

# Agenda

**Council Meeting**  
**Wednesday 28 May 2025 at 7:00 PM**  
**Gisborne Administration Centre**  
**40 Robertson Street, Gisborne**

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Nil

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

**2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING**

This meeting is being 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****4 APOLOGIES****5 CONFLICTS OF INTEREST****6 PETITIONS**

Nil

**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL****8 ADOPTION OF MINUTES****Recommendation**

**That Council confirms the minutes of the Scheduled Council Meeting of Macedon Ranges Shire Council held on 23 April 2025, as circulated.**

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**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - APRIL-MAY 2025****Summary**

This report provides an update from the Mayor on recent Council activities and initiatives of a Shire wide nature.

**Recommendation**

**That Council receives and notes the Mayor's report.**

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**Mayor's report**

Since our last Council meeting, Councillors have been working through draft key strategic documents including the Council Plan and reviewing feedback for the 25/26 Financial Year budget. Thank you to those that provided submissions, Council officers, Councillors and everyone that has contributed to this work.

I am pleased to report that Council's very own Emergency Management Officer, Kiara Noonan, has been shortlisted as a finalist in the Young Achiever category of the 2025 LGPro Awards for Excellence. Kiara has played a pivotal role in strengthening Council's emergency management capabilities with her skills on full display during the recent Bullengarook fires working in collaboration with her other hard-working colleagues. Congratulations Kiara and good luck at the awards night on 5 June 2025.

Councillors have also been very active attending a variety of events and meetings around the Shire.

**ANZAC Day**

Councillors were honoured to attend this year's ANZAC Day ceremonies held across our Shire. These events remain among the most significant in our civic calendar, and it was heartening to see such strong turnout from residents of all ages. Councillors joined local veterans, community groups, schools, and service organisations at Dawn Services, commemorative marches, and wreath-laying ceremonies. Each event was a moving tribute to the bravery, sacrifice, and enduring legacy of our servicemen and women.

**Gisborne Golf Club 'Turning of the Sod'**

On 29 April, I had the pleasure of attending a very special day at the Gisborne Golf Club with a ceremonial 'Turning of the Sod' held to mark the start of building the new clubhouse. It was April 17 last year when a devastating fire triggered by an electrical fault destroyed the long-time clubhouse, which had housed so many special memories across generations, memorabilia (including Gisborne RSL items), and had served as a very important part of the community. Congratulations to all involved in the progression of the re-build and we wish the club well for all that comes next!

**Brighter Future**

A brighter future for both the Riddells Creek Recreation Reserve and the New Gisborne Tennis Club with upgrades to lighting at the oval and tennis courts respectively. The new LED lighting meets current standards, providing improved visibility for evening training

sessions, night matches, and community events. Well done to all involved and both great examples of what can be achieved when all levels of government work together to support grassroots sport.

### National Volunteer Week

During the week of Monday 19 - Sunday 25 May 2025, we celebrated National Volunteer Week. I know volunteers don't do it for the recognition, but I want to take this opportunity to say: thank you. Thank you for your time, your energy, your compassion and your unwavering commitment to making our community better. Volunteers know better than anyone, that volunteering isn't just about giving time – it's about building connections. It's showing up for each other, building a stronger, more supportive community and making a real difference in people's lives. Volunteers don't get paid, not because they're worthless, but because they're priceless.

### Community Awards

On 22 May we held the Community Awards Ceremony and due to the deadline of this written report, I'm unable to share the winners with you but will do so verbally on the evening. Congratulations to all who were nominated and the winners.

Further events and meetings included:

- Community Oven project 26 April
- Malmsbury Village Fayre 27 April
- Inauguration Luncheon for Kyneton VIEW Club 28 April
- Local Government Working Group on Gambling 30 April
- Autumn Festival 2025 closing celebration 30 April
- Murray Darling Association Region 2 Meeting 1 May
- MAV Board meeting 1-2 May
- VLGA Fast-track Workshop 2 May
- Gisborne Aquatic Centre 20-year celebration 3 May
- Rad Dad's meeting 5 May
- ALGWA Australian Local Government Women's Association mentoring session 7 May
- CVGA Central Victorian Greenhouse Alliance Board meeting 8 May
- Exhibition launch Good Sports, Leisure & Recreation' – Kyneton Museum 9 May
- MFMPD Municipal Fire Management Planning Committee meeting 15 May
- MAV Delegates 2025 Pre-State Council meeting 15 May
- MAV State Council Meeting 16 May
- IDAHOBIT Flag raising 16 May
- Gisborne Botanic Garden Footbridge Opening 17 May
- Queerthentic Art Prize & Celebration 17 May
- Celebrate Botanic Gardens Week at Kyneton Botanic Gardens 19 May
- Community Bank Gisborne & District - Community Investment Evening 19 May

- Macedon Ranges Heritage Council meeting 20 May
- Visit Grade 4 New Gisborne Primary School 23 May
- Tour Macedon Ranges Bowling Club 23 May

**Current Community Consultation**

- [Telstra Macedon Ranges Community Choice Awards](#) – The Telstra Macedon Ranges Community Choice Awards recognise businesses that have displayed Excellence in Customer Service across five categories: Voting opens Tuesday 1 April and closes Friday 30 May.
- Onsite Wastewater Management Plan 2025-2030 – This plan aims to ensure effective and sustainable management of domestic wastewater, in line with the Council's responsibilities under the Environment Protection Act. Consultation closes 30 May 2025.
- Draft Road Management Plan 2025-2029 – We are preparing a revised Road Management Plan, which sets out our obligations to proactively and reactively manage Council managed roads and other related assets. Consultation 8 May – 6 June 2025.

Finally, I wish to reiterate Council's disappointment that legislation for the Emergency Services Volunteer Fund (ESVF) Levy has passed through the Victorian Parliament in a rushed way, and without a full assessment being undertaken of its impacts on rural and regional communities. The ESVF Levy will have a significant negative financial impact on the Macedon Ranges community, in particular the farming and business sectors and I'm sure Councillors will have more to say later in the meeting this evening when we receive a report from the CEO.

**Mayor Bonanno**  
**Macedon Ranges Shire Council**

**10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF****10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - APRIL-MAY 2025****Summary**

Rule 66 of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councilors 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.

**Recommendation**

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.**

**Record of meetings**

Type of meeting	Council Briefing
Date and time	22 April 2025 9:30am
Venue	Gisborne Administration Centre 40 Robertson Street, Gisborne
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Dominic Bonanno (Mayor)</li> <li>• Cr Kate Kendall (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Christine Walker</li> <li>• Cr Daniel Young</li> </ul>
Apologies - Councillors	Nil
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Dominic Testoni (Director Assets and Operations)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> </ul>



	<ul style="list-style-type: none"> <li>• Kylie Tatt (Manager People and Wellbeing)</li> <li>• Travis Fitzgibbon (Manager Communications and Advocacy)</li> <li>• Rob Ball (Manager Strategic Planning and Environment)</li> <li>• Daniel Grigson (Manager Engineering and Asset Services)</li> <li>• Benup Neupane (Coordinator Engineering Services)</li> <li>• Setina Rockliff (Coordinator Risk and OHS)</li> <li>• Lucy Olson (Senior Governance Officers)</li> <li>• Daniel Hall (Strategic Planner)</li> </ul>
Apologies officers	Nil
Presenters	<ul style="list-style-type: none"> <li>• Amy Bell (NCCMA)</li> <li>• Nathan Treloar (NCCMA)</li> <li>• Camille White (NCCMA)</li> <li>• Daniel Gorgonio (Marsh Consulting)</li> <li>• Alex Gould (Marsh Consulting)</li> <li>• David Gunn (Audit and Risk Committee)</li> </ul>
Items discussed	<ul style="list-style-type: none"> <li>• Strategic Integrated Planning 2025 Community Engagement Summary</li> <li>• Revised flood risk mapping - consultation outcomes and next steps</li> <li>• Strategic Planning Work Program - 2025/2026</li> <li>• Proposed area wide traffic speed reduction - Kyneton and Riddells Creek township</li> <li>• Risk Appetite Workshop</li> <li>• Consideration of submissions and request for planning panel - Combined Amendment C147macr and Planning Permit Application PLN/2022/354 - Benetas Retirement Village</li> <li>• Council Meeting Agenda Review</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>

Type of meeting	Council Briefing
Date and time	06 May 2025 9:30am
Venue	Gisborne Administration Centre 40 Robertson Street, Gisborne
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Dominic Bonanno (Mayor)</li> <li>• Cr Kate Kendall (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Christine Walker</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>• Cr Daniel Young</li> </ul>
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Dominic Testoni (Director Assets and Operations)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Amy Holmes (Manager Community Strengthening)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> <li>• Kristal Maynard (Manager Safer Communities)</li> <li>• Caitlin Royce (Coordinator Creative and Connected Communities)</li> <li>• Liz Johnston (Community Planning Lead)</li> <li>• Jayde McBurnie (Coordinator Community and Social Planning)</li> <li>• Cindy Stevens (Senior Governance Officer)</li> </ul>
Apologies officers	Nil
Presenters	Nil
Items discussed	<ul style="list-style-type: none"> <li>• Community Grants Policy Review</li> <li>• Reconciliation Plan Overview</li> <li>• Community Infrastructure Planning Overview</li> <li>• Planning Delegations Review</li> <li>• Planning Matters</li> </ul>

	<ul style="list-style-type: none"> <li>Other Business</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>

Type of meeting	Council Briefing
Date and time	13 May 2025 9:30am
Venue	Gisborne Administration Centre 40 Robertson Street, Gisborne
Present - Councillors	<ul style="list-style-type: none"> <li>Cr Dominic Bonanno (Mayor)</li> <li>Cr Kate Kendall (Deputy Mayor)</li> <li>Cr Jennifer Anderson</li> <li>Cr Cassy Borthwick</li> <li>Cr Alison Joseph</li> <li>Cr Janet Pearce</li> <li>Cr Andrew Scanlon</li> <li>Cr Daniel Young</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>Cr Christine Walker</li> </ul>
Present - officers	<ul style="list-style-type: none"> <li>Bernie O'Sullivan (Chief Executive Officer)</li> <li>Rebecca Stockfeld (Director Planning and Environment)</li> <li>Maria Weiss (Director Community)</li> <li>Adele Drago-Stevens (Director Corporate)</li> <li>Dominic Testoni (Director Assets and Operations)</li> <li>Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>Rob Ball (Manager Strategic Planning and Environment)</li> <li>Daniel Grigson (Manager Engineering and Asset Services)</li> <li>Travis Harling (Manager Finance and Reporting)</li> <li>Hayley Drummond (Coordinator Property and Valuations)</li> </ul>

	<ul style="list-style-type: none"> <li>Alison Elliot (Acting Coordinator Performance and Assurance)</li> <li>Jayde McBurnie (Coordinator Community and Social Planning)</li> <li>Bodey Dittloff (Coordinator Communications)</li> <li>Lucy Olson (Senior Governance Officer)</li> <li>Lisa Kennedy (Rates &amp; Debtors Coordinator)</li> <li>Gagandeep Singh (Traffic and Road Safety Engineer)</li> <li>Zoe Hardiman (Business Support Officer)</li> </ul>
Apologies officers	Nil
Presenters	<ul style="list-style-type: none"> <li>Mark Davies (Mach 2 Consulting)</li> </ul>
Items discussed	<ul style="list-style-type: none"> <li>Gisborne Road Safety Improvement Project - Community Consultation Outcome Update</li> <li>Integrated Strategic Planning Update - Revenue and Rating Plan – Workshop 3</li> <li>Integrated Strategic Planning Update - Draft Plans and Financial Assumptions</li> <li>Complaints Against Councillors Policy</li> <li>Planning Delegations Review</li> <li>Planning Delegated Committee Review – 14 May 2025</li> <li>Council Meeting Agenda Review – 28 May 2025</li> <li>Other Business</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>

Type of meeting	Council Briefing
Date and time	20 May 2025 9:30am
Venue	Gisborne Administration Centre 40 Robertson Street, Gisborne
Present - Councillors	<ul style="list-style-type: none"> <li>Cr Dominic Bonanno (Mayor)</li> <li>Cr Kate Kendall (Deputy Mayor)</li> </ul>

	<ul style="list-style-type: none"> <li>• Cr Jennifer Anderson</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Christine Walker</li> <li>• Cr Daniel Young</li> </ul>
Apologies - Councillors	Nil
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Dominic Testoni (Director Assets and Operations)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Rob Ball (Manager Strategic Planning and Environment)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> <li>• Amy Holmes (Manager Community Strengthening)</li> <li>• Kristal Maynard (Manager Safer Communities)</li> <li>• Ben Champion (Strategic Planning and Environment)</li> <li>• Jo Bird (Acting Coordinator Customer Service)</li> <li>• Althea Jalbert (Coordinator Local Laws)</li> <li>• Rees May (Coordinator Statutory Planning and Compliance)</li> <li>• Verity Games (Coordinator Statutory Planning and Subdivisions)</li> <li>• Louise Dewberry (Senior Strategic Planner)</li> <li>• Lucy Olson (Senior Governance Officer)</li> </ul>
Apologies officers	Nil
Presenters	<ul style="list-style-type: none"> <li>• Chris De Silva (Mesh Planning)</li> <li>• Andrew Duggan (Villawood Properties)</li> <li>• Brendan Condon (The Cape)</li> <li>• Kathy Mitchell (Villawood Properties)</li> </ul>

Items discussed	<ul style="list-style-type: none"><li>• Budget 2025/26 Update</li><li>• Woodend – Villawood Properties</li><li>• Open Space Strategy - Project update</li><li>• Customer Service Centre Review</li><li>• Draft Domestic Animal Management Plan 2026 - 2029</li><li>• Proposed Changes to Council's Dog and Cat Order 2019 Schedule 1 (Off Leash Areas) and Schedule 2 (Prohibited Areas)</li><li>• Statutory Planning 101</li><li>• Planning Matters</li></ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	Nil Did they leave the meeting? N/A
Conflicts of interest declared by officers	Nil Did they leave the meeting? N/A

**11 PLANNING AND ENVIRONMENT REPORTS**

<b>PE.1</b>	<b>REVISED FLOOD RISK MAPPING - REQUEST FOR MINISTERIAL PLANNING SCHEME AMENDMENT</b>
<b>Officer:</b>	<b>Daniel Hall, Strategic Planner</b>
<b>Council Plan relationship:</b>	<b>2. Healthy environment, healthy people 4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Attachment 1 - Studies for Noting (under separate cover)</b>

**Summary**

This report seeks Council's resolution to note the flood studies prepared by the North Central Catchment Management Authority (NCCMA) and attached to this report and to request written consent from the Minister for Planning to prepare and exhibit draft Planning Scheme Amendment C162macr to the Macedon Ranges Planning Scheme. It also recommends that Council defer its role as the planning authority to the Minister for Planning, to streamline the amendment process and enable the use of the Flood-related Amendments Standing Advisory Committee to address any emerging issues and consider unresolved submissions.

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

- 1. Notes the flood studies prepared by the North Central Catchment Management Authority attached to this report.**
- 2. Seeks written consent from the Minister for Planning to:**
  - (a) Prepare and give notice of the draft Planning Scheme Amendment 162macr to the Macedon Ranges Planning Scheme.**
  - (b) Utilise the Flood-related Amendments Standing Advisory Committee to review unresolved submissions.**

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**Background**

The NCCMA has recently completed risk modelling for Malmsbury, Tylden, Lauriston, Kyneton, and Carlsruhe townships. This work builds upon existing flood studies completed for these areas in 2019 and 2020.

The revised modelling was prompted by changes in the way Geoscience Australia recommends considering the effects of climate change in flood risk estimation.

NCCMA has requested that Council update its planning scheme to reflect the revised flood risk for these areas. The flood risk mapping considers factors such as flood depth, velocity, natural storage, flood duration, warning time and climate change.

The revised studies recommend updating existing Land Subject to Inundation Overlays (LSIOs) and introducing the Floodway Overlay (FO) to parts of Kyneton and Carlsruhe where there is a higher flood hazard. The proposed overlays are based on the 1 percent Annual Exceedance Probability (1% AEP) flood extent (also referred to as a 1 in 100-year flood event).

## Discussion

It is recommended that Council note the updated flood studies prepared by NCCMA and commence a planning scheme amendment to implement the proposed draft flood overlays as requested by NCCMA.

The flood studies for noting are:

### Updated studies

- Kyneton Flood Study - Climate Change Addendum 2024
- Lauriston, Malmsbury and Tylden Rapid Flood Risk Assessment - Climate Change Addendum 2025

### Existing studies

- Kyneton Flood Study 2019
- Rapid Risk Assessment – North Central CMA Region – Malmsbury - 2020
- Rapid Risk Assessment – North Central CMA Region – Tylden - 2020
- Rapid Risk Assessment – North Central CMA Region – Lauriston – 2020

All studies are contained in **Attachment 1**.

Council in collaboration with NCCMA and with the financial support of the Victorian Regional flood-related amendments program will seek to progress the amendment via the following avenues:

- Flood-related Amendments Standing Advisory Committee
- A planning scheme amendment in line with Section 20(4) of the *Planning and Environment Act 1987*.

It is important to note that flood risk maps and proposed draft flood overlays serve different purposes. The flood studies have mapped areas of risk, while the overlays are drafted using this information to regulate development in flood-prone areas through the planning permit process.

The final extent of the flood overlays introduced into the planning scheme may differ from what is currently proposed, as further refinements may result from ongoing community consultation and third-party review. Figure 1 outlines the next steps and consultation points with the community.



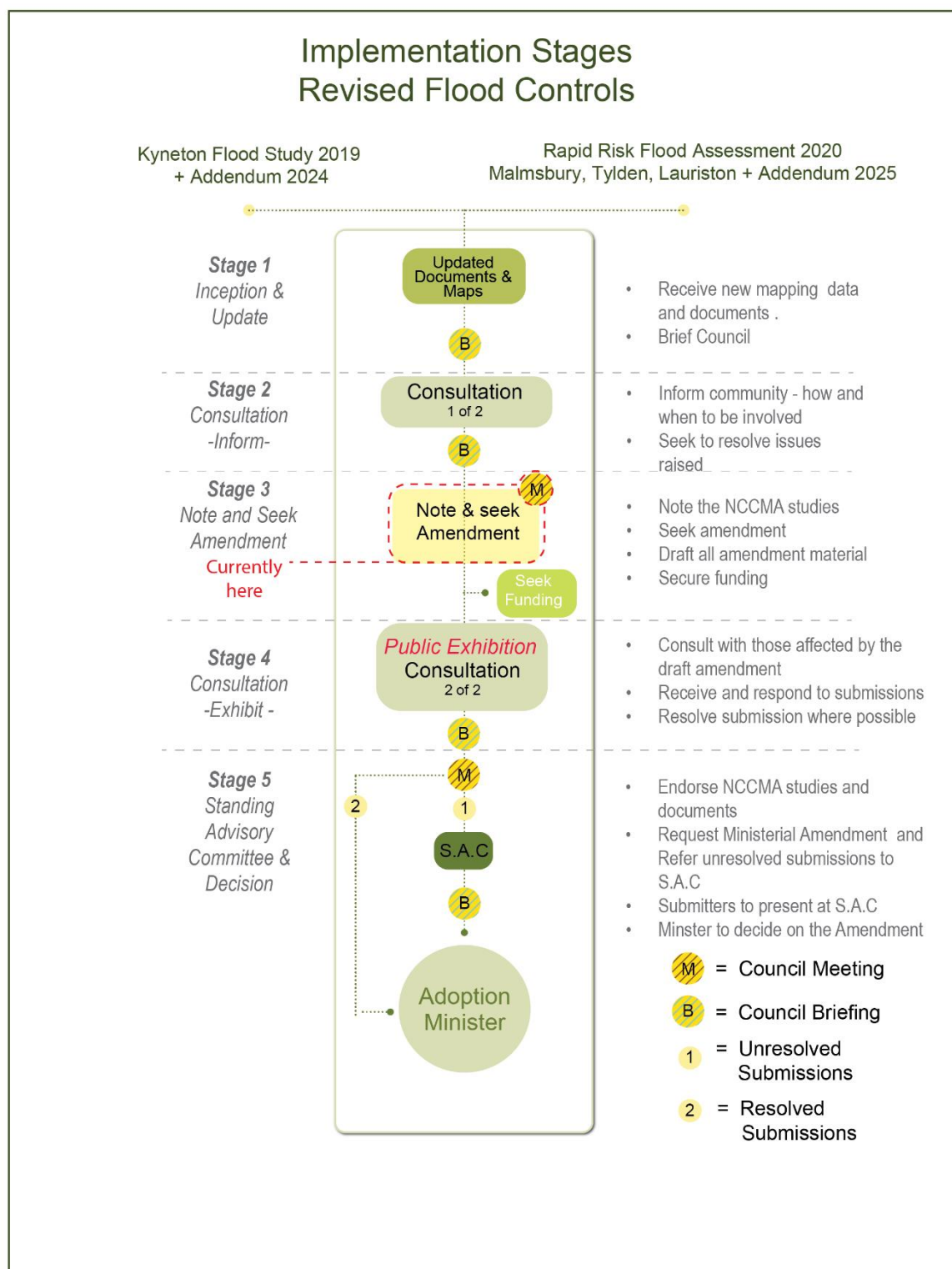


Figure 1 Implementation stages - revised flood controls

#### Flood-related Amendments Standing Advisory Committee

In response to the devastating floods that affected Victoria in 2022, the Victorian Government recognised the need for a more efficient process to incorporate updated flood risk information into local planning schemes.

The Minister for Planning has appointed the Flood-related Amendments Standing Advisory Committee (the Committee) to streamline the process for flood-related amendments, and to

provide consistent advice to the Minister, councils, and catchment management authorities on flood-related planning scheme amendments.

The Committee, which operates similarly to a Planning Panel, reviews submissions and works with subject matter experts to resolve outstanding issues. The Committee will then provide advice to the Minister on whether the amendment should or should not proceed.

#### Amendments via Section 20(4) of the Planning and Environment Act 1987

Council officers recommend that Council make use of the Committee process and progress the amendment via Section 20(4) of the Planning and Environment Act 1987. This enables the Minister to assume the role of the planning authority and take responsibility for determining the process and outcome of the amendment. This recommendation considers the following points.

The benefits of using the Committee are:

- Fit for purpose – the Committee is appointed specifically to provide advice to the Minister on flood-related amendments. The Committee works with councils and catchment management authorities across the state to encourage consistent advice and outcomes regarding flood matters.
- Dealing with complexity – the Committee can act as a mediator to resolve complicated and technical issues, calling in subject matter experts, submitters or Council to provide further information or advice. This can act to reduce the financial and administrative burden of trying to resolve complex matters at a council level.
- Faster – expedites the amendment process by reducing approval timeframes by 3-6 months and requires fewer steps compared to the standard amendment process.

The disadvantage of using the Committee is:

- Final decision-making powers – the Minister assumes the role and responsibility of the planning authority and Council is required to defer the final decision-making powers to the Minister.

Flooding-related amendments can raise complex and sometimes sensitive issues within the community, and the damage caused by floods themselves can have significant impacts on (and costs to) individuals, the community and Council. While there are pros and cons to the Committee pathway, officers support this pathway rather than the normal amendment process. Most significantly:

- The amendment would be heard through a dedicated process with relevant experience and expertise in these matters,
- Notice and an opportunity to make submissions is still retained and
- The quicker and more efficient pathway ensures that Council's statutory planning officers are able to make decisions based on a more complete, accurate and up-to-date set of planning controls to ensure flood-related safety issues can be considered in the permit process.

#### **Consultation and engagement**

Community consultation on the flood studies occurred over a four-week period from 3 to 31 March 2025. A total of 441 information packages were sent to affected residents. Two drop-in information sessions were held at the Kyneton Mechanics Institute, and included representatives from Council's strategic planning, statutory planning, and emergency management departments, along with members from the State Emergency Service and NCCMA.

The drop-in sessions were attended by 13 residents and officers responded to nine other phone and email queries.

The main enquiries raised by residents related to:

- The potential impact on property prices and insurance premiums
- The broader management of water through the catchment
- The reliability and data used in the flood modelling
- Flood preparedness for future flood events.

Three written submissions were received, objecting to the modelling and the extent of the proposed draft flood overlays. NCCMA has met with the submitters to discuss their concerns and will advise Council of the outcomes at a later date.

The primary concern expressed in objections is the extent of the draft overlays. This should not prevent Council from seeking the Minister for Planning's consent to prepare and give notice of the draft planning scheme amendment. Should these objections remain unresolved following discussions with NCCMA, residents will have an opportunity to lodge a submission when the notice of the draft amendment is given.

### **Collaboration**

Council is working closely with the NCCMA and the Department of Transport and Planning, which administers the Regional Flood-Related Amendments Program, to undertake this work.

### **Council is also collaborating with other councils in the region that are seeking to implement revised flood controls. Innovation and continuous improvement**

As previously outlined, Council is working to streamline the amendment process by pursuing a Ministerial amendment pathway and seeking advice from the Committee on any emerging issues. This approach supports a more efficient and coordinated process, while contributing to consistent and evidence-based recommendations to the Minister, councils, and catchment management authorities. By adopting this proactive and collaborative approach, Council is helping to drive innovation in flood-related planning, improve consistency across the region, and support timely implementation of updated flood controls.

### **Relevant law**

Under Victorian legislation, including the Planning and Environment Act 1987, Water Act 1989, Building Act 1993, Local Government Act 2020 and the Climate Change Act 2017, councils have a responsibility and a duty of care to appropriately plan for and manage flood risk. In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

### **Relevant regional, state and national plans and policies**

Under Victorian legislation, including the Planning and Environment Act 1987, Water Act 1989, Building Act 1993, Local Government Act 2020, councils have a responsibility and a duty of care to appropriately plan for and manage flood risk.

Identifying the 1 in 100-year flood event (1% Annual Exceedance Probability) is a key strategy set out in Clause 13.03-1S of the Macedon Ranges Planning Scheme. This strategy is directly relevant to the current proposal, which seeks to update flood mapping in line with this objective.

### **Relevant Council plans and policies**

- Council Plan 2021–2031 - Healthy environment, healthy people - Strategic Priority to improve the management of water, including flooding risk, water quality of creeks and waterways, and the efficient use of water
- Macedon Ranges Climate Emergency Plan 2023 - 2030 - Aligns with Climate Emergency Principle Priority no. 3.
- Municipal Emergency Management Plan – assists in identifying areas likely to be affected by varying flood events.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile?

Not applicable in this instance.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

Updating the flood risk mapping ensures that Council operations and services have access to the most up-to-date climate data and flood risk modelling. This will ensure that Council is in a better position to respond to flood risk in a changing climate. Further, these changes enhance the resilience of infrastructure, reduce legal and financial risks, and align with Council's strategies that seek to plan for the impacts of climate change.

How will the recommendation help to prepare the community for future climate scenarios?

In addition to the points raised above, updating flood risk mapping ensures that the community has access to the most up-to-date data and flood risk modelling. Both informing and consulting with the public on flood risk will ensure that there is improved awareness and preparedness, fostering proactive risk management and minimising potential damage to properties and risk to life.

**Financial viability**

Council has sought grant funding for the full cost of this work via the Victorian State Government's Regional Flood-Related Amendments Program.

**Sustainability implications**

The updated flood risk mapping supports environmental sustainability by strengthening Council's ability to plan for and adapt to climate-related flood risks. It enhances infrastructure resilience and, through community engagement, promotes greater awareness and preparedness for future flood events

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>PE.2</b>	<b>VISITOR ECONOMY PARTNERSHIP</b>
<b>Officer:</b>	<b>Rebecca Stockfeld, Director Planning and Environment</b>
<b>Council Plan</b>	<b>3. Business and tourism</b>
<b>relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

## Summary

The purpose of this report is to outline the opportunity for Macedon Ranges Shire Council to continue its membership in a Visitor Economy Partnership (VEP) as it transitions from Daylesford Macedon Tourism to Destination Central Victoria Inc.

Destination Central Victoria will support tourism businesses and be a lead for visitor attraction to the region covering the areas of Macedon Ranges, Hepburn, Central Goldfields and Mount Alexander Shires. It is proposed that each CEO or delegate be part of the Board of the new organisation, as well as skilled industry representatives.

It is also proposed that Council continue providing an annual payment to the new VEP.

## Recommendation

### That Council:

- 1. Approves membership to Destination Central Victoria Inc. as the new Visitor Economy Partnership for the region.**
- 2. Joins Destination Central Victoria Inc, as the official Visitor Economy Partnership for the region, following its legal incorporation.**
- 3. Allocates an annual contribution each financial year to Destination Central Victoria Inc., subject to Council's annual budgetary process.**

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## Background

### Visitor Economy Partnership

In September 2020 the Victorian Government released the Visitor Economy Partnership Framework, a new approach to regional tourism in the state of Victoria. This Framework details that Visitor Economy Partnerships (VEP) will become the peak bodies for all visitor economy (tourism) related matters within regions of Victoria.

Visitor Economy Partnerships (VEPs) are independent destination management organisations, representing their region as the official voice to government. VEP's are formed by the Victorian Government in partnership with Regional Tourism Boards, Councils, and industry to revitalize and grow the state's tourism sector.

A VEP's aim is to grow Victoria's visitor economy within their specified region.

The Victorian regional tourism network is made up of regional tourism organisations. Each coordinates local efforts to support tourism growth within their region. Since 2023, the State have been transitioning to a network of Visitor Economy Partnerships (VEPs). These partnerships are independent destination management organisations, representing their region as the official voice to government.

Prior to VEP's and Regional Tourism Boards, these groups were known as Campaign committees. Macedon Ranges Shire Council has actively been included in this tourism region since 1998.

The regions represent a geographic area or piece of the State and to date 8 regions have now transitioned to VEP's and DMT is one of the last 5 to transition.

### Daylesford Macedon Tourism

Macedon Ranges Shire Council currently provides an annual financial contribution to support Daylesford Macedon Tourism (DMT). DMT plays a key role in supporting local businesses by attracting visitors to the region and fostering product development, which includes encouraging new tourism ventures and enhancing the skills of existing businesses.

Additionally, DMT collaborates with other organisations on broader initiatives, such as the regional wayfinding project called Roam Discovery Trail (a trial tourism signage project across six municipalities). Over recent years, DMT has shown growth, receiving support not only from the Council but also from the State Government, industry members, and individual 'pay to play' campaigns.

DMT collaborates with Visit Victoria and Tourism Australia to attract visitors to our region, focusing on inspiration and awareness. Council's role complements this, focusing on enhancing the visitor experience once they arrive, providing information and visitor services. We work in close partnership, supporting each other to strengthen the visitor economy.

DMT, as with the new organisation, are funded by the State Government, council members as well as industry membership. Within Macedon Ranges Shire there are generally between 75-80 tourism operators who are paid members of DMT.

DMT's strategic document is the Daylesford Macedon Ranges Destination Management Plan, which provides a strategic direction to grow and nurture a strong visitor economy in the region over the next 5 years.

### **Discussion**

Under the new Framework, a different VEP is being created for the Central Victoria South region that includes Macedon Ranges, Hepburn, Central Goldfields and Mount Alexander Shires. DMT will transition to this new entity effective 1 July 2025, to be registered as Destination Central Victoria (DCV) (the name may change in time by the board and can be noted in this report as a working title).

Council can ensure Macedon Ranges Shire Council remains a key stakeholder in the new VEP, ensuring it provides additional marketing, advocacy and industry development opportunities across all our Shire and broader region. There is no other group that would be able to access the support or State-related tourism funding and programming.

While the final version of the constitution of Destination Central Victoria is being drafted, the objectives of DCV are to:

- be the principal independent destination marketing body for the Central Victorian Region;
- lead the promotion and development of the Central Victorian Region's assets to visitors through effective information servicing and marketing that targets segments aligned to local brand strengths and opportunities;
- provide destination leadership and stewardship, through industry and stakeholder engagement, development, partnership and advocacy;

- promote economic prosperity, business growth, job creation and sustainable community development through the visitor economy; and
- do such things as may be incidental or conducive to the attainment of the objects set out in this clause.

The new board for the VEP would consist of:

- One Local Government Delegate (CEO or CEO delegate) for each Local Government Member
- Up to three Industry-based Directors
- Up to three Skills-based Directors, and
- The Independent Chair.

There would be an annual membership contribution required from each member (Council) organisation, subject to each organisation's annual budget process.

The State Government would also make an annual payment of \$350,000 to Destination Central Victoria (subject to 2025/26, and future State Budget processes). The remainder of funds would be made up of industry membership. The current arrangements are similar, with the State contribution being \$275,000 to DMT in addition to the two councils' contribution and membership payments, as well as "Pay to Play" (specific program) payments.

It is important that Council remain part of an official tourism region, as this provides a direct voice into State government (Visit Victoria) and provides access to funding opportunities such as Regional Tourism Infrastructure Fund, Enabling Tourism Fund, Regional Event Fund and Visitor Servicing Fund.

Not joining the VEP also poses a potential reputational risk to Council, with a number of the actions in the Macedon Ranges Visitor Economy Strategy 2019-2029 listing the regional body as the lead or stakeholder for the action or project.

The new Destination Central Victoria organisation will prepare a Destination Management Plan for the new region. This would include taking the work of the recently completed Daylesford Macedon Ranges Destination Management Plan as well as the relevant parts of the under-development Bendigo Region Destination Management Plan.

The benefits of continuing to participate in a regional tourism body and specifically a bespoke four-council focussed Visitor Economy Partnership:

- The four-council area model concentrates on a strong tourism sector and would achieve industry buy in.
- Mt Alexander and its operators align with the existing DMT brand, meaning a quick and easy integration into a new VEP model for the Shire and operators. Central Goldfields have some emerging product, and its operators will benefit from regional branding and opportunities.
- A clear region brand position, defined as part of the state master brand and Experience Victoria 2033 and supported by the Destination Management Plan and embraced by industry.
- Connection to Visit Victoria for amplification of marketing activity throughout the region. By aligning Mt Alexander Shire and Central Goldfields, we are retaining and strengthening the regional brand as the product aligns with the existing DMT offer.

- Reduced duplication of marketing efforts and activity between LGAs with more focus on collaborative programs and support for regional product development investment.

**Consultation and engagement**

DMT undertook early engagement with industry from across its membership, which provided feedback to assist the development of the model. In summary the feedback emphasised a preference for a smaller organisation (potentially three local government areas) over a larger six-council large city-based model. Other issues raised highlighted operation issues around branding, access and industry support.

**Collaboration**

The State and representatives from each of proposed VEP Councils and DMT have been participating as a working group, in facilitated meetings to work through a new VEP model, organisation and budget.

**Innovation and continuous improvement**

The VEP represents opportunities for continuous improvement and innovation, offering a broader space for collaborate and integration across the visitor economy through matters such as a larger and broader membership base, better opportunities for representative data and place branding on a state and regional scale.

**Relevant law**

The new VEP, Destination Central Victoria, would be established as a company limited by guarantee under the Corporations Act 2001 (Cth). This legal structure was identified as the most appropriate for the entity due to its relatively low cost which would allow for the entity's finances to best support the visitor economy outcomes. The constitution is currently being prepared by Maddocks law firm, in accordance with the instructions of the VEP working group.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

The framework under which the proposal is prepared is the 2023 Victorian Government Visitor Economy Partnership (VEP) Framework.

Tourism across the State is guided by the State Government strategic plan Experience Victoria 2033, which aims to shape the future of Victoria's visitor economy over the next 10 years.

**Relevant Council plans and policies**

Council Plan has a strategic objective to:

- Encourage economic vitality (including tourism, agribusiness and local employment options)

The *Macedon Ranges Visitor Economy Strategy 2019 – 2029* sets the long-term vision and strategic direction to support the sustainable growth of the future visitor economy. The actions of this Strategy partner with the regional tourism entity (currently DMT) to deliver several of the actions.

**Climate Impact Assessment**



How will the recommendation impact on Council's energy usage and greenhouse emissions profile? The recommendation has no direct impact on Council's energy usage and greenhouse emissions.

How will the recommendations mitigate risks posed by climate change to Council operations and services? The recommendations do not change Council's climate mitigation strategies.

How will the recommendation help to prepare the community for future climate scenarios? No impact.

**Financial viability**

There are costs associated with being a member of Destination Central Victoria, including an annual contribution (as is the case now for membership of DMT), and officer time as a member of the board of Destination Central Victoria. These costs would be managed through operational base budget as part of a service delivery costs and managing community objective.

**Sustainability implications**

There are no social or environmental specific sustainability issues that this decision raises.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>PE.3</b>	<b>CONSIDERATION OF A PLANNING PANEL - COMBINED PLANNING SCHEME AMENDMENT C147MACR AND PLANNING PERMIT APPLICATION PLN/2022/354 - BENETAS RETIREMENT VILLAGE</b>
<b>Officer:</b>	<b>Daniel Hall, Strategic Planner</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>1. Attachment 1 - Response to submissions</b> <a href="#">↓</a> <b>2. Attachment 2- Legal Notice - Equity Trustees</b> <a href="#">↓</a> <b>3. Attachment 3 - Combined Submissions - Redacted (under separate cover)</b>

### Summary

The purpose of this report is to consider all submissions received during the exhibition of Amendment C147macr and planning permit application PLN/2022/354, and to decide whether to refer the submissions received to a Planning Panel to hear submissions and provide Council advice on the amendment and planning permit. The combined amendment and permit application seeks to facilitate the use of the site for a retirement village, representing the second stage of a two-stage aged care and retirement master plan for the site.

The report follows a decision of Council's Delegated Planning Committee to defer consideration of Amendment C147macr and an officer recommendation at the Delegated Planning Committee to refer the submission to an independent Planning Panel, to the Scheduled Council Meeting of May 2025.

Following the decision of the Delegated Planning Committee, Council received a letter from Russell Kennedy Lawyers, acting on behalf of the proponent Benetas, outlining that if Council considers that the removal of the covenant is an impediment to the progression of the amendment, then that aspect of the amendment proposing to remove the restrictive covenant should be abandoned. The letter states that the development can be approved in compliance with the terms of the covenant, and in so doing eliminates the need to remove the covenant, should this be the preferred approach. This is discussed in the report and Council officers will recommend that Council endorses a change to the amendment that removes the proposed Schedule to 52.02 (i.e. removes the issue of removing the covenant from the amendment).

A review of submissions and an officer response has been completed and several other matters raised remain unresolved. This report outlines the next steps for the amendment and the basis for officers' recommendations.

It is recommended that the unresolved submissions be referred to a Planning Panel for independent review and a change to the amendment to remove the element that relates to the restrictive covenant be endorsed.

The Panel's review of the Amendment and submissions will provide clarity and expert advice on key issues and is intended to inform Council at a later date on its decision whether to adopt Amendment 147macr with or without change or not at all.

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

1. **Endorses the post-exhibition changes to Amendment C147macr as described in this report (removal of the proposed Schedule to 52.02 and associated text in the explanatory report), to become Council's formal position on C147macr at a Planning Panel.**
2. **Requests the Minister for Planning to appoint an independent Planning Panel under Part 8 of the Planning and Environment Act 1987 to consider the submissions to Amendment C147macr and planning permit PLN/2022/354.**
3. **Refers all submissions to Amendment C147macr and planning permit PLN/2022/354 to the Panel, in accordance with Section 23 of the Planning and Environment Act 1987.**
4. **Notifies all submitters to Amendment C147macr and PLN/2022/354 of Council's decision.**

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**Background**

An application under Section 96A of the Planning and Environment Act 1987 (the Act) was received by Council on 6 August 2021 for the land at 5, 6 & 10 Neal Street, 80 Hamilton Street and 61 Robertson Street, Gisborne (see Figure 1 – Site context).

This section of the Act allows a combined planning scheme amendment and planning permit to be considered concurrently. The application was submitted by Anglican Aged Care Services Group (trading as Benetas).

PLN/2020/473, which represents the first stage of the two-stage aged care and retirement master plan for the site, was approved by Council in 2023 and facilitates the nursing home component of the site's master plan.

On 12 April 2023, Council resolved to seek Authorisation from the Minister for Planning to prepare and exhibit Amendment C147macr and combined planning permit PLN/2022/354.

Amendment C145macr was authorised by the Minister in March 2024, and was publicly exhibited for a five-week period, between 3 June and 12 July 2024. 21 submissions were received.

Following exhibition, at the request of the applicant the amendment was put on hold while the Cultural Heritage Management Plan (CHMP) was progressed with Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation.

On 19 March 2025, Council was notified that in-principal support was reached between the parties in relation to the CHMP.

Council heard from 3 of the 21 submitters and the proponent of the amendment at the Planning Delegated Committee meeting of 9 April 2025.

At the 14 May 2025 Planning Delegated Committee meeting, the Committee resolved to defer a decision on the officer recommendations contained in that Report to the 28 May 2025 Scheduled Council Meeting.

**The Proposal as Exhibited**

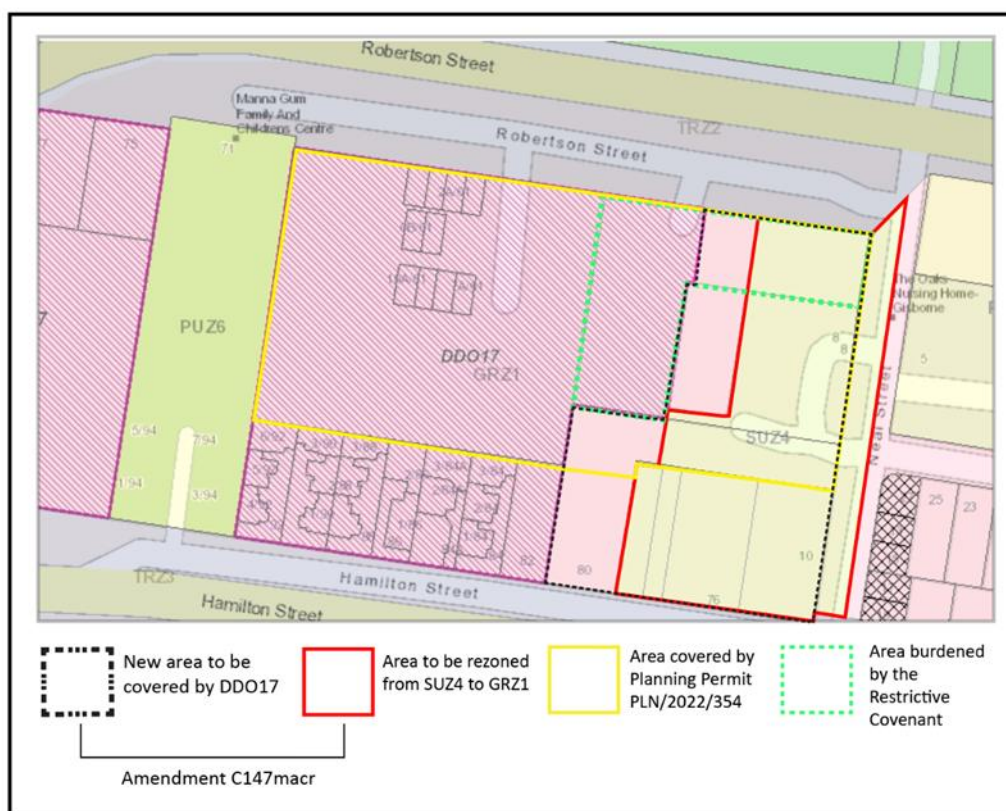
The amendment seeks to:

- Rezone the land from its current Special Use Zone, Schedule 4 Private Hospital (SUZ4) to the General Residential Zone (GRZ1);
- Apply DDO17 to all land to be rezoned to GRZ1;
- Remove the restrictive covenant No. N077525L;
- Make changes to the Gisborne/New Gisborne Framework Plan at Clause 11.01-1L (Settlement – Gisborne (including New Gisborne)) to amend errors and include updates in line with this amendment.

The permit seeks:

- The use of land for a retirement village;
- Buildings and works associated with a retirement village;
- The removal of native vegetation (one tree);
- Alterations to access to a Transport Zone 2 (TRZ2 – Principal road network).

Figure 1 Site Context



## Discussion

Council officers have reviewed all submissions received in response to Amendment C147macr and have provided responses to specific issues in **Attachment 1**. Section 23(1) of the *Planning and Environment Act 1987* (the Act) sets out the statutory requirements for how Council must now respond to submissions received that request changes to an amendment, stating:

*“After considering a submission which requests a change to the amendment, the planning authority must:*

- a) *Change the amendment in the manner requested; or*
- b) *Refer the submission to a panel appointed under Part 8; or*
- c) *Abandon the amendment or part of the amendment”.*

Should Council wish to further progress the amendment via part (b), Council has the following options:

- a) *No preferred changes - Refer the amendment and permit to a Panel as exhibited.*
- b) *Preferred changes - Refer the amendment and permit to a Panel with preferred post-exhibition changes in response to submissions, which are formally endorsed by Council for the purposes of the Panel hearing process.*

Further explanation of Section 23(1) of the Act in relation to C147macr is provided below:

**Section 23(1) (a)** – Change the amendment in the manner requested.

Council officers do not consider option (a) possible in this instance. It requires Council to modify the amendment in accordance with all changes requested through submissions—thereby resolving all outstanding issues so that the Amendment could be Adopted. Normally, Council could take this option if there were minor changes requested by submitters, which were changes Council could make in order to resolve the submissions and avoid the need for a Planning Panel (essentially it would resolve the points of disagreement).

In the case of C147macr, the submissions refer to a wide range of issues and are not minor in nature.

**Section 23(1)(b)** – Refer the submission to a panel appointed under Part 8 of the Act.

Council officers consider that option (b), which refers all submissions to an independent Planning Panel, is the most appropriate and equitable course of action in this instance.

A Planning Panel is an opportunity for an expert, independent review of C147macr and all submissions. The intention of a Panel is to provide recommendations that Council can later consider in determining whether to adopt C147macr with or without changes.

**Section 23(1)(c)** – Abandon the amendment or part of the amendment.

Council officers consider it premature to abandon the amendment, or any part of the amendment, at this stage. Council officers note that concern has specifically been expressed with the proposed removal of the restrictive covenant. However, there remain avenues available to Council, as outlined in this report, that can provide further advice and clarity on these matters. The advice of an independent Planning Panel will assist Council in this.

Council is able to endorse changes to the amendment in response to submissions, which could include a change to that part of the amendment that seeks to remove the restrictive covenant from the land. It is not however at this stage of the amendment process being asked to make adopt Amendment C147macr at this stage in the amendment process. That occurs post the planning panel process.

**Officer response to key submission themes**

**Theme 1: Donation of the land and removal of the restrictive covenant**

One of the key themes raised in submissions relates to the ownership and use of the land, and specifically its donation by Humphrey Pearce Dixon to the Gisborne and District Bush Nursing Hospital in 1987. Submitters expressed concern that using the site for aged care and retirement living undermines the original intention, and the intention of the restrictive covenant, in the submitters' view, that the land be used for a hospital. Further, submitters

were concerned that representatives of the Dixon family were not consulted on the proposal. Some submitters suggest the land should be gifted back to the Dixon family or that the applicant should reimburse the community for any uplift in value of the land due to the rezoning.

Officer response and suggested post-exhibition changes for Planning Panel consideration

Council provided notice of the amendment and concurrent permit application to affected parties in accordance with s96C of the *Planning and Environment Act 1987*. These parties include the owners and occupiers of land materially affected by the proposal as well as those benefited by registered Restrictive Covenant No. N077525L.

A portion of the subject land that forms part of the proposal for retirement living was donated by Mr. Humphrey Dixon to the Gisborne and District Bush Nursing Hospital in 1987. At the same time, a restrictive covenant (No. N077525L) was placed on that parcel of land by Mr. Dixon to set out the terms of the donation. As outlined in Figure 2 below,

*“...it [the transferee] will not without the **written consent of the transferor or his legal personal representative** –*

- a. Use or permit the use of the land hereby transferred for any purpose other than for a hospital, nursing home or **similar use** under the control of the transferee PROVIDED THAT should the said land have not been used for any such purpose within twenty years of the date of this transfer then it shall not use or permit the use of the said land for any purpose other than as a public park.*
- b. Subdivide sell transfer or otherwise dispose of the said land.”* [emphasis added]

In determining adherence to the terms of the covenant, officers have had regard to the bolded text referred to above.

*‘Written consent’*

The covenant on title requires approval from the legal representatives of Mr Humphrey Dixon’s estate to subdivide, sell, transfer or otherwise dispose of the land. Equity Trustees, the legal representatives of Mr. Humphrey Dixon’s estate, approved the land transfer to Benetas in 2018 “for the use and development of the Property for a residential aged care facility and retirement living development”. This consent satisfies the conditions set out in the covenant regarding the use of the land by Benetas. A copy of this agreement is provided at **Attachment 2**.

*Legal advice provided by Russell Kennedy Lawyers on behalf of the amendment proponent dated 19 May 2025 has clarified that the Gisborne and District Bush Nursing Home (trading as Macedon Ranges Health) voted to merge with Benetas, and that “The motivation for this was a shared vision for the overall site to become an integrated aged care and retirement living precinct for the significant benefit of the community. This being a key reason for the MRH member’s support.”*

C147macr represents stage two of a two-stage retirement living and aged care master plan for the site, which aims to provide varying levels of aged care and retirement living services. C147macr represents the retirement living and lower-needs component (stage two) of the master plan and integrates with the higher-needs aged care component (stage one), which Council approved under permit number PLN/2020/473 in 2023.

Regarding the view expressed in submissions, that the land should be used as a park, the covenant indicates that using the land as a park is only to be considered in the case that the land has not been used for a hospital, nursing home, or similar use within 20 years of the

date of the transfer. The land has been used continuously as a nursing home or for a similar use for the past 20 years, which is within the timeframe stipulated in the covenant. As such, the condition that would activate the public park use clause has not been met, and the clause no longer holds relevance to the current or future use of the land.

On 19 May 2025, Council received a letter from Russell Kennedy Lawyers, acting on behalf of the proponent Benetas, outlining that if Council considers that the removal of the covenant is an impediment to the progression of the amendment, then that aspect of the amendment proposing to remove the restrictive covenant should be abandoned. The letter states that the development can be approved in compliance with the terms of the covenant, and in so doing eliminates the need to remove the covenant, should this be the preferred approach.

Council officers agree that the removal of the covenant is not essential to the progression of the amendment, as previously discussed, because legal consent for the transfer and use of the land as proposed by Benetas has already been obtained.

Given the matters raised by submitters regarding the land transfer and the proposed removal of the existing restrictive covenant and in light of the proponent's recent advice, Council officers recommend that Council endorses a change to the amendment that removes the proposed Schedule to 52.02. This change would then be presented to Panel as its preferred post-exhibition version of Amendment C147macr.

#### Theme 2: No needs basis for additional aged care and retirement living services

Several submissions argue that there is no demonstrated need for additional aged care facilities in Gisborne.

#### Officer response

The Gisborne Community Infrastructure Assessment (SGS Economics and Planning, 2023) ("the Assessment") states that at the time of that assessment there were two residential aged care facilities in the Gisborne District – one located in Gisborne and one in New Gisborne. In addition, five further aged care and retirement facilities are in various stages of development, which will significantly expand the range of housing and care options available to older residents.

While the Assessment projections suggest that if all proposed facilities proceed, there may be a surplus in aged care places, the Assessment also found that this growth brings important benefits. These include greater choice for service users, diversity in care models, and opportunities for co-located health services. The Assessment also found that aged care developments contribute positively to the local economy by creating employment and supporting healthcare infrastructure.

Based on these findings, the Assessment recommends that Council continue to support residential aged care developments in appropriate locations to ensure that the community is well-positioned to meet the needs of an ageing population while also enhancing service diversity and generating local economic and social benefits.

In light of this assessment, officers consider the proposal to supportable, given its location in proximity to the town centre. The site presents a strong opportunity to support retirement living with walkable access to shops, medical facilities and community services, features that align with the needs of an ageing population.

#### Theme 3: Potential future need for a hospital or health service

Submitters raised concerns that Gisborne either currently requires, or may in future require, additional medical facilities, specifically a hospital or 'super clinic' due to the growing population. Submitters are concerned that should this proposal proceed, the opportunity for a future hospital or health service facility in Gisborne (specifically at this site) will be lost.

Officer response

The Gisborne Community Infrastructure Assessment (SGS Economics and Planning, 2023) evaluated current community health services and projected future needs based on various population growth scenarios.

The assessment found that the Gisborne District is generally well-serviced by existing community health facilities, supported by nearby services such as the new private day hospital in Sunbury, and Kyneton Health which offers a broad range of hospital and community-based health services. Higher-order health services, including full-scale hospitals, are typically located at the regional level to serve broader catchments. In addition to this, in 2025 the Victorian State government announced the future development of a new hospital servicing Melton and surrounding areas.

While there is some projected demand for additional public health services under medium- to high-growth scenarios, the report concludes that the level of demand would not be sufficient to warrant new public community health infrastructure at this time. It also notes that existing private facilities within Gisborne already provide many of the needed services.

It is also important to note that the proposed development does not diminish the ability for a hospital to be delivered for the Gisborne area should it be deemed necessary in the future.

A full account of submissions and officer responses is available in Attachment 1, including the following further themes:

Concerns with the ownership of this land and that it is being 'handed over' to Benetas inappropriately.
Concerns regarding the potential impact on the cultural heritage values of the site and the fact that the management of cultural heritage assets via a CHMP had not been finalised (this has since been resolved).
Concerns with the removal of trees and claims that there are inconsistencies regarding the number of trees outlined for removal in the supporting application documents.
Concerns with the scale of development and its impact on surrounding residents – specifically increased building heights and perceived reduction in public amenity.
Concerns that the proposed 'narrow' internal road widths and the service lane adjacent to the site do not support future public transport (bus) use.
Concerns that the development (construction phase) could potentially delay or impede emergency service access to surrounding residences.
Concerns that a memorial plaque for Muriel Joan Daly has been removed from the site.

**Consultation and engagement**

Public notice was given in accordance with section 96C of the *Planning and Environment Act 1987* and included the owners and occupiers of land benefited by the registered Restrictive Covenant No. N077525L. The combined amendment and planning permit was publicly exhibited for a five-week period, between 3 June and 12 July 2024.

A total of 21 submissions were received regarding this application, with three in support and 18 objecting to the amendment and permit or parts thereof. A copy of redacted submissions is provided at **Attachment 3**.



**Collaboration**

The views of Greater Western Water, Downer (gas utility provider) and the Department of Transport and Planning were sought during the preparation of the combined amendment and permit.

Further, the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, the Country Fire Authority and Transport for Victoria were all engaged during the consultation period of the amendment.

**Innovation and continuous improvement**

N/A

**Relevant law**

The requirements for a planning scheme amendment are set out in the *Planning and Environment Act 1987* and its regulations.

The proposed retirement village will be governed by the *Retirement Villages Act 1986*.

There were no direct and/or indirect human rights implications under the *Charter of Human Rights and Responsibilities Act 2006* because of the subject matter of this report.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

N/A

**Relevant Council plans and policies**

This report seeks to progress a priority in the Council Plan 2021-2031:

Strategic Objective 1 – Connecting Communities.

Integrate land-use planning and revitalise this underutilised site within the centre of Gisborne and respond to the housing needs of the ageing community.

Gisborne Futures Structure Plan July 2024 (Structure Plan) is an adopted strategy of Council that seeks to provide the strategic direction for Gisborne to 2050. This document although not embedded in the planning scheme and with the Minister for Planning to implement the proposed protected settlement strategy for Gisborne/New Gisborne does represent Council's adopted strategic position in terms of the future use and development of Gisborne.

The Structure Plan identifies the subject land as being part of a civic and health precinct which includes the Gisborne CFA station, police station, ambulance and medical clinic and existing nursing home on the subject site.

Within the Structure Plan the site is identified specifically as an existing and proposed aged care and retirement living.

The Structure Plan also outlines that it seeks to 'locate aged care facilities and retirement or residential villages in close proximity to the town centre, the civic/health precinct or within a comfortable walking distance of activity centres and avoid places vulnerable to bushfire or other environmental risks. These should have direct access to services and facilities thorough a safe and connected path network'.

The subject site aligns with the above strategy as it is well located in close proximity to the town centre, is within the civic and health precinct and within walking distance of the town centre.

**Climate Impact Assessment**

The recommendation will help to prepare the community for future climate scenarios. The proposed aged care development incorporates a range of Environmentally Sustainable Design (ESD) features that support resilience to future climate scenarios. These include energy-efficient systems, on-site solar power, water-saving fixtures, rainwater harvesting, and best-practice stormwater management to reduce environmental impact and adapt to resource pressures. Healthy indoor environments are supported through natural light, ventilation, and low-emission materials, while waste reduction and on-site footpaths encourage sustainable living.

**Financial viability**

All costs associated with the amendment will be payable by the applicant.

The overall cost of development is approximately \$30 million. Economic modelling identifies that the development may generate an additional \$30 million in flow-on effects, including jobs and boosts to the local economy.

**Sustainability implications**

The amendment will have a positive social and economic impact on Gisborne by providing additional housing opportunities and the ability for older Gisborne community members to age in place.

As outlined in the response to future climate scenarios, the proposed aged care development incorporates a range of Environmentally Sustainable Design (ESD) features that promote more efficient resource use, thereby reducing its environmental impact.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

## 28 May Scheduled Council Meeting - Attachment 1 - Response to Submissions

Sub. #	Summary of Submission	MRSC Response
1	1. Concerned that the Cultural Heritage Management Plan (CHMP) had not yet been finalised	<p>1. This issue has been resolved. In-principle support has been reached on the conditions of the CHMP</p> <p><b>Officer recommendation:</b> Refer to Panel for information purposes</p>
2	<p>1. Objects to the rezoning of old Gisborne hospital land on the basis that donor family donated the land for medical purposes only.</p> <p>2. The land should be used for future medical services and not for residential purposes.</p>	<p>1. See Council Report response to Theme 1 Donation.</p> <p>2. Noted</p> <p><b>Officer recommendation:</b> refer to Pane for consideration</p>
3	<p>1. Concerned that Gisborne is becoming overdeveloped – particularly at its centre.</p> <p>2. States there is no need for additional aged care facilities in Gisborne.</p> <p>3. Development in opposition to 'Dixons family wishes' for the site to be used as a hospital.</p> <p>4. Argues Gisborne needs a larger, more comprehensive medical centre to serve the growing population.</p>	<p>1. Planning for township growth is a complex task that involves balancing community perspectives with broader state and local policy objectives.</p> <p>Council officers consider the proposal to be well-suited to the site, given its location adjacent to the town Centre. The site presents a strong opportunity to support retirement living, with its proximity providing walkable access to shops, medical facilities, and community services—features that align with the needs of an ageing population.</p> <p>1. See Council Report response to Theme 2 Retirement Living.</p> <p>2. See Council Report response to Theme 1 Donation.</p> <p>3. See Council Report response to Theme 3 Hospital.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
4	<p>Supports the amendment on the basis that it:</p> <p>1. <b>Improves facilities for the</b></p>	Support noted.

Sub. #	Summary of Submission	MRSC Response
	<p><b>aged</b> - The site will provide Gisborne locals the opportunity to stay in Gisborne and provides the option to 'age in place'.</p> <p>2. <b>Improves amenity of the local area</b> - The location of the site is perfect for elderly people, being close to the centre of town and amenities and provides public facing cafes.</p> <p>3. <b>Utilisation of land and provides local employment</b> - The site can provide for jobs within the town and possible career paths for young locals.</p>	<p><b>Officer recommendation:</b> Resolved, refer to Panel for information purposes</p>
5	<p>DTP is likely to support the amendment – suggest that Council should consider the following comments:</p> <ol style="list-style-type: none"> <li>1. There must not be direct vehicle access from the subject land to Robertson Street.</li> <li>2. The impact of the generated traffic movements from the site must not adversely impact the operational efficiency of Neal Street/ Robertson Street</li> </ol>	<ol style="list-style-type: none"> <li>1. The proposed access to the site is via Neal Street and the Robertson Street slip lane. This is not to be confused with the main Robertson Street thoroughfare.</li> <li>2. The traffic report supplied by the proponents indicates that there is a low level of traffic impact on the surrounding network as a result of the proposed development.</li> <li>3. Footpaths currently exist along both sides of Neal Street and are to be retained as part of the proposed development.</li> <li>4. Draft Permit Condition 24(b) requires the applicant to provide a pedestrian crossing on Neal Street. However, Council officers do not consider the provision of a pedestrian crossing on Robertson Street to be the responsibility of the applicant.</li> </ol> <p><b>Officer recommendation:</b> Refer to Panel for information purposes</p>

Sub. #	Summary of Submission	MRSC Response
	<p>roundabout.</p> <p>3. Recommends that Council require footpath provisions along the Neal Street frontage of the subject land.</p> <p>4. Recommends providing for safe pedestrian crossing opportunities at or near the Roberston Street/Neal Street intersection to access Dixon Field Reserve.</p>	
6	1. Supports the Amendment	<p>Support noted.</p> <p><b>Officer recommendation:</b> Refer to Panel for information purposes</p>
7	<p>1. Objects to amendment on the basis that rezoning is not in line with the intention of the donation and believes that the land should be for public use.</p> <p>2. Concerns with transparency – believes Council was gifted the land and has engaged in an 'undisclosed commercial arrangement' regarding the rezoning.</p> <p>3. Is concerned that Benetas has gained an unfair commercial advantage due to having a premises adjacent</p>	<p>1. See Council Report response to Theme 1 Donation.</p> <p>2. Noted – Council does not own, nor has it previously owned, the land associated with the 'old bush hospital'.</p> <p>3. Noted - As outlined in Council's response to Theme 1 Donation, legal representatives of Humphrey Dixon's estate agreed to the transfer of land to Benetas in 2018.</p> <p>4. Noted.</p> <p>5. Noted.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>

Sub. #	Summary of Submission	MRSC Response
	<p>to the 'old bush hospital site'.</p> <p>4. Proposes that this land should be used for a public park/space and should go through a 'public tender process'.</p> <p>5. Does not object to the need for aged care facilities in Gisborne.</p>	
8	<p>1. Concerned that the proposal will restrict the access of emergency services to the submitters' residence and parents accessing the Kindergarten via the slip lane (Robertson Street).</p> <p>Requests that a Construction Management Plan and a Traffic Management Plan contain:</p> <ul style="list-style-type: none"> <li>○ Clear designation of alternative access routes.</li> <li>○ Detailed construction schedule.</li> <li>○ Details for direct communication to construction management team.</li> </ul>	<p>1. Noted – The draft permit conditions state that, before any works associated with the development commence, a Construction Management Plan must be approved and endorsed by Council. Additionally, for any construction activity within the public road reserve that impacts a road, street, lane, or walkway, a Traffic Management Plan (TMP) must be submitted to Council for approval. The TMP must include specific details on how access to the site and surrounding residences will be managed. Advance notice must also be provided to residents of any works that may impact their access.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
9	<p>1. Concerned that the rezoning</p>	<p>1. See Council Report response to Theme 1 Donation.</p>

Sub. #	Summary of Submission	MRSC Response
	<p>undermines the original intent of the land donation which was to provide a community benefit (community health care).</p> <p>2. Suggests that if rezoning occurs, the land's current value should be paid by the developer and reinvested into the community.</p> <p>3. Concerned that the rezoning will act as disincentive for future significant land donations.</p>	<p>2. Noted – this sits outside of the scope of this project. Further, Council's powers as a planning authority do not allow it to prescribe such requirements.</p> <p>3. Noted. This is not a planning consideration.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
10	<p>1. Concerned with the proposed removal of native vegetation (trees) – states that there are inconsistencies with the number of trees outlined for removal in the supporting application documents.</p> <p>Further, specifically highlights that tree 35 may have cultural significance and the "...Moderate A, ARB rating" of the tree is a classification that suggests it should be retained.</p> <p>2. Concerned that the plans attached to the application do not include critical details that display the impact on</p>	<p>1. Clause 52.17 of the Macedon Ranges Planning Scheme requires a permit to remove, destroy, or lop native vegetation, including dead native vegetation. However, this requirement does not apply to native vegetation that was planted or established through direct seeding.</p> <p>The supplied arborist's report (Tree Logic, 2018) indicates that of the trees that are proposed to be removed, only one is considered as potentially remnant in origin. To offset the removal of this tree - No. 35 - Mountain White Gum – the conditions of permit include requirement for native vegetation offsets.</p> <p>All other trees that have been earmarked for removal do not require a permit for their removal. This is why the supporting documentation indicates the permit is for the removal of one tree rather than multiple trees.</p> <p>Several existing large exotic canopy trees are proposed be retained, and additional trees planted.</p> <p>2. Architectural plans containing design and engineering details were available for viewing via the Council's website as outlined in the letters to affected parties.</p> <p>3. See response to Theme 1 Donation.</p>

Sub. #	Summary of Submission	MRSC Response
	<p>dwellings that border the proposed – specifically:</p> <ul style="list-style-type: none"> <li>○ proposed setbacks from the southern fence line.</li> <li>○ proposed roof heights compared to the existing dwellings.</li> </ul> <p>3. Proposal goes against the wishes of the land donor's family.</p> <p>4. Considers it unreasonable to presume that Gisborne will not require a hospital.</p>	<p>4. Noted. See response to Theme 3 Hospital</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
11	<p>1. Concerned with the removal of the restrictive covenant applied to the former bush hospital site – believes that it should remain in place to ensure this land can assist in meeting the healthcare needs of a growing population.</p> <p>2. Concerned that the applicant is making a significant profit on donated land.</p>	<p>1. See Council Report response Theme 1 Donation and Theme 3 Hospital.</p> <p>2. Noted. This is not a planning consideration.</p> <p><b>Officer recommendation:</b> - Refer to Panel for consideration – Seek to maintain the covenant on title as part of suggested post – exhibition changes to the amendment.</p>
12	<p>1. Concerned that the rezoning undermines the Dixon family's intention that the land be used for medical purposes and for the benefit of the</p>	<p>1. See Council Report response to Theme 1 Donation.</p> <p>2. See Council Report response to Theme 3 Hospital.</p> <p>3. See Council Report response to Theme 2 Retirement Living.</p>



Sub. #	Summary of Submission	MRSC Response
	<p>community.</p> <p>2. Concerned that the rezoning disregards any future need for a hospital or health services on the site.</p> <p>3. Concerned that the proposed retirement living development is a medium density residential development and there is no demonstrated need for this type of development in Gisborne.</p>	<p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
13	<p>1. Concerned that the rezoning goes against the wishes of the Dixon family that the land is retained for medical purposes.</p> <p>2. Concerned that this rezoning could encourage the rezoning of other donated lands.</p> <p>3. Proposes that the land be used purely for medical purposes, specifically in conjunction with the Oaks.</p> <p>4. Proposes that the area is "sacred ground" due to the ashes of Ashes of Muriel Joan Daly being buried there.</p>	<p>1. See Council Report response to Theme 1 Donation and Theme 3 Hospital.</p> <p>2. Noted.</p> <p>3. See Council Report response to Theme 3 Hospital.</p> <p>4. Noted. This is not a planning consideration.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>

Sub. #	Summary of Submission	MRSC Response
14	<ol style="list-style-type: none"> <li>1. Concerned that the proposal reduces the capacity (resilience) to respond to future crises– proposes that the existing building on the site may be used in times of high need.</li> <li>2. Concerned that the rezoning may limit future bequests from Gisborne Citizens.</li> <li>3. Concernment the rezoning is against the wishes of the Dixon Family.</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted – Council acknowledges the importance of maintaining strong emergency response and recovery capabilities. This proposal is not considered to impact Council's ability to manage emergencies or provide community support during times of high need.</li> <li>2. Noted. This is not a planning consideration.</li> <li>3. See Council Report response to Theme 1 Donation.</li> </ol> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
15	<ol style="list-style-type: none"> <li>1. Concerned that the proposal will restrict the access of emergency services to the submitters' residence and parents accessing the Kindergarten via the slip lane (Robertson street). <ul style="list-style-type: none"> <li>○ Requests that a Construction Management Plan and a Traffic Management Plan contain</li> <li>○ Clear designation of alternative access routes.</li> <li>○ Detailed construction schedule.</li> <li>○ Detail for direct</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. Noted – The draft permit conditions state that, before any works associated with the development commence, a Construction Management Plan must be approved and endorsed by Council. Additionally, for any construction activity within the public road reserve that impacts a road, street, lane, or walkway, a Traffic Management Plan (TMP) must be submitted to Council for approval. The TMP must include specific details on how access to the site and surrounding residences will be managed. Advance notice must also be provided to residents of any works that may impact their access.</li> </ol> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>

Sub. #	Summary of Submission	MRSC Response
	communication to construction management team	
16	<p>Note – in response to Gisborne Gazette article July 2024.</p> <p>1. Concerned that the rezoning goes against the wishes of the Dixon family – further, concerned that the family has not been consulted.</p> <p>Makes the points that:</p> <ul style="list-style-type: none"> <li>○ “Used for medical purposes does not mean a hospital would have to be built on that land”</li> <li>○ Council should consult donors’ descendants before any support is given to rezone the land.</li> </ul>	<p>1. See Council Report response to Theme 1 Donation.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
17	<p>1. Concerned about accessing after-hours emergency medical care due to distance to the nearest hospital – proposes that this land should be kept for a future hospital or medical clinic.</p> <p>2. Concerned with the proposed number of retirement units and two-storey units along fence lines that abut existing</p>	<p>1. See Council Report response to Theme 3 Hospital.</p> <p>2. The majority of units proposed along the southern fence line are single storey. The only two-storey building in this area, which is adjacent to surrounding residential properties, complies with Clause 55.04-4 of the Macedon Ranges Planning Scheme regarding overlooking, as it has been designed to prevent direct views into neighbouring private open space.</p> <p>3. The traffic report submitted to Council concludes that the additional traffic generated by the development is unlikely to affect the normal flow of traffic on Neal Street, Robertson Street, Hamilton Street, or the surrounding road network.</p>

Sub. #	Summary of Submission	MRSC Response
	<p>residential lots.</p> <p>3. Concerned that the proposed retirement village will contribute to increased traffic congestion on Hamilton Street and Neal Street.</p>	<p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
18	<p>1. Concerned with the proposed increase in residential density – specifically that it will impact the quality of life for surrounding residents due to reduced natural light and open space.</p> <p>2. Concerned with the proposed height (natural ground level), drainage and privacy for the Manna Gum childcare centre (overlooking). Further, that it does not reflect the established character of the area. Suggests that the proposed development should maintain consistent levels with the childcare centre.</p> <p>3. Concerned with public transport access -</p> <ul style="list-style-type: none"> <li>○ Suggests that the proposed internal road network be made wide enough to support public</li> </ul>	<p>1. Noted – Shadow diagrams submitted to Council for the proposed development indicate that the open space areas of surrounding properties will not be adversely affected by overshadowing, due to the height and setbacks of the proposed residential units.</p> <p>Council has not designated this site as future open space. Dixon Field Reserve provides open space and recreation opportunities for residents.</p> <p>2. Council has worked closely with the applicant to ensure the height of proposed development responds to the established height, form and scale of the area – which is single to two storeys. Single storey residential living units are proposed in areas that abut the western and southern boundaries. This is consistent with the current height of the Manna Gum childcare facility.</p> <p>3. Public Transport Victoria (PTV) is responsible for managing public transport services. A west–east public transport stop is located within 200 metres of the site. Council can advocate that any future review of the public transport routes and stops consider this site – specifically Neal Street.</p> <p>4. A roundabout currently exists at the intersection of Robertson Road and Neal Street. Council has included conditions that requires the provision of a pedestrian crossing along Neal Street as part of this development.</p> <p>The traffic report submitted to Council concludes that the proposal is unlikely to affect the normal flow of traffic on the surrounding road network. Council is not considering the inclusion of a roundabout at the Hamilton Street and Robertson Road intersection as part of this development. Any upgrade of this intersection should be considered separately to this proposal.</p>

Sub. #	Summary of Submission	MRSC Response
	<p>transport.</p> <ul style="list-style-type: none"> <li>○ Suggests that the service lane on Robertson Rd should be made wide enough to support public transport.</li> </ul> <p>4. Concerned with pedestrian safety (of elderly residents) at the junction of Robertson Rd / Hamilton St due to truck traffic. Suggests that a roundabout and traffic calming should be included at this intersection.</p>	<p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
19	<p>1. Concerned that Council has overlooked the historical significance of the Bush Hospital – particularly the level of community funding contributed to the service.</p> <p>2. Concerned that Council is underestimating the future need for health services in the Gisborne area - advocates for using the site for future health services to support the expanding community.</p> <p>3. Concerned that conditions associated with donation of land for the Bush Hospital – that the land is to be used for</p>	<p>1. Noted.</p> <p>2. See response to Theme 3 Hospital.</p> <p>3. See response to Theme 1 Donation.</p> <p>4. Noted. Not a planning consideration.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>

Sub. #	Summary of Submission	MRSC Response
	<p>"medical purposes" - are not being upheld. Specifically, states that overlooking these conditions of donation are "...morally and ethically unsound as well as potentially illegal".</p> <p>4. Concerned that Benetas is benefiting from "free land".</p>	
20	<p>1. Concerned that the rezoning goes against the wishes of the Dixon family – further, suggests that if the land is not being used for "medical purposes" the land should be returned to the Dixon family.</p> <p>2. Further, claims that a plaque which notes the burial place for Muriel Joan Daly has been removed by the current owner.</p>	<p>1. See Council Report response to Theme 1 Donation.</p> <p>2. Council will work with the applicant to encourage appropriate recognition of the site's historical significance and the contributions of those associated with it, which may include an interpretive display or other forms of on-site acknowledgment.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>
21	<p>1. Concerned that the rezoning overrides the wishes of the Dixon family that the land is retained for community health purposes.</p> <p>2. Concerned with the amount and type of residential housing being proposed.</p> <ul style="list-style-type: none"> <li>o Further, suggests that</li> </ul>	<p>1. See Council Report response to Theme 1 Donation.</p> <p>2. Noted. See Council Report response to Theme 2 Retirement Living.</p> <p>While this proposal is targeted at residents aged 55 and over, aged care and retirement villages offer important economic and community benefits. They create local employment opportunities, contribute to the local economy, and respond to the increasing demand for senior housing diversity and support services.</p> <p>These types of development can contribute to housing diversity within the Shire, helping to free up existing housing stock as older residents downsize, which can indirectly support</p>

Sub. #	Summary of Submission	MRSC Response
	<p>this benefits over 50s and does not support young people or provide affordable housing options to families.</p> <ul style="list-style-type: none"><li>States that there is no demonstrated need for further housing of the type proposed for the site.</li></ul> <p>3. Concerned that the future need for a hospital (super clinic) is not being considered.</p> <ul style="list-style-type: none"><li>Further, suggests that Council's position - that a future hospital for the site is unlikely - has no evidence base.</li></ul>	<p>broader housing availability for younger people and families.</p> <p>3. See Council Report response to Theme 3 Hospital.</p> <p><b>Officer recommendation:</b> Refer to Panel for consideration.</p>

Our ref: ES002717

18 June 2018



To Whom It May Concern

Dear Sir or Madam

**Estate of Humphrey Pearce Dixon**

**Property: 61 Robertson Street, Gisborne, Victoria, 3437 (Property)**

**Title Particulars: Certificate of Title Volume 9765 Folio 715 (Title)**

**Covenant NO7755L (Covenant)**

Equity Trustees Limited ACN 004 031 298 (formerly called The Equity Trustees Executors and Agency Company Limited) is the legal personal representative of the donor, Humphrey Pearce Dixon late of Dumbarton, Gisborne, Victoria, Farmer deceased who died on 26 April 1997.

Gisborne & District Bush Nursing Hospital Incorporated is currently registered as the sole proprietor of the Property.

The Covenant is registered as an encumbrance on the Title, and records the terms on which the donor donated the Property. The Covenant relevantly provides:

*The said Gisborne & District Bush Nursing Hospital Incorporated ("the transferee") with the intent that...the burden of this covenant shall be annexed to and run at law [and] in equity with the land hereby transferred DOES HEREBY for itself its successors and transferees the registered proprietors for the time being of the land hereby transferred hereby and as separate covenants covenant with the said Humphrey Pearce Dixon ("the transferor") his successors and transferees...that it will not without the written consent of the transferor or his legal personal representative –*

- a. *Use or permit the use of the land hereby transferred for any purpose other than for a hospital, nursing home or similar use under the control of the transferee...;*
- b. *Subdivide sell transfer or otherwise dispose of the said land...*

Equity Trustees consents to the transfer of the Property to Anglican Aged Care Services Group (trading as Benetas)(**Benetas**) for the use and development of the Property for a residential aged care facility and retirement living development.

To avoid doubt, Equity Trustees confirms that it has sighted a written commitment by Benetas (as the proposed transferor) that states:

*Benetas acknowledges that the [Property and improvements on the Property] are Transferred to Benetas for the purposes of furthering residential aged care, health care and related support services in the Macedon Ranges area, by a not-for-profit service*



*provider registered with the ACNC, and the formation of strategic relationships with aligned organisations.*

Equity Trustees authorises this letter to be produced to any other party as part of any application by Benetas or a related party for any or all of:

- Planning approval;
- Rezoning approval; and
- Any other approval,


required to be obtained to proceed with the proposed use of the Property.

If you require any further information, please Adrian Green, Head of Legal at Equity Trustees (telephone 03 8623 5359, or email [AGreen@eqt.coml.au](mailto:AGreen@eqt.coml.au)).

Equity Trustees Limited ABN 46 004 031 298 (ACN 004 031 298) in its capacity as the legal personal representative of Humphrey Pearce Dixon by its attorneys under Power of Attorney dated 27 May 2016:



Signature of attorney



Signature of attorney

**Mercia Diane Chapman**  
Authorised Signatory (Schedule II)

Name of attorney and office held

**Aaron Tunks**  
Authorised Person - Schedule II

Name of attorney and office held

**12 CHIEF EXECUTIVE OFFICER REPORTS**

<b>CX.1</b>	<b>EMERGENCY SERVICES AND VOLUNTEERS FUND LEVY</b>
<b>Officer:</b>	<b>Bernie O'Sullivan, Chief Executive Officer</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

The purpose of this report is to recommend that Council writes to the Victorian Premier, Treasurer, Minister for the Emergency Services, Leader of the Opposition and Shadow Treasurer regarding the Emergency Services Volunteer Fund Levy that the Victorian Government will implement from 1 July 2025 following its passage through the Victorian Parliament.

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

- 1. Notes the significant negative financial impact the Emergency Services Volunteer Fund Levy will have on the Macedon Ranges Shire community, in particular the farming and business sectors.**
- 2. Requests the Chief Executive Officer to write to the Victorian Premier, Treasurer, Minister for Emergency Services, Leader of the Opposition and Shadow Treasurer to advise that Macedon Ranges Shire Council:**
  - (a) Objects to the introduction of the Emergency Services and Volunteer Fund Levy in its current form, due to the significant impacts it will have on the shire's farming, commercial and industrial sectors.**
  - (b) Considers that this new levy has been rushed through without a full assessment being undertaken of its impacts on rural and regional communities and local government authorities, to avoid or reduce negative consequences.**
  - (c) Calls for the levy to be administered fully by the State Revenue Office, with no role for local government in its collection.**
  - (d) Requests that, if the Victorian Government proceeds with implementing this new levy and requires local government authorities to administer it, then:**
    - (i) A realistic timeframe for its implementation be negotiated with the local government sector;**
    - (ii) Full initial and ongoing funding support for its administration be provided to local government authorities; and**
    - (iii) The State funds and implements an extensive communications campaign to update ratepayers and volunteers on the rationale of the new Emergency Services and Volunteer Fund levy and how it will be administered.**

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## Background

On 13 December 2024, the Premier, the Honourable Jacinta Allan MP, announced that the existing Fire Services Property Levy (FSPL) will be replaced, as of 1 July 2025, with an Emergency Services and Volunteers Fund (ESVF) levy.

According to the Department of Treasury and Finance (DTF) website, the current FSPL has been in place since 2013 and was originally introduced because of the Bushfire Royal Commission. DTF states that:

*The levy ensures that Victorian property owners make an annual contribution to the State's fire services. Revenue raised by the FSPL funds 87.5 per cent of Fire Rescue Victoria (FRV) and 77.5 per cent of the Country Fire Authority's (CFA) annual budget.*

In accordance with the associated State Government legislation (the Fire Services Property Levy Act 2012), Macedon Ranges Shire, and all Victorian Councils, are required to collect the FSPL (a State Government property-based tax). This is done through each council's Rates Notice process.

This tax, which is required to be passed on in full to the Victorian Government, is shown on Council Rates Notices as one of several line items that combine to make up the total rates bill due from a property owner. Consequently, it is a common misconception that the FSPL is being collected by Council, for Council.

Further exacerbating this incorrect perception, is that councils are obliged to use their own resources and processes to pursue any outstanding payments from property owners for the FSPL, and to charge interest on unpaid amounts.

The Premier's announcement in December expanded the proposed provisions of this tax through a revised scope that, again according to the DTF website, will now also include funding up to 95 per cent of the following budgets:

- Victoria State Emergency Service (VICSES)
- Triple Zero Victoria
- State Control Centre
- Emergency Recovery Victoria
- Emergency Management Victoria
- Emergency Alert Program (automatic emergency warning SMSs)
- Emergency Management Operational Communication Program
- Forest Fire Management Victoria (FFMVic) and its support functions within the Department of Energy, Environment and Climate Action

It appears from past Victorian Government Budgets that most, if not all, of these programs are currently funded through other State taxes being collected in other ways. It is unclear though whether such other taxes have been reduced to reflect this change in collection mechanism.

## Discussion

Detail the current issue that has led to a decision being required. Only include relevant information and be as concise as possible. Include any additional options available for Council's consideration, including risks and benefits.

The increase shown on a Council issued Rates Notice will substantially increase because of the Victorian Government's ESVF levy.

Based on Council estimates prior to late changes agreed in the Victorian Parliament, the new ESVF levy will raise an additional \$4.8 million from the Macedon Ranges community in 2025/26 compared to the existing FSPL in 2024/25.

Of note, is the overall change in levy charged to the farming (primary production) community that was proposed to rise from around \$1.38 million to \$3.35 million. This is equivalent to an average increase of 143 percent, or around \$1,200 per property assessment.

As mentioned above, the Victorian Government's late change to the levy includes reducing the variable rate for primary production land from 83c/\$1000 Capital Improved Value (CIV) to 71.8c/\$1000 CIV – reducing the amount payable by farmers.

Council acknowledges this late inclusion of a small reduction for primary production land, however, it will have a minimal positive impact on the sector and on average would still deliver an average increase of more than 114 per cent (or about \$1000 per property) in the Macedon Ranges.

It should be recognised that the implementation of this new levy will come at a time when farmers in the Macedon Ranges, and across the State, are already hurting due to the ongoing dry conditions. Another 11 local government areas were added to the State's On-Farm Drought Infrastructure Grant Program on 15 May 2025.

Loddon Campaspe local government areas like the Macedon Ranges have not yet been included in that drought support, but our farmers remain under significant pressure due to the ongoing dry conditions.

Council officers are encouraging Agriculture Victoria to continually assess the dry conditions throughout the Macedon Ranges and make the necessary declarations as soon as possible.

Also of note, is the rise in the State's levy for the commercial and industrial businesses in the Shire who will experience an average increase due to the levy of 75 percent (or \$726) and 49 percent (or \$440) per assessment, respectively.

The average residential property owner can also expect to see this new ESVF levy collect from them an additional 41 per cent (or \$86).

These increases compare with a maximum allowable total Council Rates increase of three percent declared by the Minister for Local Government for the 2025/2026 financial year. This means that, while Macedon Ranges Shire Council will be permitted by the Victorian Government to seek up to a \$1,554,990 increase in total rates collected next financial year, the State will collect (through the same Rates Notices) around \$4,414,869 in additional funds (was \$4,805,217 prior to the small reduction in the variable rate for primary production land).

In addition to the significant increases that most sectors of our community will experience from the introduction of the new ESVF levy, the additional burden on Council administration in managing, and enforcing, this new process is anticipated to be substantial.

This burden will be carried across many parts of the organisation and will start in our Customer Service Team, due to an inevitable increase in angry and frustrated ratepayers who believe that the increases have come from Council.

It will also impact on the Information Services (IT) department, as they will be required to undertake an unknown level of system changes to accommodate this new process. The Rates department is also likely to be required to administer more financial hardship requests and to undertake more debt recovery activities, as these considerable increases take effect.

Many, if not ultimately all, of these changes will lead to additional costs being incurred by Council, with the impact further borne by ratepayers in the form of reduced available funds to do Council's own work.

It is acknowledged on the last point that the Victorian Government, following strong advocacy from the sector, has indicated that funding and support will be made available to assist Councils to implement the changes. The extent to which these funds address the immediate challenges, and support the ongoing implications for Councils, is not yet understood. There does not appear to be a Regulatory Impact Statement completed by the Victorian Government to clarify or quantify this as part of the proposed legislative change.

Irrespective, the ability to put in place the required changes and to be assured that they are working correctly in 79 Councils by 1 July 2025 is a concern.

It is a common view in Local Government that, in addition to the FSPL/ESVF being a State tax that should be administered directly by the Victorian Government (and hence removed from Council Rate Notices), the Victorian Government has its own mechanism for collecting this tax in the form of the State Revenue Office.

To date, there has been no evidence to the contrary offered by the Victorian Government as to why this should not occur. Accordingly, it is proposed that a letter be sent to the Victorian Premier, Treasurer, Minister for Emergency Services, Leader of the Opposition and Shadow Treasurer, to highlight each of these concerns and to request that further work be done to properly understand the implications of this new State levy on rural and regional communities, before it is implemented.

### **Consultation and engagement**

Internal consultation has occurred with staff and Councillors, notably through the draft 2025/26 budget process, which has assessed the financial impact of the levy on the Macedon Ranges community. A range of Councillors and staff have also received informal feedback from residents and businesses within the Shire regarding their concern about the impact of the levy.

### **Collaboration**

This report has been informed by consultation with the Local Government sector, Victorian Government representatives and department officials, the Loddon Campaspe CEOs network, Rural Councils Victoria, Regional Cities Victoria, Municipal Association of Victoria and feedback from residents.

### **Innovation and continuous improvement**

Council officers have undertaken modelling to understand the financial impacts of the ESLV on rate category assessments for the 2025/26 financial year, compared to the FSPL in 2024/25.

### **Relevant law**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

### **Relevant regional, state and national plans and policies**

The Victorian Government introduced the Fire Services Property Amendment (Emergency Services and Volunteer Fund) Bill 2025 in the Legislative Assembly in March 2025. The Bill was debated through the Houses of Parliament in mid-May 2025 and has now passed through the Victorian Parliament.

**Relevant Council plans and policies**

The Council Plan has a strategic objective to: Deliver strong and reliable government: Council will provide good governance, with a clear vision and culture, transparency, respect, consistency, accountability and responsiveness.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? The recommendation has no direct impact on Council's energy usage and greenhouse emissions.

How will the recommendations mitigate risks posed by climate change to Council operations and services? The recommendations do not change Council's climate mitigation strategies.

How will the recommendation help to prepare the community for future climate scenarios? No impact.

**Financial viability**

The financial and resource implications of the Victorian Government's new Emergency Services and Volunteer Fund levy are anticipated to be considerable when implemented. There does not appear to have been a Regulatory Impact Statement completed for the legislation, and the advice to date from department staff about how the changes will be enacted has been limited, hence quantification of this impact on Council is difficult to assess.

**Sustainability implications**

Nil

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

**13 CORPORATE REPORTS**

<b>COR.1</b>	<b>QUARTERLY FINANCIAL REPORT - JANUARY TO MARCH 2025</b>
<b>Officer:</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**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 31 March 2025 for the 2024/2025 financial year (Quarter 3), in accordance with the requirements of the *Local Government Act 2020*.

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

- 1. Receives the Quarterly Financial report as at 31 March 2025, in accordance with the requirements of the Local Government Act 2020; and**
- 2. Adopts the Reserve Transfer from the Drainage Reserve of \$131,450.**

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**Background**

This report on Council's financial performance against budget has been prepared in accordance with Section 97 of the *Local Government Act 2020*, which states "as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public."

**Discussion**

The Finance and Capital Management Report to 31 March 2025 provides an update on financial performance against the 2024/2025 budget, including the mid-year budget review.

The Income Statement reports an operating surplus of \$41.63m for the nine months to 31 March 2025 compared to the budget of \$39.63m. In accordance with accounting standards, all rates income is recognised at the start of the financial year when the rates are struck. This results in Council reporting a large surplus at the start of the year which reduces as the year progresses, as expenditure is incurred evenly throughout the year.

Council's Income Statement as at 31 March 2025 is provided below with analysis of year-to-date material variances.

## INCOME STATEMENT

### 9 months ended 31 March 2025

	2024/25 Mar YTD Adj. Budget* \$'000	2024/25 Mar YTD Actuals \$'000	2024/25 Mar YTD Variance \$'000
<b>Income</b>			
Rates and charges	64,296	64,083	(213)
Statutory fees and fines	2,364	2,510	146
User fees	6,355	5,654	(701)
Grants - operating	18,566	19,215	649
Grants - capital	16,786	14,697	(2,089)
Contributions - monetary	2,250	2,329	79
Other income	3,216	3,928	712
<b>Total income</b>	<b>113,833</b>	<b>112,416</b>	<b>(1,417)</b>
<b>Expenses</b>			
Employee costs	34,944	34,708	236
Materials and services	29,185	26,160	3,025
Depreciation and amortisation	13,209	13,326	(117)
Borrowing costs	628	600	28
Other expenses	2,650	2,555	95
<b>Total expenses</b>	<b>80,616</b>	<b>77,349</b>	<b>3,267</b>
<b>Surplus/(deficit) excluding other adjustments</b>	<b>33,217</b>	<b>35,067</b>	<b>1,850</b>
<b>Other adjustments</b>			
Contributions - non monetary	6,188	6,773	585
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	225	(211)	(436)
<b>Total surplus/(deficit)</b>	<b>39,630</b>	<b>41,629</b>	<b>1,999</b>

The Income Statement includes all sources of Council revenue and expenditure incurred in its day-to-day operations. It should be noted that expenditure listed in the Income Statement does not include the cost of asset purchases or sales, loan repayments, capital works expenditure or reserve funds. It does however, include depreciation as an expense.

Overall the operating surplus of \$41.63m is \$1.99m favourable to budget. The financial summary provides an explanation of key variances to budget.

\* This column represents the adjusted budget which is the 2024/25 adopted budget adjusted for the 2023/24 carry forward budgets and any Council approved budget changes during 2024/25, including the mid year budget review.



**Income Statement - Year-to-Date (YTD) Key Actual vs Budget Variances****Operational Revenue**

*User Fees:* The \$710k unfavourable income in user fees is mostly due to the decrease in fees received at Council's three Resource Recovery Centres. This decrease is partly offset by an increase in user fees in the aquatics and fitness area.

*Other Income:* Actual income is \$3.9m, this is \$712k favourable, due to higher levels of investment interest \$500k received and several insurance claims have been received \$200k.

*Grants Capital:* Capital grants are currently \$2.09 million unfavourable to budget. This variance is primarily due to the timing of delivery for several capital works projects. As these projects have experienced delays and are now scheduled for later in the financial year, Council has been unable to raise invoices and claim the associated grant funding. The variance is expected to reduce as project milestones are achieved and grant claims can be submitted.

**Operational Expenditure**

*Materials and services:* Actual expenditure for the six months to 31 March 2025 is reported at \$26.1 million, coming in \$3.0 million under budget. This variance is primarily due to lower costs resulting from reduced throughput at Council's Resource Recovery Centres and the timing of project expenditures across multiple departments.

**Capital Works**

YTD Capital Works Statement reports \$11.86m of works delivered to 31 March 2025 where the total budget including carry forwards for the 12-month period is \$55.5m.

Infrastructure expenditure of \$9.57m is lower than budget of \$28.56 due to delays in construction. The following projects contribute a significant amount to this variance:

**Roads:**

- Mt Gisborne Road – expected to commence in April
- Burke & Wills Track – project is in tender and procurement stage
- Fersfield Road – federally funded project
- Kyneton to Springhill Road – construction has commenced

**Large Trail Projects:**

- Macedon Shared Trail - project continues to progress with several constraints on approvals for remaining stages.

**Recreational, Leisure and Community Facilities:**

- Kyneton Showgrounds Netball Development – contract awarded
- Gilbert Gordon Netball Court – expected to be completed in May 2025
- Riddells Creek Recreation Reserve Oval lighting upgrade - Construction works are reaching completion

Plant and Equipment is also lower than budget. The renewal of plant and equipment will continue throughout the remaining three months of the financial year.

## CAPITAL WORKS STATEMENT

### As at 31 March 2025

	2024/25 Annual  Budget \$'000	2024/25 February  Budget \$'000	2024/25 February  Actuals \$'000	2024/25 February  Variance \$'000
<b>Property</b>				
Land and land improvements	0	-	4	- 4
Buildings and building improvements	5,508	4,028	1,552	2,476
<b>Total property</b>	<b>5,508</b>	<b>4,028</b>	<b>1,556</b>	<b>2,472</b>
<b>Plant and equipment</b>				
Plant, machinery and equipment	2,537	1,874	504	1,370
Computers and telecommunications	365	294	232	62
<b>Total plant and equipment</b>	<b>2,902</b>	<b>2,168</b>	<b>737</b>	<b>1,431</b>
<b>Infrastructure</b>				
Roads	17,379	14,769	5,760	9,008
Bridges	1,082	923	272	650
Footpaths and Cycleways	1,401	1,871	925	946
Large Trail Projects	10,798	2,127	241	1,886
Drainage	1,010	842	119	723
Recreational, leisure and community facilities	8,698	6,616	1,524	5,092
Macedon Ranges Sports Precinct stage 2	4,861	465	228	237
Parks, open space and streetscapes	240	212	178	34
Other infrastructure	1,656	733	323	410
<b>Total infrastructure</b>	<b>47,124</b>	<b>28,556</b>	<b>9,570</b>	<b>18,986</b>
<b>Total capital works expenditure</b>	<b>55,535</b>	<b>34,751</b>	<b>11,863</b>	<b>22,889</b>

### Investments

Investments held at 31 March total \$40.1M. Investments are earning adequate interest, with 65% of investments held with institutions that do not lend to organisations linked with fossil fuel, compliant with the Investment policy requirement for at least 20%. Interest rates are expected to remain steady for the remainder of the financial year.

### Storm Reports

Three storm events have outstanding claims at 31 March 2025. The total amount of pending claims is \$223,892. These claims will be finalised in the remaining three months of the 2024/25 financial year.

### Loans

The budgeted loans have not yet been drawn down. Projects associated with these loan borrowings will continue to be monitored to assess whether they will be sufficiently advanced by 30 June to require the loan to fund Council's share of the project. If necessary, the

drawdown of the loan may be carried forward to 2025/26, in line with the carry forward of project costs.

**Reserves**

Council acknowledges the completion of the bridge study works for Kyneton on Riverside, with the cost of \$131,450 being formally accepted and reimbursed to the developer in accordance with the Section 173 Agreement between Council and the developer. Funding for the study has already been received by Council in the form of developer contributions and is currently held in the drainage reserve, allocated specifically to support this component of the development.

**Consultation and engagement**

Officers from across Council have contributed to the preparation of the Quarterly Financial Report.

**Collaboration**

Collaboration with other councils, governments and/or statutory bodies was not required.

**Innovation and continuous improvement**

The Quarterly Financial Report forms part of a legislative requirement, which assists Council to deliver on its priority of strong and reliable government, whilst achieving its vision by following good governance processes and providing transparency to the community. The Quarterly Financial Report is reviewed by the Executive and incorporates feedback from various levels of management to enhance readability and allow for continuous improvement.

**Relevant law**

This report has been prepared in accordance with Section 97 of the *Local Government Act 2020* (Vic) and is compliant with the requirements. The financial statements have been prepared in accordance with Australian Accounting Standards.

There are no human rights implications resulting from the completion of the Quarterly Report.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

There are no regional, state or national plans or policies to be considered in relation to the subject matter of this report.

**Relevant Council plans and policies**

Macedon Ranges Shire Council Financial Plan 2021-2031

Macedon Ranges Council Budget 2024/25

**Financial viability**

The Quarterly Financial Report provides information on Council's operating and financial performance for the quarter ending 31 March 2025. The financial statements within the report indicate that Council remains in a sound financial position.

**Sustainability implications**

In terms of financial sustainability, the financial statements within the report indicate that Council remains in a sound financial position.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>COR.2</b>	<b>INSTRUMENT OF APPOINTMENT AND AUTHORISATION</b>
<b>Officer:</b>	<b>Natalie Radnedge, Governance Officer</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>S11A for Signature - Cameron Beetham, Kristal Maynard &amp; Ben Champion <a href="#">↓</a></b>

### Summary

This report seeks Council's approval to appoint three authorised officers under the *Planning and Environment Act 1987* (the Act) and the *Local Government Act 2020* (the Act) by an Instrument of Appointment and Authorisation. Under these Acts, only Council, by a resolution, can appoint authorised officers who must be employees of Council.

An Instrument of Appointment and Authorisation is required for officers who have recently commenced with Council.

This report also seeks to revoke one Instrument of Appointment and Authorisation for an authorised officer who is no longer an employee of Council. Only Council, by a resolution, can revoke the Instrument of Appointment and Authorisation for authorised officers under the *Planning and Environment Act 1987* (the Act) and the *Local Government Act 2020* (the Act).

### Recommendation

**That Council resolves that in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020:**

- 1. Council officers named in the Instruments of Appointment and Authorisation provided in Attachment 1 be appointed and authorised;**
- 2. The Instruments of Appointment and Authorisation come into force upon signing and remain in force until Council determines to vary or revoke these;**
- 3. The Instruments of Appointment and Authorisation in Attachment 1 are signed; and**
- 4. The Instrument of Appointment and Authorisation for Isobel Maginn be revoked.**

### Background

The appointment of Authorised Officers allows certain Council officers to act on behalf of Council in the administration and enforcement of various Acts, regulations, or local laws in accordance with the powers granted to them. Under the *Planning and Environment Act 1987* and the *Local Government Act 2020* officers represent Council in enforcing the provisions of these Acts.

### Discussion

The following officers are required to be authorised officers under the *Planning and Environment Act 1987* and the *Local Government Act 2020*:

- Cameron Beetham, Strategic Development Planner, commenced 14 April 2025.
- Kristal Maynard, Manager Safer Communities, commenced 28 April 2025.

- Ben Champion, Coordinator Strategic Planning, commenced 28 April 2025.

The Instrument of Appointment and Authorisation for the following officer is to be revoked, as they are no longer employed by Council.

- Isobel Maginn, Senior Strategic Planner, resigned 25 April 2025.

**Consultation and engagement**

Not applicable

**Collaboration**

Not applicable

**Innovation and continuous improvement**

Not applicable

**Relevant law**

This report has been prepared in accordance with the *Local Government Act 2020* and the *Planning and Environment Act 1987*.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed on the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Not applicable

**Relevant Council plans and policies**

This recommendation allows Council to maintain the Council Plan 2021-2031 requirement to deliver strong and reliable Government.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile?

The recommendation will not impact Council's energy usage or greenhouse emissions.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

Not applicable

How will the recommendation help to prepare the community for future climate scenarios?

Not applicable

**Financial viability**

Not applicable

**Sustainability implications**

Not applicable

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



**Instrument of Appointment and Authorisation  
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

**Cameron Beetham – Strategic Development Planner**

**By this instrument of appointment and authorisation** Macedon Ranges Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Macedon Ranges Shire Council on 28 May 2025.

Signed:

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Mayor, Councillor

Date:

Signed:

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Chief Executive Officer

Date:





**Instrument of Appointment and Authorisation  
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

**Kristal Maynard – Manager Safer Communities**

**By this instrument of appointment and authorisation** Macedon Ranges Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Macedon Ranges Shire Council on 28 May 2025.

Signed:

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Mayor, Councillor

Date:

Signed:

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Chief Executive Officer

Date:



**Instrument of Appointment and Authorisation  
(*Planning and Environment Act 1987*)**

In this instrument "**officer**" means -

**Ben Champion – Coordinator Strategic Planning**

**By this instrument of appointment and authorisation** Macedon Ranges Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - authorises the officer to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Macedon Ranges Shire Council on 28 May 2025.

Signed:

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Mayor, Councillor

Date:

Signed:

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Chief Executive Officer

Date:

<b>COR.3</b>	<b>2024 MACEDON RANGES SHIRE COUNCIL GENERAL ELECTION REPORT</b>
<b>Officer:</b>	<b>Lucy Olson, Senior Governance Officer - Council Business</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Macedon Ranges Shire Council - LG24 Election Report (under separate cover)</b>

### Summary

The Macedon Ranges Shire Council general election was held on 26 October 2024. In alignment with Regulation 83(1) of the LGER2020, the VEC must prepare a report to the CEO on the conduct of the election within 6 months of the election day. The CEO must (under Regulation 83(3) of the LGER2020) ensure that the report is submitted to the Council at the earliest meeting of the Council following the receipt of the report by the CEO.

### Recommendation

**That Council receives the Victorian Electoral Commission's report on the 2024 Macedon Ranges Shire Council general election.**

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### Background

The Macedon Ranges Shire Council general election was held on 26 October 2024 and the Election Report Macedon Ranges Shire Council 2024 Local government election was received by the CEO from the VEC on 14 April 2025. The election was conducted by the VEC as the statutory election service provider to Macedon Ranges Shire Council in accordance with the *Local Government Act 2020* (LGA2020).

### Discussion

Under Regulation 83(1) of the LGER2020, the VEC must prepare a report to the CEO on the conduct of the election within 6 months of the election day.

The CEO must (under Regulation 83(3) of the LGER2020) ensure that the report is submitted to Council at the earliest possible meeting of the Council held after the report is received by the CEO.

The election report from the VEC covers the following topics to summarise the 2024 Local Government election:

- Legislative changes;
- The election dates;
- The voters' roll;
- The advertising and communication campaign;
- The election manager and the election office;
- Candidates;
- Voting;
- The return of ballot envelopes;

- Results;
- Election statistics;
- Complaints;
- Post-election activities;
- Non-voter follow up; and
- An evaluation of VEC services.

Below are some key statistics from the report:

- 20 candidates nominated to stand in the election (7 in East Ward, 5 in South Ward and 8 in West Ward).
- The VEC mailed 39,168 ballot packs between Monday 7 and Thursday 10 October 2024.
- The total number of returned ballot paper envelopes for Macedon Ranges Shire Council was 34,142.
- A total of 33,224 ballot papers proceeded to the count.
- The overall participation rate in the Macedon Ranges Shire Council election was 86.60%; higher than the state average of 83.79% (excluding Melbourne City Council) and lower than the 2020 Macedon Ranges Shire Council general election participation rate (87.31%).
- The VEC received 8 written complaints relating to the election for Macedon Ranges Shire Council.

### **Consultation and engagement**

No consultation was required.

### **Collaboration**

Macedon Ranges Shire Council worked closely with the Victorian Electoral Commission throughout the 2020 Local Government Election.

### **Innovation and continuous improvement**

N/A

### **Relevant law**

*Local Government Act 2020*

*Local Government (Electoral) Regulations 2020*

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

### **Relevant regional, state and national plans and policies**

N/A

### **Relevant Council plans and policies**

N/A

Climate Impact Assessment

A Climate Impact Assessment is not relevant to this report.

**Financial viability**

No financial implications for council.

**Sustainability implications**

N/A

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>COR.4</b>	<b>PLANNING DELEGATED COMMITTEE MEETING DATES 2025</b>
<b>Officer:</b>	<b>Lucy Olson, Senior Governance Officer - Council Business</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

Currently Planning Delegated Committee (PDC) meetings are scheduled, by resolution of Council, up until the end of June 2025. Councillors have been considering the ongoing format of PDC committee and meetings however this work will not be completed by the end of June 2025. Officers are therefore proposing that PDC meetings be scheduled for the second Wednesdays in both July and August 2025.

### Recommendation

**That Council schedules Planning Delegated Committee meetings to be held online, if required, on Wednesday 9 July 2025 at 7pm and Wednesday 13 August 2025 at 7pm.**

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### Background

In accordance with Council's Governance Rule 13(a) *the dates, times and places of scheduled meetings will be fixed by a Council resolution from time to time*, at the Council meeting on 18 December 2024, Council approved dates for the PDC until the end of June 2025 only, to allow Councillors to consider the ongoing format of these meetings and the committee.

The PDC was established by Council on 23 June 2021 as a delegated committee under section 63 of the *Local Government Act 2020* to hear from applicants/landowners and objectors/submitters on statutory and strategic planning matters including planning applications and to determine planning matters and is made up of all nine Councillors.

### Discussion

The PDC meetings are held, if required, online on the second Wednesday of each month, in accordance with Rule 16 of the Governance Rules that allows for Council to determine the format of meetings.

Councillors are, with the assistance of officers, continuing consider the ongoing format of PDC committee and meetings. This work will not be completed by the end of June 2025, so it is proposed by officers that Council schedules PDC meetings for the following dates:

- Wednesday 9 July 2025 at 7pm – online
- Wednesday 13 August 2025 at 7pm - online

### Consultation and engagement

Not applicable.

### Collaboration

Not applicable.

**Innovation and continuous improvement**

Not applicable.

**Relevant law**

All PDC meetings are held in accordance with the requirements of the *Local Government Act 2020*.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Not applicable.

**Relevant Council plans and policies**

Governance Rules.

**Climate Impact Assessment**

Not applicable.

**Financial viability**

Not applicable.

**Sustainability implications**

Not applicable.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

**14 COMMUNITY REPORTS**

<b>COM.1</b>	<b>SMALL PROJECTS GRANT RECOMMENDATION REPORT</b>
<b>Officer:</b>	<b>Lisa Richards, Community Projects Officer</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people 4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

The Small Project Grants program supports projects and initiatives that:

- Support local needs
- Are unlikely to be funded by other council funding programs, and
- Align with council plan priorities.

Council's Small Project Grants budget for 2024-25 is \$30,000 and not-for-profit groups can apply for a maximum of \$3,000 per application.

Applications are assessed against set criteria outlined in the Small Project Grants Guidelines. Funding recommendations are presented at a Council meeting for review and consideration.

This month four applications have been received, seeking a total of \$11,155 in funding. These applications have been evaluated against the eligibility criteria and are deemed to be eligible.

**Recommendation**

**That Council approves the awarding of:**

- 1. \$3,000 small project grant to Macedon and Mount Macedon Community House, for their Community Kitchen Garden Wicking Beds project.**
- 2. \$2,255 small project grant to Upper Deep Creek Landcare Group, for their Landcare Bush Dance project.**
- 3. \$2,900 small project grant to Macedon and Mount Macedon Landcare Group, for their Movies on the Mount project.**
- 4. \$3,000 small project grant to Windarring, for their Sensory Station project.**

**Background**

Detailed eligibility and scoring criteria are available in the Small Project Grants Guidelines located on Council's website.

**Assessment process**



All applications are assessed by a panel of Council officers (including subject matter experts, depending on the nature of the application) and assessed in accordance with Council's Community Grants Policy.

Applications are assessed on four broad criteria, which include:

- Evidence of need
- Alignment to Council priorities
- Community benefit
- Ability to deliver project

### **Discussion**

Four applications have been received, seeking a total of \$11,155 in funding. All applications have been evaluated against eligibility criteria and meet program requirements.

#### **Project 1**

***Title/Organisation:*** Community Kitchen Garden Wicking Beds, Macedon and Mount Macedon Community House Incorporated

***Project Description/summary:*** This project involves supplying and installing two additional wicking beds at the Macedon and Mount Macedon Community House, in accordance with the Council Approved Landscaping Plans. This will allow volunteers to increase production and the regular supply of fresh produce to the Gisborne Foodbank, directly impacting those accessing support by providing greater access to fresh and healthy food. This project will also further increase a sense of belonging and purpose for those volunteers engaged in the gardening program at the Macedon and Mount Macedon Community House.

***Consultation and Engagement:*** The group has consulted with the Community Projects Officer prior to applying.

***Collaboration:*** Macedon and Mount Macedon Community House Incorporated are working closely with Council and Gisborne Foodbank on this project, as it pertains to their Masterplan for external landscaping and development.

***Officer comments:*** The Assessment Panel recommends funding the full amount of \$3,000. The project aligns closely to the Council Plan priorities Connecting Communities, Healthy Environment, Healthy People. It will support ongoing Council activities through promoting healthy eating within the community and increasing opportunities for social connection and participation at Macedon and Mount Macedon Community House.

#### **Project 2**

***Title/Organisation:*** Landcare Bush Dance, Deep Creek Landcare Group

***Project Description/summary:*** This project will organise and host a social and networking opportunity bringing members of neighbouring Landcare groups together for a Bush Dance. The event, being held in winter, will also be promoted to the wider community providing an opportunity for increased membership, connection and participation in local Landcare groups.

***Consultation and Engagement:*** The group has consulted with the Community Projects Officer prior to applying.

***Collaboration:*** Deep Creek Landcare Group are working with Council's Environment Team and are under auspice by Landcare Victoria for the purposes of this grant.

**Officer comments:** The project aligns to the Council Plan priorities Connecting Communities, Healthy Environment, Healthy People. The Assessment Panel recommends funding the full amount of \$2,255.

### **Project 3**

**Title/Organisation:** Movies on the Mount, Macedon & Mt Macedon Landcare Group

**Project Description/summary:** Macedon and Mount Macedon Landcare intends to organise and host a series of five events (three in 2025 and two in 2026) which will screen a series of environmental films. Macedon and Mt Macedon Landcare have partnered with Environmental Films Australia, (EFA) a small non-profit that curates environmental films, related to the local area. These events will create opportunities to build and strengthen community connection and raise awareness.

**Consultation and Engagement:** The group has consulted with the Community Projects Officer prior to applying.

**Collaboration:** Macedon & Mt Macedon Landcare Group are collaborating with Environmental Films Australia to show a curated selection of films relevant to the local area and community.

**Officer comments:** The Assessment Panel recommends funding the full amount of \$2,900. The project aligns closely to the Council Plan priorities Connecting Communities, Healthy Environment, Healthy People.

### **Project 4**

**Title/Organisation:** Sensory Station, Windarring Limited

**Project Description/summary:** Sensory Station is a project intended to support people with a disability through sensory play that is designed to stimulate one or more of a person's senses, through play, art and exploration. The project aims to assist in emotional regulation, improve cognitive and physical development as well as engagement and interaction.

**Consultation and Engagement:** The group has consulted with the Community Projects Officer prior to applying. Windarring has also consulted Occupational Therapists and other specialists in developing the project.

**Collaboration:** N/A

**Officer comments:** The Assessment Panel recommends funding the full amount of \$3,000. The panel notes that the group would benefit from consultation and collaboration with Threshold – a Kyneton-based immersive play provider that offers complementary experiences to the proposed project.

### **Consultation and engagement**

Council's Small Project Grants Guidelines and Community Grants Policy are currently reviewed annually. Feedback from grant applicants and internal stakeholders are taken into consideration as part of the annual review process.

### **Collaboration**

Collaboration with other councils, governments or statutory bodies was not required in relation to this report.

### **Innovation and continuous improvement**

Council is committed to innovation and continuous improvement in relation to the Small Project Grants. Officers regularly review the promotion of the program and seek out new ways to encourage new and diverse community groups to access the small grants program.

### **Relevant law**

The proposed project has been assessed against access, inclusion and equity considerations under the *Charter of Human Rights and Responsibilities Act 2006*.

In accordance with the *Gender Equality Act 2020* all Council grants programs under the Community Grants Policy are subject to an annual review and Gender Impact Assessment, to ensure gender equality. As part of the most recent review, as presented to the 24 April 2024 Scheduled Council Meeting, several additional measures were identified and included in the Community Grants Policy, in the interest of delivering more inclusive and accessible funded community projects for the Macedon Ranges.

A Gender Impact Assessment has been undertaken for each of the four the grant applications addressed above.

### **Relevant regional, state and national plans and policies**

- Landcare Plan for Victoria

### **Inclusive Victoria and Victorian Autism Plan Relevant Council plans and policies**

- Council Plan 2021-2031
- Community Grants Policy
- Environment Strategy
- Municipal Public Health and Wellbeing Plan
- Climate Emergency Plan
- Gender Equity Action Plan
- Fair Access Policy
- Disability Action Plan

### **Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? No impact to Council's energy usage.

How will the recommendations mitigate risks posed by climate change to Council operations and services? No impact.

How will the recommendation help to prepare the community for future climate scenarios? Two recommended projects will support local Landcare groups, building connections and growing membership which will support community action towards future climate emergencies and scenarios.

### **Financial viability**

The table below outlines a summary of the applications to date in the 24-25 financial year.

<b>Applications allocated to date</b>	<b>Funding available</b>	<b>Applications in this report</b>	<b>Amount requested in this report</b>	<b>Amount remaining if approved</b>
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6	\$18,532	4	\$11,155	\$7,377
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**Sustainability implications**

Two projects will involve Landcare groups and offer activities to support the growth in membership and strengthen connection to these groups. These projects have the potential to increase participation in local Landcare groups and contribute positively to the local environment and sustainability.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>COM.2</b>	<b>COMMUNITY GRANTS POLICY REVIEW</b>
<b>Officer:</b>	<b>Caitlin Royce, Coordinator Creative and Connected Communities</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Community Grants Policy Review 2025 <a href="#">↓</a></b>

## Summary

The purpose of this report is to seek Council endorsement on the amendments proposed to the Community Grants Policy and all grant guidelines that fall under the Community Grants Policy following an annual review.

## Recommendation

**That Council adopts the updated DRAFT Community Grants Policy as presented and revokes all previous versions of this policy effective from 29 May 2025.**

## Background

Aligned with the Community Grants Policy endorsed by Council on 26 April 2023, an annual review of the policy and associated programs has been conducted to identify opportunities for improvement. This review was informed by feedback from Council officers responsible for administering and assessing the grant programs, as well as Executive input gathered through the review of annual acquittals across Council's community grant streams.

The proposed updates to the Policy aim to enhance alignment with the recommendations outlined in the 2022 VAGO report Fraud Control Over Local Government Grants, while also streamlining internal processes to improve the efficiency and consistency of grant program delivery.

## Discussion

### Proposed Changes to the Community Grants Policy

Following a comprehensive review, the following updates have been incorporated into the Community Grants Policy:

- The scope of the Community Grants Policy has been broadened to ensure greater clarity, consistency, and accountability across all aspects of the grants process. Previously focused primarily on applicants and recipients, the updated policy now includes:
  - Macedon Ranges Shire Council staff – to outline roles, responsibilities, and expectations in administering and assessing grants.
  - Councillors – to clarify their role in governance and decision-making.
  - Community Grants applicants and recipients – to reinforce eligibility, obligations, and transparency.
  - Grants processes and decision-making frameworks – to ensure all stages of the grants lifecycle are guided by clear, consistent policy direction.

- Adding the following grant streams to the policy:
  - Backyard Biodiversity Project
  - Community Climate Action Grant
  - ANZAC Day Commemorative Services
- Strengthening fraud prevention measures by applying centralised and standardised administrative and reporting procedures across all grant programs, to ensure consistent record-keeping and transparency.
- Addition of measures to support access, inclusion, equity, fairness, engagement and participation through community awareness and capability-building.
- Proposed updates to the 'Grant Management and Operations' section aim to improve operational efficiency by allowing Executive-level approval for minor, administrative changes to grant documentation – such as application dates, staff contact details, or formatting – where there is no material impact on program delivery. Additional exceptions now include the scheduled conclusion of time-limited programs, urgent compliance-related changes, and updates required to embed other Council-endorsed policies. Decisions that significantly alter, introduce, or discontinue a grant program will continue to require Council resolution, maintaining oversight for major changes.
- Alignment of assessment and decision-making processes, as well as the communication of outcomes, with best practice fraud control recommendations.
- Acquittal requirements have been strengthened to ensure clearer evidence is provided demonstrating compliance with funding conditions, including documentation related to variations and extensions. In addition, groups and individuals who have previously failed to acquit grant funding will be deemed ineligible for future grants.
- Eligibility guidance has been updated to specify that applications will be automatically deemed ineligible if they do not comply with program guidelines or fail to align with relevant Council policies and strategies, including but not limited to the following:

<b>Policy/Strategic Plans</b>	<b>Eligibility Guidance</b>
Gambling Harm Minimisation Policy	Projects/activities that take place in gambling venues; applicants that accept any financial or in-kind contributions from gambling or electronic gaming machine operators; projects/activities that promote or involve gambling related activities; not provide Council financial support or provision of grants for a specific activity that also receives sponsorships from gaming venues, online betting companies or other gambling providers for that same activity in that financial year. [This policy position is to become effective from 1 July 2025 to allow community groups time to transition]
Fair Access Policy	Projects/applicants that are either a venue or club listed in the Fair Access Policy and that are not taking positive action towards the six Fair Access Principles in collaboration with Council Officers.

- Inclusion of the following related policies:
  - Gender Equity Action Plan
  - Disability Action Plan

- Fair Access Policy
- Gambling Harm Minimisation Policy

**Consultation and engagement**

Managers, Coordinators, and Officers involved in the delivery and administration of Council's grant-making processes were actively engaged throughout the review. They were invited to provide feedback, contribute insights based on their operational experience, and review the proposed updates to ensure the changes are practical and fit for purpose.

**Collaboration**

There was no requirement for formal collaboration with other councils, government agencies, or statutory bodies in the preparation of this report. However, informal benchmarking with peer councils informed elements of the review.

**Innovation and continuous improvement**

As part of Council's commitment to continuous improvement, the annual review of the Community Grants Program included the analysis of applicant feedback, facilitated focus group discussions with internal stakeholders, and informal consultation with grants teams from other local governments. These activities helped identify opportunities to align Council's grants policy and supporting documentation with sector best practice.

**Relevant law**

The review of the Community Grants Policy is guided by relevant provisions of the Local Government Act 2020 (Vic), which establishes the principles of good governance, transparency, community engagement, and the effective allocation of Council resources.

In accordance with the *Gender Equality Act 2020*, a gender impact assessment has been conducted in relation to the subject matter of this policy.

In the interest of delivering more inclusive and accessible funded community projects for the Macedon Ranges, the following measures will be required under Council's grants programs:

- All funding applications covered by this policy will request information about which diverse groups in the community would benefit from the project, how these groups would be supported to participate in funded programs, and the estimated reach across men, women and gender diverse groups.
- Addressing gender equity and inclusion needs will strengthen an application and will be reflected in the scoring matrix.
- The composition of all assessment panels will include mixed gender representation.
- Grant application support will be available through a range of channels including 1:1 support (in-person, or by phone/online).
- All grant support materials will be provided in accessible formats, such as Easy English.

**Relevant regional, state and national plans and policies**

The Community Grants Policy aligns with the following strategic frameworks to ensure consistency with broader planning, inclusion, and governance priorities:

- State Policies and Frameworks
  - Local Government Act 2020 (Vic) – Outlines principles of good governance, financial management, and community engagement.
  - Victorian Government Strategies – Includes plans related to gender equality, multicultural affairs, disability inclusion, and youth engagement.
  - Public Engagement Framework 2021–2025 – Promotes inclusive and transparent community consultation practices.
  - Victorian Common Funding Agreement (VCFA) – Standardises funding agreements for not-for-profit and community organisations.
  - **Victorian Auditor-General's Office (VAGO) Reports and Guidance** – While not regulatory, VAGO provides independent audits and recommendations that inform best practice in the administration, oversight, and risk management of community grant programs.
- National Frameworks
  - Commonwealth Grants Rules and Guidelines (CGRGs) – Establishes principles of accountability and value for money in grant administration.
  - National Principles for Government Service Delivery – Emphasises transparency, collaboration, and responsiveness in public service delivery.

**Relevant Council plans and policies****Council Plan 2021–2031**

Outlines the strategic direction for the future of the Macedon Ranges Shire, setting key priorities and supporting the achievement of the Community Vision through planned objectives and strategies.

Climate Impact Assessment

**How will the recommendation impact on Council's energy usage and greenhouse emissions profile?** The policy is not expected to have a direct impact on Council's energy usage or greenhouse gas emissions. However, through the allocation of community grants, there may be opportunities to support community-led sustainability initiatives that contribute to broader emissions reductions across the municipality.

**How will the recommendations mitigate risks posed by climate change to Council operations and services?** While the policy itself does not directly address operational climate risks, it enables the continuation of community grants that can fund projects aimed at environmental sustainability, climate resilience, and resource efficiency - helping to indirectly mitigate long-term risks to Council services.

**How will the recommendation help to prepare the community for future climate scenarios?** The Community Grants Program provides a platform to support community initiatives that promote environmental awareness, sustainability, and adaptation. This includes projects focused on climate education, local food security, biodiversity, and energy



efficiency, helping to build resilience and readiness within the community for future climate challenges.

**Financial viability**

The recommendation is financially sustainable and will be delivered within the existing approved budget for the Community Grants Program. Minimal IT resources are required, limited primarily to administrative support for the grants management system (e.g., SmartyGrants or internal platforms), data reporting, and web updates. Existing systems and staff capacity are sufficient to manage the program without the need for additional IT infrastructure or significant new investment.

**Sustainability implications**

The Community Grants Program contributes positively to social sustainability by supporting projects that foster community connection, wellbeing, inclusion, and resilience. It enables funding for initiatives that address local needs, promote cultural diversity, support vulnerable populations and build stronger communities.

Where applicable, grants may also support environmental sustainability outcomes, such as waste reduction, biodiversity protection, and climate action, aligning with Council's broader sustainability objectives.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

# Policy



## Community Grants Policy

<b>Date of Adoption</b>			
<b>Adoption Method</b>	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> CEO	<input type="checkbox"/> Other (please specify)
<b>CEO Signature</b>			<b>Date</b>
<b>Responsible Officer and Unit</b>	Manager Community Strengthening Manager Economic Development and Visitor Economy Manager Strategic Planning and Environment		
<b>Nominated Review Period</b>	<input type="checkbox"/> Annually	<input type="checkbox"/> Every 4 years	<input checked="" type="checkbox"/> Other Every 2 years
<b>Last Endorsement Date</b>	28 May 2025 (if endorsed)		
<b>Next Endorsement Date</b>	May 2027		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

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## Community Grants Policy

### Policy statement

Council is committed to supporting the local community through grant programs that further the objectives of the Council Plan 2021-2031, including:

- connect communities by supporting access, inclusion, equity, fairness, engagement, and participation;
- promote healthy people and a healthy environment; and
- foster economic vitality (including tourism, agribusiness, and local employment options).

When granting public funds, Council will act with integrity, accountability, impartiality, transparency and in the public interest.

### Purpose and Objectives

This Policy provides a framework for Council to grant public funds consistently and transparently through its externally facing grant programs.

In accordance with the Council Plan 2021-2031, this Policy supports Council in demonstrating the qualities of good governance, including a clear vision and culture, transparency, respect, consistency, accountability and responsiveness.

### Scope

The distribution of funding through grants programs is in accordance with the *Local Government Act 2020*.

This Policy applies to:

- Macedon Ranges Shire Council Staff (including contractors)
- Councillors.
- Community Grant applicants and recipients; and
- Community Grant processes and decision-making.

- The following external facing grant programs:
  - Events and Festivals Grant Program (annual)
  - Community Funding Scheme (annual)
  - Anzac Day Commemorative Services Support Fund (annual)
  - Small Project Grants Program (annual – rolling)
  - Australia Day Grants Program (annual)
  - Neighbourhood House Funding Scheme (biennial)
  - Environment Group Support Grant (annual)
  - Backyard Biodiversity Project
  - Community Climate Action Grant

As new external-facing Council grant programs are introduced, they will be added to this policy and become subject to its provisions. Likewise, any grant programs that are discontinued will be removed from the policy accordingly.

Council's community grants are not intended to replace or subsidise annual budget process or service delivery.

This policy does not apply to:

- funding received by Council from state or federal government agencies or non-government organisations, resulting from grant applications made by Council officers
- any sponsorship arrangements Council may enter with businesses or grants open to businesses and private enterprise

## Implementation

### Fraud and corruption controls

Council will facilitate transparency and accountability of grant programs while mitigating against fraudulent or corrupt use of funds. To mitigate risks of fraud, centralised administrative and standardised reporting procedures will be applied to all grants under the Policy to ensure consistent record-keeping and transparency throughout the entire Community Grants program. This includes monitoring of grants throughout the life of a funded project by Council Officers to ensure proper use of Council funding.

To ensure separation of decision making and independent oversight, an individual or entity with the power to approve Council grants will not form part of an assessment panel (i.e. Councillors and Executives).

Councillors and Executive are required to declare any conflicts of interest when approving grant recommendations for funding under the Policy.

All members of assessment panels must:

- complete relevant fraud, corruption and conflict of interest training and a Grant Program Induction prior to participating in panels;
- declare and complete a conflict of interest form for every application that they are assessing; and adhere to Council's conflict of interest policies and requirements.

### Community Awareness and Capability Building

In accordance with the Policy statement, grant programs must support access, inclusion, equity, fairness, engagement, and participation through these mechanisms:

- Council Officers will be proactive in building community awareness of grant opportunities, including undertaking multi-modal public advertising and communications planning.
- Council will be proactive in building community capability in grant seeking, project planning, management, evaluation and acquittal.
- Officers will encourage and facilitate pre-application discussions in all grant programs.
- pre-application discussions will typically explore:

- applicant and proposed activity eligibility;
- proposed activity 'readiness' and potential strengthening opportunities; and
- any application assistance needs

### **Grant management and operations**

All grant programs must have a set of operational guidelines (including an eligibility criteria), assessment criteria and Terms of Reference (including assessment panel composition).

All changes to grant guidelines, must be approved by a resolution of Council, except where:


- Changes are administrative or operational in nature and do not alter the intent, purpose, funding, or eligibility criteria of the program. This may include updates such as grant opening and closing dates, staff names or contact details, or formatting adjustments. These changes may be approved at the Executive level.
- The program is time-limited and has reached its scheduled conclusion, as previously endorsed by Council.
- Urgent changes are required to meet legislative, funding partner, or legal compliance requirements. In such cases, Council will be notified as soon as practicable.
- Updates embedding other Council Endorsed policies that require inclusion or reference to, within this policy.

Recommendations that have material impact to a grant program, such as ceasing a grant program or introducing a new grant program, require approval by a resolution of Council.

Each grants program must utilise a clearly identified and publicly available assessment criteria and scoring matrix documented in the respective grant guidelines when evaluating applications.

All aspects of each grant program will be reviewed annually by the respective manager, informed by: Council's Community Vision; the adopted Council Plan; the VAGO Fraud Control Over Local Government Grants report; a gender impact assessment and feedback from consultation processes with the community, MRSC staff and Council.

Recommendations for Policy changes following a review must be approved by a resolution of Council.



For public accountability purposes, Councillors must document any queries relating to grant programs and log them via the Councillor Portal. Council staff will provide documented responses to Councillors via the Councillor Portal.

Grant applications must be submitted by the due date / time via Council's online grants administration system.



## Eligibility

The following are not eligible to apply for any Council grant programs:

- Current Councillors and Council officers
- Political parties and organisations with a primarily political purpose

Any grants provided to organisations and businesses must require

- proof of incorporation;
- ABN/GST status; and
- public liability insurance.

Applicants without a formal organisational structure (e.g. not incorporated) can apply under the auspice of an incorporated organisation.

Grant applications will be automatically ineligible if they do not adhere to program guidelines or are not in alignment with Council policies and strategies, including, but not limited to:

Policy/Strategic Plans	Eligibility Guidance
Child Safety and Wellbeing Policy	Projects/applicants that involve children but are unable to satisfactorily demonstrate their compliance with Child Safe legislation.
Financial policies (procurement, fraud control etc.)	Projects/applicants that do not meet documentation requirements, have a debt to Council or outstanding acquittal from previous grant funding.
Gambling Minimisation of Harm Policy	Projects/activities that take place in gambling venues; applicants that accept any financial or in-kind contributions from gambling or electronic gaming machine operators; projects/activities that promote or involve gambling related activities; not provide Council financial support or provision of grants for a specific activity that also receives sponsorships from gaming venues, online betting companies or other gambling providers for that same activity in that financial year. [This

	policy position is to become effective from 1 July 2025 to allow community groups time to transition]
Fair Access Policy	Projects/applicants that are either a venue or club listed in the Fair Access Policy and that are not taking positive action towards the six Fair Access Principles in collaboration with Council Officers.

### Assessment process

Grant applications will be assessed and scored on their individual merit, in consideration of eligibility and according to the respective grant guidelines. Every grant category will have a detailed scoring matrix to inform the assessment panel and provide guidance for applicants.

All grant applications will be assessed by an assessment panel comprising Council officers from across the organisation.

Any decision that contributes to an assessment, funding recommendation or grant allocation outcome will be documented with an associated rationale for the decision.

Where any grant allocations vary from Assessment Panel recommendations, the Assessment Panel will be informed and provided with an explanation.

Assessment outcomes, including reasons for being unsuccessful, will be communicated to all applicants.

### Approval process

Unless otherwise approved by Council, the following process applies to grant programs with a funding cap of \$1,001 or more:

- applications assessed by nominated assessment panel.
- recommendations endorsed by a resolution of Council.

Unless otherwise approved by Council, the following process applies to grant programs with a funding cap of \$1,000 or less:

- applications assessed by nominated assessment panel.
- recommendations endorsed by Executive.
- recommendations presented to Council for noting.

### **Contracting and payments**

All payments will be managed in accordance with Council's standard timelines, practices, and policies.

Following grant approval, recipients must be offered a funding agreement endorsed by the relevant manager within 14 days from the date recommendations were approved by Council.

Grant payment cannot be made until a signed funding agreement is received from the recipient, and all funding conditions have been met.

### **Project reporting and acquittals**

All grant funded activities must submit a project and financial acquittal within eight weeks of completing the project or the designated due date of the Funding Agreement, to ensure monies are spent in accordance with the signed funding agreement. With each acquittal, evidence must be provided to show that funding conditions have been met along with evidence relating to any variation or extension arrangements in place.

Council reserves the right to recover funding or to take other appropriate action, in the event of non-compliance with the funding agreement.

Failure to comply with grant requirements, may include failure to:

- meet the terms of the funding agreement.
- seek a variation prior to making any fundamental changes to an approved project;
- acquit outstanding grants; and/or
- return unspent funds;

Failure to comply as noted above, may render organisations/individuals ineligible for any further funding through Council programs until these matters are resolved.

Council reserves the right to undertake a financial and/or project audit of a funded project at any point in the funding period.



### **Variations and extensions**

Any variations to the project, as articulated in the funding agreement (with reference to the amount of funding), can only be made with written authorisation from the relevant officer with the delegated authority, as per Council's Delegation Framework, Policy and Procedures. All variations must be recorded in Council's online grants administration system.

Variations to the project will only be approved if the requested variation is consistent with the objectives in the original funded project.

Extensions to a funding agreement (with reference to the amount of funding) of up to 12 months may only be made with written authorisation from the relevant officer with the delegated authority as per Council's Delegation Framework, Policy and Procedures. All extensions must be recorded in Council's online grants administration system.

Extensions to a funding agreement will only be approved if the grant recipient experienced unforeseen circumstances that fundamentally delayed the project.

### **Appeals**

Decisions regarding successful / unsuccessful grants are final and an appeal will not be considered.

Any disputes or complaints regarding grants programs or processes will be responded to in accordance with Council's Complaint and Unreasonable Behaviour Policy.

### **Record keeping**

All application outcomes will be recorded in Council's online grants administration system.

Following confirmation of the formal decision, all organisations will be notified in writing of the outcome of their application within 14 days.

Within 30 days of a formal decision, an announcement of successful grant recipients will be published on Council's website.

Personal information about individuals collected during the grant process will be treated in accordance with Council's Privacy Policy.

## Gender impact assessment

In accordance with the *Gender Equality Act 2020*, a gender impact assessment has been conducted in relation to the subject matter of this policy.

In the interest of delivering more inclusive and accessible funded community projects for the Macedon Ranges, the following measures will be required under Council's grants programs:

- all funding applications covered by this policy will request information about which diverse groups in the community would benefit from the project, how these groups would be supported to participate in funded programs, and the estimated reach across men, women and gender diverse groups.
- addressing gender equity and inclusion needs will strengthen an application and will be reflected in the scoring matrix.
- composition of all assessment panels will include mixed gender representation.
- grant application support will be available through a range of channels including:
- 1:1 support (in-person, or by phone/online).
- all grant support materials will be provided in or translated into accessible format

## Definitions

Term	Definition
Audit	An official examination and confirmation of accounts and records. Council can be audited and Council can also audit grant recipients. For Council's audit of grant recipients, the recipient organisation will be required to readily make available all income/expenditure records, correspondence, meeting notes, promotional material, and any other document relating to the funded program/activity.
Auspice	An agreement where one organisation (the 'principal organisation') agrees to apply for funding on behalf of a second organisation that is not incorporated (the 'auspiced organisation'). If the funding application is successful, the principal organisation then receives, holds and

	administers the funding to the auspiced organisation, so that the auspiced organisation can complete the funded project or activities.
Acquittal	An acquittal report ensures that grant recipients have administered grant funds responsibly and in line with the terms and conditions of the funding agreement. An acquittal report usually consists of a written report that summarises how the project fared against the initial objectives of the grants. It also provides a financial statement detailing how the funds were spent.
Funding agreement	A written agreement between Council and the grant recipient clearly articulating the purpose of the funding, the dollar amount and the grant conditions. It also defines the rights and responsibilities of the agreement. Once signed, organisations are under a legal obligation to comply with the stated terms and conditions.
Grant	A sum of money (cash or in-kind) given to organisations or individuals for a specified purpose directed at achieving goals and objectives consistent with specific policy.
Incorporation	Being incorporated means that the group has a legal identity of its own, separate and distinct from the individuals who formed or make up the group.
Public liability insurance	Public liability insurance will protect a community organisation against its legal liability to pay: <ul style="list-style-type: none"> <li>• compensation to third parties (for example, members of the public) for bodily injury;</li> <li>• property damage that may occur as a result of the community organisation's activities;</li> <li>• the legal costs that a community organisation may have if it needs to defend bodily injury and property damage claims made against it.</li> </ul>


## References

- > [Find a MRSC Grant](#)
- > [Community Funding Scheme Guidelines](#)
- > [Small Project Grant Guidelines](#)
- > [Events and Festivals Guidelines](#)
- > [Australia Day Grant Guidelines](#)
- > [Environment Support Group Grant Guidelines](#)
- > [Neighbourhood House Funding Program Guidelines](#)
- > [Community Climate Action Grant Guidelines](#)
- > [Environment Group Support Grant Guidelines](#)
- > [Backyard Biodiversity Project \(Guidelines\)](#)
- > [Anzac Day Commemorative Services Support Fund \(Guidelines\)](#)

## Related policies

- > [Council Plan 2021-2031](#)
- > [Health and Wellbeing Plan](#)
- > [Child Safety and Wellbeing Policy](#)
- > [Gender Equity Action Plan](#)
- > [Disability Action Plan](#)
- > [Fair Access Policy](#)
- > [Gambling Minimisation of Harm Policy](#)
- > [Fraud and Corruption Control Policy](#)



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- > Privacy Policy
  - > Delegation Framework, Policy and Procedures
  - > Complaints and Unreasonable Behaviour Policy
  - > Neighbourhood House Policy
  - > Climate Emergency Plan

### **Related legislation**

- > *Local Government Act 2020*
- > *Gender Equity Act 2020*
- > *Disability Act 2006*

**15 NOTICES OF MOTION AND RESCISSION**

Nil

**16 URGENT BUSINESS**

**17 CONFIDENTIAL REPORTS**

Nil