taken to the forthcoming appeal proceedings.

**Recommendation**

**That Council resolve that the application is not supported and that it would have been refused if the VCAT appeal had not been made for Subdivision of the land into 87 lots, removal of easements, and the removal of native vegetation for the land at Lot 2 PS827043, 85 Harpers Lane, Kyneton on the following grounds:**

- 1. The proposal is inconsistent with the Planning Policy Framework and Local Planning Policy Framework - Clauses 21.04 (Settlement), 21.05 (Environment and Landscape Values), 21.06 (Environmental Risks), 21.07 (Natural Resource Management), 21.08 (Built Environment and Heritage), 21.09 (Housing), 21.11 (Transport), 21.12 (Community Development and**

Infrastructure) and 21.13-2 (Local Areas and Small Settlements - Kyneton), as well as the Kyneton Structure Plan.

The proposed subdivision does not respond appropriately to the character and constraints of the site and surrounds including adjacent rural and low density residential properties, and would result in adverse environmental impacts in respect to native vegetation and waterway protection.

2. The proposal is not compliant with the purpose and provisions of the Low Density Residential Zone (LDRZ) which aims to provide for low density residential development.

The proposed subdivision includes lots that would not facilitate an adequately low density development character in context of interfaces with surrounding properties, retained vegetation and steeper topography, and seeks to remove rather than protect and enhance an existing natural watercourse. The proposed road network would not provide for adequate internal traffic or pedestrian connectivity and would not suitably interface with adjacent roads and public reserves.

3. The proposal is inconsistent with the purpose and provisions of the Environmental Significance Overlay (ESO4) which aims to protect and enhance the quality and supply of the Eppalock Proclaimed Water Catchment.

The removal of the natural waterway and removal of large remnant native trees is inconsistent with this policy and would be detrimental within this proclaimed water catchment.

4. The proposal is not compliant with the purpose and provisions of Clause 52.17 (Native Vegetation) which aims to avoid and minimise native vegetation removal to ensure no net loss to biodiversity and minimise land and water degradation.

The proposal seeks the removal of remnant native trees that could otherwise be retained, and the retention of native trees in a subdivision layout that would not adequately ensure the ongoing viability and protection of those trees which does not accord with the Guidelines for the Removal, Destruction or Lopping of Native Vegetation (Department of Environment, Land, Water and Planning, 2017).

5. The proposal is not compliant with Part 3AAB (Distinctive Areas and Landscapes) of the Planning and Environment Act 1987 under which provision the Macedon Ranges has been declared as a “Distinctive Area and Landscape”.

The proposal would be contrary to the objective of the Statement of Planning Policy which aims to manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced. The proposed subdivision would result in adverse landscape impacts by its lack of response to the landscape character of the site and surrounds including the interface of the subject land with adjacent rural zoned land at the edge of the Kyneton township boundary.

**Motion:**

That Council resolve that the application is not supported and that it would have been refused if the VCAT appeal had not been made for Subdivision of the land into 87 lots, removal of easements, and the removal of native vegetation for the land at Lot 2 PS827043, 85 Harpers Lane, Kyneton on the following grounds:

1. The proposal is inconsistent with the Planning Policy Framework and Local Planning Policy Framework - Clauses 21.04 (Settlement), 21.05 (Environment and Landscape Values), 21.06 (Environmental Risks), 21.07 (Natural Resource Management), 21.08 (Built Environment and Heritage), 21.09 (Housing), 21.11 (Transport), 21.12 (Community Development and Infrastructure) and 21.13-2 (Local Areas and Small Settlements - Kyneton), as well as the Kyneton Structure Plan. The proposed subdivision does not respond appropriately to the character and constraints of the site and surrounds including adjacent rural and low density residential properties, and would result in adverse environmental impacts in respect to native vegetation and waterway protection.
2. The proposal is not compliant with the purpose and provisions of the Low Density Residential Zone (LDRZ) which aims to provide for low density residential development. The proposed subdivision includes lots that would not facilitate an adequately low density development character in context of interfaces with surrounding properties, retained vegetation and steeper topography, and seeks to remove rather than protect and enhance an existing natural watercourse. The proposed road network would not provide for adequate internal traffic or pedestrian connectivity and would not suitably interface with adjacent roads and public reserves.
3. The proposal is inconsistent with the purpose and provisions of the Environmental Significance Overlay (ESO4) which aims to protect and enhance the quality and supply of the Eppalock Proclaimed Water Catchment. The removal of the natural waterway and removal of large remnant native trees is inconsistent with this policy and would be detrimental within this proclaimed water catchment.
4. The proposal is not compliant with the purpose and provisions of Clause 52.17 (Native Vegetation) which aims to avoid and minimise native vegetation removal to ensure no net loss to biodiversity and minimise land and water degradation. The proposal seeks the removal of remnant native trees that could otherwise be retained, and the retention of native trees in a subdivision layout that would not adequately ensure the ongoing viability and protection of those trees which does not accord with the Guidelines for the Removal, Destruction or Lopping of Native Vegetation (Department of Environment, Land, Water and Planning, 2017).
5. The proposal is not compliant with Part 3AAB (Distinctive Areas and Landscapes) of the Planning and Environment Act 1987 under which provision the Macedon Ranges has been declared as a “Distinctive Area and Landscape”. The proposal would be contrary to the objective of the Statement of Planning Policy which aims to manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced. The proposed

subdivision would result in adverse landscape impacts by its lack of response to the landscape character of the site and surrounds including the interface of the subject land with adjacent rural zoned land at the edge of the Kyneton township boundary.

6. The proposal does not take into account the heritage values of the bluestone pavement within Harpers Lane and is contrary to Clause 15 Built Environment and Heritage and Clause 21.08 Built Environment and Heritage of the Macedon Ranges Planning Scheme.

It was moved by Cr Pearce, seconded by Cr Guthrie that the motion including part 6 in addition to the five officer recommendations be adopted.

CARRIED

Cr Ridgeway returned to the meeting at 7.44pm.

**Report No:    Report Title:**

**PE.3                    Submission to DELWP on Environmentally Sustainable Development (ESD) submissions**

**Purpose and Overview**

The purpose of this report is for Council to consider a submission to the Victorian Government's policy document, *Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria's planning system*, recently released for consultation.

**Recommendation**

**That Council endorse the Macedon Ranges Submission to the Victorian Government's *Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria's planning system* as per Attachment One.**

It was moved by Cr Pearce, seconded by Cr Death that the Officer Recommendation be adopted.

CARRIED

**Report No:    Report Title:**

**PE.4                    Establishment of Planning Committee to determine planning matters**

**Purpose and Overview**

This report details the process for establishing a Planning Delegated Committee (PDC) to determine statutory and strategic land use planning matters, as well as hear from applicants, landowners and submitters who made objections or submissions on such matters. The PDC could decide such matters in accordance with the Planning and Environment Act 1987 (as amended).

The establishment of a PDC could enable planning matters to be heard and decided outside Scheduled Council Meetings. This would have the benefit of

providing a dedicated forum in which planning matters are heard and decided by Council, without having to consider such (often complex) matters in amongst a full and diverse Scheduled Council Meeting agenda.

The establishment of a PDC could also have the benefit of taking over a part of the current functions of the Submitters Delegated Committee as it relates to planning matters.

This report is being brought to Council in accordance with its resolution of 16 December 2020.

### **Recommendation**

#### **That Council:**

- 1. Endorses the establishment of a Planning Delegated Committee as a delegated committee of Council in accordance with Section 63 of the *Local Government Act 2020*, to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters including planning applications and determine planning matters;**
- 2. Receives a report recommending an Instrument of Delegation to the Planning Delegated Committee (PDC) and Terms of Reference to give effect to Council's preferred PDC option; and**
- 3. Directs that the Planning Delegated Committee commence no later than the third Wednesday in June 2021.**

**It was moved by Cr Pearce, seconded by Cr Ridgeway that this item be deferred to a future scheduled Council Meeting.**

**CARRIED**

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

Nil.



**12. DIRECTOR CORPORATE AND COMMUNITY REPORTS:****Report No:    Report Title:****CC.1            Contracts to be awarded as at 24 February 2021****Purpose and Overview**

The following report sets out the details of contracts proposed to be awarded from the date of the last report to 24 February 2021 under a delegation from Council. Although this report recommends noting the delegated authority of Council officers, the Council has the power to:

- (a) direct that the Chief Executive Officer award the contract under the direct delegation from Council; or
- (b) specifically grant delegated authority to the Chief Executive Officer.

**Recommendation**

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

- C21.1096 Virtual Host and SAN Replacement
- C21.1097 Banking and Bill Payment Services

**It was moved by Cr Neil, seconded by Cr Bonanno that the Officer Recommendation be adopted.**

**LOST****Motion:**

**That Council note that the following contract will be awarded by Council Officers under delegated authority:**

- C21.1096 Virtual Host and SAN Replacement; and

**That Council revokes the delegation of the Chief Executive Officer to award Contract C21.1097 Banking and Bill Payment Services and requires that the contract come to a Council meeting for decision following the completion of the tender evaluation process.**

**It was moved by Cr Guthrie, seconded by Cr Moore that the motion be adopted.**

**CARRIED****Report No:    Report Title:****CC.2            Audit and Risk Committee – Appointment of Independent Member****Purpose and Overview**

The Audit and Risk Committee is comprised of two Councillors and three Independent Members from the Macedon Ranges Shire community. This report

seeks to have Council appoint a new independent member to the Audit and Risk Committee.

At the 16 December 2020 Council Meeting, Council noted the following:

***That Council:***

- 1. Note the report together with the minutes from the Audit and Risk Committee meetings on 16 September and 15 October 2020.***
- 2. Endorse the appointment of Independent Member, Peter Matthews as Audit and Risk Committee Chairperson from 1 January 2021 to 31 December 2021.***
- 3. Note that a recruitment process will begin for a new Independent Member in 2021, for a three year appointment.***
- 4. Direct the CEO to write to the outgoing Independent Committee Member, Brian Collins to thank him for his contribution to the Committee.***
- 5. Note the Annual Report of the Audit and Risk Committee and thank the Committee for the Report.***

Public notice was then given in the Midland Express and the Star Weekly on 15 December 2020 and 5 January 2021. Advertising also occurred on Council's website.

Expressions of interest were received from six candidates. A selection panel assessed the applications against the selection criteria. Standout candidates from the applicant field were identified for interview.

In order to protect the privacy of the candidates, a confidential report and the Panel's recommendation is included in the confidential section of this agenda.

**Recommendation**

**That Council closes the meeting to the public under section 66 (2)(a) of the *Local Government Act 2020* (the Act) to consider a matter that is "confidential" as defined by section 3 (1) of the Act because it contains information relating to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. The report contains personal information about persons who submitted an expression of interest for the position of independent member of Council's Audit and Risk Committee.**

**Motion:**

**It was moved by Cr Neil, seconded by Cr Ridgeway that the recommendation in the confidential section of the agenda be dealt with in the open Council Meeting.**

**CARRIED**

**Motion:**

**That Council:**

1. Offer a position of Independent Member on the Audit and Risk Committee to Magdalena Williams for the period up until 31 December 2023;
2. Write to the unsuccessful candidates thanking them for being willing to offer themselves in service to the community; and
3. Make public this Council resolution.

It was moved by Cr Ridgeway, seconded by Cr Neil that the motion be adopted.

CARRIED

**Report No:    Report Title:**

**CC.3            Outcome of expressions of interest process for the future management of the former Kyneton Primary School**

**Purpose and Overview**

This report provides an update to the submission made by Council for the future management of the former Kyneton Primary School site following the resolution of Council on Friday 1 May 2020:

***That Council:***

1. ***Note the Expression of Interest document prepared by the Department of Environment, Land, Water and Planning for the future management and/or use of the former Kyneton Primary School site dated 28 February 2020, with a closing date for submissions 1 June 2020.***
2. ***Direct the Chief Executive Officer to make a submission to the Expression of Interest process that expresses a formal interest in the appointment of Macedon Ranges Shire Council as Committee of Management over the following four State Government lots:***
  - ***Lot 2 – Volume 11401 Folio 342 – Crown Allotments 2 Section 5 Township of Kyneton Parish of Lauriston;***
  - ***Lot 3 – Volume 11201 Folio 343 – Crown Allotments 3 Section 5 Township of Kyneton Parish of Lauriston; and***
  - ***Lot 12 and 13 – Volume 11401 Folio 344 – Crown Allotments 12 and 13 Section 5 Township of Kyneton Parish of Lauriston.***
3. ***Note that should an alternate submission to the Expression of Interest process be received for the whole site that is supported by DELWP then Council shall:***
  - a. ***withdraw its offer to become Committee of Management for the four allotments; and***
  - b. ***work collaboratively with the successful applicant and DELWP as agreed.***
4. ***Direct the Chief Executive Officer to report back to Council on the outcome of the Expression of Interest process.***

**Recommendation**

That Council note the unsuccessful outcome of the Expression of Interest process for the future management of the former Kyneton Primary School site.

**It was moved by Cr Ridgeway, seconded by Cr Moore that the Officer Recommendation be adopted.**

**CARRIED**

**Report No:    Report Title:**

**CC.4            Quarterly Report for the period ended 31 December 2020**

**Purpose and Overview**

The Quarterly Report for the period ended 31 December 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 – People, Culture and Performance Report
- Section 7 – Governance schedule
- Section 8 – Councillor expenditure
- Section 9 – Councillor activities in the community

The report also provides a high level summary of the organisations performance to 31 December 2020 and outlines proposed changes to the 2020/21 Budget, following the completion of a mid-year review of budget variances.

**Recommendation**

**That Council:**

1. **Note the Quarterly Report for the period ended 31 December 2020; and**
2. **Endorse the budget changes identified as part of the mid-year budget review.**
3. **Approve the following transfers of reserve funds for eligible projects that were identified in the mid-year budget review:**
  - **Romsey Development Contributions Plan Reserve to contribute \$32,000 to the Bus Stop in Romsey**
  - **Plant Reserve to contribute \$400,000 for additional plant renewal**
  - **Public Open Space – South Reserve to contribute \$17,000 for Gardiner Reserve Football Change Rooms**
  - **Public Open Space – South Reserve to contribute \$11,000 to Gardiner Reserve Netball Change Rooms**
  - **Public Open Space – East Reserve to contribute \$13,000 to Riddells Creek Recreation Reserve**

**Motion:**

**That Council**

1. **Note the Quarterly Report for the period ended 31 December 2020; and**

**2. Endorse the budget changes identified as part of the mid-year budget review with the removal of open space reserve transfers contributing to the completion of the following projects:**

- \$17,000 public open space – south reserve funding for Gardiner Reserve Football Change Rooms
- \$11,000 public open space – south reserve funding to Gardiner Reserve Netball Change Rooms

Resulting in the \$28,000 required to complete these projects being funded by increasing Council's forecast cash deficit.

**3. Approve the following transfers of reserve funds for eligible projects that were identified in the mid-year budget review:**

- Romsey Development Contributions Plan Reserve to contribute \$32,000 to the Bus Stop in Romsey
- Plant Reserve to contribute \$400,000 for additional plant renewal
- Public Open Space – East Reserve to contribute \$13,000 to Riddells Creek Recreation Reserve

It was moved by Cr Guthrie, seconded by Cr Moore that the motion be adopted.

**Amendment:**

**That Council**

**1. Note the Quarterly Report for the period ended 31 December 2020; and**

**2. Endorse the budget changes identified as part of the mid-year budget review with the removal of open space reserve transfers contributing to the completion of the following projects:**

- \$17,000 public open space – south reserve funding for Gardiner Reserve Football Change Rooms
- \$11,000 public open space – south reserve funding to Gardiner Reserve Netball Change Rooms
- Romsey Development Contributions Plan Reserve to contribute \$32,000 to the Bus Stop in Romsey

Resulting in the \$60,000 required to complete these projects being funded by increasing Council's forecast cash deficit.

**3. Approve the following transfers of reserve funds for eligible projects that were identified in the mid-year budget review:**

- Plant Reserve to contribute \$400,000 for additional plant renewal
- Public Open Space – East Reserve to contribute \$13,000 to Riddells Creek Recreation Reserve

It was moved by Cr Neil, seconded by Cr West that the amendment be adopted.

**LOST**

**Motion:**

**That Council**

**1. Note the Quarterly Report for the period ended 31 December 2020; and**

**2. Endorse the budget changes identified as part of the mid-year budget review with the removal of open space reserve transfers contributing to the completion of the following projects:**

- **\$17,000 public open space – south reserve funding for Gardiner Reserve Football Change Rooms**
- **\$11,000 public open space – south reserve funding to Gardiner Reserve Netball Change Rooms**

**Resulting in the \$28,000 required to complete these projects being funded by increasing Council's forecast cash deficit.**

**3. Approve the following transfers of reserve funds for eligible projects that were identified in the mid-year budget review:**

- **Romsey Development Contributions Plan Reserve to contribute \$32,000 to the Bus Stop in Romsey**
- **Plant Reserve to contribute \$400,000 for additional plant renewal**
- **Public Open Space – East Reserve to contribute \$13,000 to Riddells Creek Recreation Reserve**

**It was moved by Cr Guthrie, seconded by Cr Moore that the motion be adopted.**

**CARRIED**

**13. DIRECTOR ASSETS AND OPERATIONS REPORTS:**

**Report No:    Report Title:**

**AO.1            Macedon posted speed assessment**

**Purpose and Overview**

A Notice of Motion No 13/2019-20 was resolved on 27 May 2020 by Council regarding the posted speed limits on roads within the Macedon township. In particular, the community cited concerns regarding the speed of vehicles through the main thoroughfares and the potential risk to pedestrians and cyclists. This report has been prepared by Council officers to outline the results of the speed assessment on these roads.

**Recommendation**

**That Council:**

- 1. Note there is no opportunity for justifiable speed reduction at this time and that a speed assessment process be repeated in future, if there is any change to road characteristics or roadside development density in the area.**
- 2. Note that officers will liaise with the Victorian Police to monitor locations where speeding issues have been identified.**
- 3. Note that officers are undertaking a Road Safety and Mobility Strategy which will include driver education campaigns focused on speed management.**

**It was moved by Cr Ridgeway, seconded by Cr Bonanno that the Officer Recommendation be adopted.**

**CARRIED**

**Report No:    Report Title:**

**AO.2            Report on current planning and management of roads for reduction of wildlife road trauma**

**Purpose and Overview**

At the Ordinary Council Meeting of 16 September 2020 the concerns of residents regarding the safety of local wildlife in the Cherokee, Riddells Creek, New Gisborne and Kerrie area were raised as urgent and other business. Some residents requested consideration of a 50 km/h speed limit on a number of rural roads that are currently either 80 or 100 km/h.

This report has been prepared by Council officers as a report on the current planning and management of roads for the reduction of wildlife road trauma and to recommend next steps.

**Recommendation**

**That Council receives a comprehensive report outlining opportunities to improve wildlife safety on roads across the shire at its October 2021 Scheduled Council Meeting.**

It was moved by Cr Neil, seconded by Cr Moore that the Officer Recommendation be adopted.

CARRIED

**Report No:**    **Report Title:**

**AO.3**            **School bus shelter - Romsey**

**Purpose and Overview**

At the 16 December 2020 Scheduled Council Meeting, Council resolved to seek a report on the installation of a bus bay and shelter in Romsey – located at the corner of Main Street and Reynolds Grove. The shelter would provide weather protection for the more than 30 students that utilise this bus stop.

This report outlines all potential funding options and details time lines to finalise design, seek relevant approvals and deliver the project before May 2021.

**Recommendation**

**That Council:**

- 1. Notes that this is the report requested on the potential funding options and detailed time lines to finalise design, seek relevant approvals and deliver the project before May 2021, for the construction of the bus bay and shelter on the corner of Main Street and Reynolds Grove, Romsey.**
- 2. Notes that this project is nominated as a Local Roads and Community Infrastructure Extension Grant project and if successful will be constructed in 2021.**

It was moved by Cr Neil, seconded by Cr Death that the Officer Recommendation be adopted.

CARRIED

**Report No:**    **Report Title:**

**AO.4**            **Local Roads and Community Infrastructure Extension Grant**

**Purpose and Overview**

This report provides the background and decision making with regards to the projects identified for the Federal Government, *Local Roads and Community Infrastructure Extension* grant.

**Recommendation**

**That Council:**

- 1. Note the Macedon Ranges Shire Council has accepted the Federal Government Local Roads and Community Infrastructure Extension.**
- 2. Note the projects provided in the application are as follows:**
  - a. Chintin Road, Monegetta – Road Reconstruction and Widening**
  - b. Footbridge Reconstruction**
    - i. Margaret Street, Macedon**
    - ii. Two in parkland near Station Road, Gisborne**



- iii. **Forest Street, Woodend**
- c. **LED street lighting upgrades on minor local roads**
- d. **Electric vehicle charging stations at Woodend, Kyneton and Hanging Rock**
- e. **LED street lighting on major roads**
- f. **Footpath (Active Transport Link) Baynton Street Kyneton**
- g. **Romsey bus stop shelter – in the vicinity Reynolds Grove and Main Street Service Road, Romsey**

It was moved by Cr Neil seconded by Cr Moore that the Officer Recommendation be adopted.

**CARRIED**

Cr Moore left the meeting at 8.53pm and returned at 8.56pm, before the vote on the following agenda item.

**Report No:    Report Title:**

**AO.5            Application to Round 5 of the Building Better Regions Fund**

**Purpose and Overview**

The purpose of this report is to seek endorsement from Council for the Acting Chief Executive Officer to submit an application to Round 5 of the Building Better Regions Fund (BBRF). The recommendation is to apply to the BBRF for funding for the road intersection component of the Macedon Ranges Regional Sports Precinct project.

**Recommendation**

**That Council:**

1. **Endorse the Acting Chief Executive Officer to submit an application to Round 5 of the Building Better Regions Fund for the road intersection component of the Macedon Ranges Regional Sports Precinct project.**
2. **Note, that should the project grant application be successful it pre-commits \$2,300,000 of Council's 2021/22 budget.**
3. **Direct that community stakeholders are contacted and notified of Council's intention to apply for funding through this program and seek letters of support.**
4. **Direct that officers continue to work with the community, and other levels of government to achieve full project funding for the project.**

It was moved by Cr Ridgeway, seconded by Cr Guthrie that the Officer Recommendation be adopted.

**CARRIED**

**Report No:    Report Title:**

**AO.6            Application to Round 2 of the Growing Suburbs Fund**

**Purpose and Overview**

The purpose of this report is to seek endorsement from Council for the Acting Chief Executive Officer to submit an application to Round 2 of the Growing Suburbs Fund (GSF). The recommendation is to apply to the GSF for funding

for the external shared community spaces and associated infrastructure of the Macedon Ranges Regional Sports Precinct project.

### **Recommendation**

**That Council:**

- 1. Endorse the Acting Chief Executive Officer to submit an application to Round 2 of the Growing Suburbs Fund for the external shared community spaces and associated infrastructure of the Macedon Ranges Regional Sports Precinct project.**
- 2. Note, that should the project grant application be successful it pre-commits \$1,500,000 of Council's 2021/22 budget.**
- 3. Direct that community stakeholders are contacted and notified of Council's intention to apply for funding through this program and seek letters of support.**
- 4. Direct that officers continue to work with the community, and other levels of government to achieve full project funding for the project.**

**It was moved by Cr Guthrie, seconded by Cr Ridgeway that the Officer Recommendation be adopted.**

**CARRIED**

## **14. NOTICES OF MOTION AND RESCISSION**

Having declared there may be perception that he has a conflict of interest in the following agenda item, Cr Guthrie left the meeting at 8.58pm.

At the 27 January 2021 Scheduled Council Meeting it was resolved that 'Notice of Motion No. 10/2020-21 – Councillor Neil' be deferred to the February Council Meeting.

### **Notice of Motion No. 10/2020-21 – Councillor Neil**

That Council remove the land located at 284 Kilmore Road, Gisborne, known as Glen Junor, from the draft Gisborne Futures project. This is to include removal of the site from the proposed settlement boundary and draft Gisborne Structure Plan.

**It was moved by Cr Neil, seconded by Cr Moore that Council remove the land located at 284 Kilmore Road, Gisborne, known as Glen Junor, from the draft Gisborne Futures project. This is to include removal of the site from the proposed settlement boundary and draft Gisborne Structure Plan.**

**CARRIED ON THE CASTING VOTE OF THE MAYOR**

Cr Pearce called for a division.

For: Crs Neil, Anderson, Death, Moore

Against: Crs West, Ridgeway, Pearce, Bonanno

Cr Guthrie returned to the meeting at 9.27pm.

**Notice of Motion No. 11/2020-21 – Councillor Neil**

That Council:

1. Request the Chief Executive Officer to write to the landowners of the Romsey Hotel (Mr J. Hogan) and the former Romsey Supermarket (Habib family) and invite them to meet with relevant Council officers to discuss and advise Council of their future plans and ideas for their respective sites. Council is keen to understand this given the importance of these sites to the Romsey community.
2. Request the Chief Executive Officer to report to Council the outcomes of these meetings.

**It was moved by Cr Neil, seconded by Cr West that Council:**

1. **Request the Chief Executive Officer to write to the landowners of the Romsey Hotel (Mr J. Hogan) and the former Romsey Supermarket (Habib family) and invite them to meet with relevant Council officers to discuss and advise Council of their future plans and ideas for their respective sites. Council is keen to understand this given the importance of these sites to the Romsey community.**
2. **Request the Chief Executive Officer to report to Council the outcomes of these meetings.**

**CARRIED**

**Notice of Motion No. 12/2020-21 – Councillor Pearce**

That Council considers changing the current process for place naming to include a written notification to the Traditional Owners to allow the opportunity for them to provide their written feedback within the same timelines as all other parties. In considering this process change, that Council direct the Chief Executive Officer to:

- (a) Write to the three Traditional Owner groups within the Macedon Ranges Shire to advise that Council is considering changing our process as described above. Include in this letter an invitation for each group to submit feedback to Council as to whether they would like to participate and, whether they have the capacity to do so.
- (b) If a Traditional Owner group wants to participate, then seek feedback as to whether they have the ability to respond on individual applications, or would prefer to submit a once off or periodically updated list of names to be considered and/or a list of names which are considered inappropriate.
- (c) Report back to Council within three (3) months outlining any responses received and provide detail as to how any Traditional Owner feedback has informed any process change, seeking to ensure that all future considerations of place naming by Council give consideration to the rich cultural heritage of the shire.

**It was moved by Cr Pearce, seconded by Cr Ridgeway that Council considers changing the current process for place naming to include a written notification to the Traditional Owners to allow the opportunity for them to provide their written feedback within the same timelines as all other parties. In considering this process change, that Council direct the Chief Executive Officer to:**

- (a) **Write to the three Traditional Owner groups within the Macedon Ranges Shire to advise that Council is considering changing our process as described above. Include in this letter an invitation for**

- each group to submit feedback to Council as to whether they would like to participate and, whether they have the capacity to do so.
- (b) If a Traditional Owner group wants to participate, then seek feedback as to whether they have the ability to respond on individual applications, or would prefer to submit a once off or periodically updated list of names to be considered and/or a list of names which are considered inappropriate.
  - (c) Report back to Council within three (3) months outlining any responses received and provide detail as to how any Traditional Owner feedback has informed any process change, seeking to ensure that all future considerations of place naming by Council give consideration to the rich cultural heritage of the shire.

**CARRIED UNANIMOUSLY**

**15. URGENT BUSINESS**

Nil.

**16. CONFIDENTIAL REPORTS**

**16.1 Audit and Risk Committee – Appointment of independent member**

**Closure of Meeting**

The meeting closed at 9.31pm.

**Councillor Anderson  
Mayor**