

Minutes

**Council Meeting
Wednesday 22 November 2023 at 7pm
Gisborne Administration Centre
40 Robertson Street, Gisborne**

DRAFT

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1 ACKNOWLEDGEMENT OF COUNTRY

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, and present.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING

This meeting was recorded and streamed live on the internet in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings Policy, which can be viewed on Council's website.

3 PRESENT

Cr Annette Death (Mayor), Cr Janet Pearce (Deputy Mayor), Cr Jennifer Anderson, Cr Dominic Bonanno, Cr Rob Guthrie, Cr Geoff Neil, Cr Mark Ridgeway, Cr Bill West, Cr Christine Walker

3.1 CONFIRMATION OF AFFIRMATION OF OFFICE

The Mayor confirmed the taking of the affirmation of office to the CEO by Councillor Walker at a swearing-in ceremony held on Tuesday 14 November 2023.

IN ATTENDANCE

Bernie O'Sullivan (Chief Executive Officer), Adele Drago-Stevens (Director Corporate), Rebecca Stockfeld (Director Planning and Environment), Shane Walden (Director Assets and Operations), Patricia Clive (Coordinator Governance), Lucy Olson (Senior Governance Officer - Council Business)

4 APOLOGIES

Maria Weiss (Director Community)

5 CONFLICTS OF INTEREST

Cr Pearce declared a general conflict in relation to item COR.3 due to being a member of the Australian Local Government Women's Association.

6 PETITIONS

Nil

7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL

7.1 PUBLIC QUESTION - ROBERT GREEN

Question:

Regarding my questions send registered mail in February 2023 directly to B. O'Sullivan CEO as all other staff had a conflict in the matter, question where in simple dot point form, (Councillors has been given access to all correspondance on the matter) why haven't these simple and clear questions been answered individually and clearly by CEO, O'Sullivan and the organisation?

Answer:

We understand that the Lancefield Development Plan Overlay (or DPO 24) has been a sensitive matter for affected landowners, including Mr Green. This has ultimately resulted in Council resolving at the 22 February 2023 meeting to request the Minister for Planning to remove the Lancefield DPO. This matter is currently with the Minister for decision.

We appreciate that Mr Green has provided correspondence to Council numerous times throughout the long history of this matter, to which we have responded. In response to the correspondence of February 2023, the Director of Corporate responded in February 2023, including a follow-up clarification in the same month, and I responded in June 2023, as did Mayor Death, in August 2023.

The organisation has put in place a streamlined process to efficiently respond to Mr Green's queries on these matters. Additionally, we have encouraged alternative approaches through state government agencies for his outstanding concerns to be independently reviewed.

We have, in good faith, responded to the concerns raised, and the next step is for Mr Green to pursue any further concerns with relevant state government agencies, as has been previously advised.

8 ADOPTION OF MINUTES

Resolution 2023/132

Moved: Cr Mark Ridgeway
Seconded: Cr Geoff Neil

That the minutes of Ordinary Meeting of the Macedon Ranges Shire Council held on Wednesday 25 October 2023 as circulated be confirmed.

CARRIED

9 MAYOR'S REPORT**9.1 MAYOR'S REPORT - OCTOBER-NOVEMBER 2023****Resolution 2023/133**

Moved: Cr Rob Guthrie

Seconded: Cr Bill West

That Council receives and notes the Mayor's report.**CARRIED****10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF**

10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - OCTOBER-NOVEMBER 2023

Summary

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. This report provides a summary of meetings of Councillors and Council staff held since the last Council Meeting.

Resolution 2023/134

Moved: Cr Jennifer Anderson

Seconded: Cr Mark Ridgeway

That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.**CARRIED****11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS**

Nil

12 CHIEF EXECUTIVE OFFICER REPORTS

Nil

13 DIRECTOR CORPORATE REPORTS**COR.1 QUARTERLY FINANCIAL REPORT - JULY TO SEPTEMBER 2023****Summary**

The purpose of this report is to provide Council and the community with a report on the financial position of the Macedon Ranges Shire Council to 30 September 2023 for the 2023/2024 financial year (Quarter 1), in accordance with the requirements of the *Local Government Act 2020*.

Resolution 2023/135

Moved: Cr Mark Ridgeway
Seconded: Cr Dominic Bonanno

That Council receives the Quarterly Financial report as at 30 September 2023, in accordance with the requirements of the Local Government Act 2020.

CARRIED**COR.2 COUNCIL MEETING DATES 2024****Summary**

This report seeks approval of the proposed scheduled Council meeting and Planning Delegated Committee meeting dates and formats for the 2024 calendar year.

Resolution 2023/136

Moved: Cr Rob Guthrie
Seconded: Cr Geoff Neil

That Council:

- 1. Approves the proposed meeting schedule for the period 1 January 2024 to 31 December 2024 as outlined in Attachment 1; and**
- 2. Notes that Planning Delegated Committee meetings will be held when required on the dates outlined in the schedule at Attachment 1; and**
- 3. Schedules a Submitters Delegated Committee Meeting to be held online on 21 February 2023 at 7pm to consider budget submissions and other matters if required.**

CARRIED

COR.3 ANNUAL COUNCILLOR APPOINTMENTS AND COUNCIL MEMBERSHIPS**Summary**

This report is presented to Council for determining Councillor representation on internal advisory committees and external organisations from November 2023 till November 2024, refer to Attachment 1.

Recommendation**That Council:**

1. **Appoints the Councillor delegates from November 2023 to November 2024 to the internal and external committees/organisations as specified in the table in Attachment 1;**
2. **Endorses the ongoing membership to the Victorian Local Governance Association, Central Victorian Greenhouse Alliance, and Rural Councils Victoria Incorporated;**
3. **Endorses the ongoing membership to the Municipal Association of Victoria; and**
4. **Endorses the ongoing membership to Australian Local Government Women's Association - Victorian Branch.**

Cr Rob Guthrie moved items 1-3 of an amended officer recommendation.

Resolution 2023/137

Moved: Cr Rob Guthrie
Seconded: Cr Jennifer Anderson

That Council:

1. **Appoints the Councillor delegates from November 2023 to November 2024 to the internal and external committees/organisations as specified in the table in the updated and circulated Attachment 1;**
2. **Endorses the ongoing membership to the Victorian Local Governance Association, Central Victorian Greenhouse Alliance, and Rural Councils Victoria Incorporated; and**
3. **Endorses the ongoing membership to the Municipal Association of Victoria.**

CARRIED

Having previously declared a conflict of interest in relation to this item, Cr Pearce left the meeting at 7:24 pm.

Cr Jennifer Anderson moved item 4 of an amended officer recommendation.

Resolution 2023/138

Moved: Cr Jennifer Anderson
Seconded: Cr Rob Guthrie

That Council endorses the ongoing membership to Australian Local Government Women's Association - Victorian Branch.

CARRIED

At 7:25 pm, Cr Janet Pearce returned to the meeting.

COR.4 CONTRACTS TO BE AWARDED AS AT NOVEMBER 2023

Summary

This report provides details of contracts proposed to be awarded under a delegation from Council, from the date of the last report. Although this report recommends noting the power delegated to Council officers, Council has the power to:

- a) direct that the Chief Executive Officer (CEO) award the contract under the direct delegation from Council; or
- b) specifically delegate the power to the CEO.

Resolution 2023/139

Moved: Cr Dominic Bonanno
Seconded: Cr Geoff Neil

That Council:

1. **Notes that the following contracts will be awarded by Council officers under delegated authority:**
 - (a) **C2024-54 Gisborne Aquatic Centre Modular Change Room**
 - (b) **C2024-55 Design Services Regional Sports Precinct Stage 2**
2. **Grants delegated authority to the Chief Executive Officer to award contract C2024-53 Construction of a Roundabout at the intersection Barringo Road and Hamilton Road New Gisborne.**

CARRIED

COR.5 AUDIT AND RISK COMMITTEE - REVIEW OF REMUNERATION AND MEMBERSHIP

Summary

The Audit and Risk Committee comprises two Councillors and three independent members within the Macedon Ranges Shire. This report reviews the current remuneration provided to the independent members, and to note the recruitment process which will be undertaken to allow for the replacement of an Independent Member as a result of a member ceasing their term on 31 December 2023.

Resolution 2023/140

Moved: Cr Geoff Neil
Seconded: Cr Mark Ridgeway

That Council:

1. Endorses the proposed payments to the Audit and Risk Committee Chairperson and Independent Committee Members as outlined in Table 3 of this report.
2. Notes that reasonable out-of-pocket expense reimbursements may be payable to Independent Members of the Audit and Risk Committee.
3. Notes the recruitment process being undertaken to appoint a new Independent Member, with a report and recommendation to be presented to a future meeting of Council.

CARRIED

14 DIRECTOR COMMUNITY REPORTS**COM.1 PARTICIPATE POSITIVE AGEING PLAN 2020-2025 ANNUAL UPDATE****Summary**

This report provides Council with an update on progress against actions in Year 3 (2022-23) of Council's PARTICIPATE Positive Ageing Plan 2020-2025, as well as proposed actions for Year 4 (2023-24).

Resolution 2023/141

Moved: Cr Janet Pearce
Seconded: Cr Mark Ridgeway

That Council:

1. Notes the PARTICIPATE Positive Ageing Plan - Year 3 Annual Review 2022-23, as presented in the attached; and
2. Approves the PARTICIPATE Positive Ageing Plan - Year 4 Action Plan 2023-24, as presented in the attached.

CARRIED

15 DIRECTOR ASSETS AND OPERATIONS REPORTS**AO.1 CAPITAL WORKS MONITORING****Summary**

This report provides transparency on cost escalations on infrastructure projects and seeks further funding, cancellation, or the scope reduction of the projects to manage the projects within the allocated annual capital works program budget.

Resolution 2023/142

Moved: Cr Rob Guthrie
Seconded: Cr Bill West

That Council:

1. **Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:**
 - (a) **101039 - Kyneton Cricket Club Net Upgrade: Increase the budget by \$7,236.00;**
 - (b) **100148 - Bridge - Ash Wednesday Park Footbridge: Return \$10,550.00 of surplus budget to the Open Space Reserve;**
 - (c) **100822 - Bridge - Mission Hill Road 2024: Increase the budget by \$50,658.81;**
 - (d) **100687 - Upgrade Sports Ground Drainage 2024: Return \$137,015.00 to the consolidated capital works program budget.**
 - (e) **100827 - Kyneton Saleyards Improvement Works 2024: Return \$130,035.00 to the consolidated capital works program budget; and**
2. **Notes that recommendation 1 (above) provides a surplus of \$208,117.05 to the financial year 2023/2024 consolidated capital works program budget.**

CARRIED

AO.2 MACEDON RANGES SHIRE SKATE AND BMX STRATEGY**Summary**

This report presents the Macedon Ranges Shire Skate and BMX Strategy (Attachment 1) for Council consideration and adoption.

The community consultation stage of the draft Macedon Ranges Shire Skate and BMX Strategy is completed, with feedback considered and incorporated into the final version where appropriate.

Recommendation

That Council adopts the Draft Macedon Ranges Shire Skate and BMX Strategy effective 23 November 2023.

Cr Dominic Bonanno moved an alternative motion.

Resolution 2023/143

Moved: Cr Dominic Bonanno

Seconded: Cr Rob Guthrie

That Council:

1. **adopts the draft Macedon Ranges Shire Skate and BMX Strategy effective 23 November 2023;**
2. **writes to the lead petitioner of the 2021 Gisborne Skate Park Petition thanking them for their efforts;**
3. **once the location feasibility study process is finalised, consider including the construction of a new/upgraded Gisborne Skate Facility to Council's priority projects; and**

-
4. notes there will be minor operational improvements to the infrastructure supporting Gisborne Skate Park.

CARRIED

AO.3 ROMSEY SKATEPARK DESIGN PLAN

Summary

This report seeks Council endorsement to release the draft Romsey Skatepark Design Plan (Attachment 1) for four weeks of community consultation.

This consultation will inform the direction and development of the final Design Plan for Council's consideration.

Resolution 2023/144

Moved: Cr Geoff Neil
Seconded: Cr Bill West

That Council endorses releasing the draft Romsey Skatepark Design Plan for four weeks of community consultation.

CARRIED

16 NOTICES OF MOTION AND RESCISSION

Nil

17 URGENT BUSINESS

Nil

18 CONFIDENTIAL REPORTS

Nil

The meeting closed at 7:54pm.

The minutes of this meeting will be confirmed at the Council Meeting held on 13 December 2023.