

# Minutes

**Council Meeting  
Wednesday 28 July 2021 at 7pm  
Gisborne Administration Centre  
40 Robertson Street, Gisborne**

## Order of business

<b>1</b>	<b>Acknowledgement of Country</b> .....	<b>4</b>
<b>2</b>	<b>Recording of live streaming of this Council meeting</b> .....	<b>4</b>
<b>3</b>	<b>Present</b> .....	<b>4</b>
<b>4</b>	<b>Apologies</b> .....	<b>4</b>
<b>5</b>	<b>Conflicts of interest</b> .....	<b>4</b>
<b>6</b>	<b>Mayor's report</b> .....	<b>4</b>
	6.1 Mayor's report - July 2021.....	4
<b>7</b>	<b>Petitions</b> .....	<b>4</b>
<b>8</b>	<b>Adoption of minutes</b> .....	<b>5</b>
<b>9</b>	<b>Record of meetings of Councillors and Council staff</b> .....	<b>5</b>
<b>10</b>	<b>Deputations and presentations to Council</b> .....	<b>6</b>
<b>11</b>	<b>Director Planning and Environment reports</b> .....	<b>7</b>
	PE.1 Recommendations for Community Funding Scheme and COVID Support.....	7
	PE.2 Macedon Ranges Events and Festival Grant Program 2021-2022.....	11
	PE.3 Environment Strategy update.....	12
	PE.4 Options for Development Plan Overlay 24 - Lancefield Development Plan Areas.....	13
	PE.5 Exploration Licence Application EL007460.....	14
	PE.6 Local Government Working Group on Gambling.....	14
<b>12</b>	<b>Chief Executive Officer reports</b> .....	<b>15</b>
	CX.1 Update to Instruments of Delegation.....	15
	CX.2 Contracts to be awarded - July 2021.....	16
	CX.3 Community consultation for the management of Stanley Park, Mount Macedon.....	17
<b>13</b>	<b>Director Corporate and Community reports</b> .....	<b>18</b>
	CC.1 Draft Municipal Early Years Plan CREATE 2021-2025.....	18
<b>14</b>	<b>Director Assets and Operations reports</b> .....	<b>19</b>
	AO.1 Malmsbury Botanic Gardens - Master Plan 2021.....	19
<b>15</b>	<b>Notices of motion and rescission</b> .....	<b>20</b>
	No. 29/2021-22: Notice of Motion - Regional Roads Victoria - Roundabout in Gisborne.....	20
	No. 30/2021-22: Notice of Motion - PLN/2019/131/B 39 Willowbank Road, Gisborne.....	20
	No. 31/2021-22: Notice of Motion - PLN/2020/356 - Station Road and Stern Way, New Gisborne.....	21
	No. 32/2021-22: Notice of Motion - Procurement Policy 2021.....	21

No. 33/2021-22: Notice of Motion - Rural Councils Victoria (RCV) .....22

**16 Urgent business .....22**

**17 Confidential reports .....23**

    17.1 Macedon Ranges Regional Sports Precinct – Intersection.....23

**1 ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges that Macedon Ranges Shire is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Countries. Council acknowledges that we are gathering today on the land of Wurundjeri Woi Wurrung peoples. Council pays its respects to their Elders past, present and emerging and the Elders from other communities who may be here today.

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

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

**3 PRESENT**

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

**IN ATTENDANCE**

Bernie O'Sullivan (Chief Executive Officer), Angela Hughes (Director Planning and Environment), Shane Walden (Director Assets and Operations), Gina Lyons (Acting Director Corporate and Community), Nathan Upson (Acting Executive Manager People, Culture and Performance), Stephen Pykett (Manager Community Economic Development Arts Events), Kate Young (Manager Legal and Corporate Governance), Allison Watt (Coordinator Governance), Leanne Carlon (Coordinator Community Development).

**4 APOLOGIES**

Nil

**5 CONFLICTS OF INTEREST**

Nil

**6 MAYOR'S REPORT****6.1 MAYOR'S REPORT - JULY 2021****Resolution 2021/27**

Moved: Cr Mark Ridgeway

Seconded: Cr Janet Pearce

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

**CARRIED**

---

**7 PETITIONS**

Nil

**8 ADOPTION OF MINUTES****Resolution 2021/28**

Moved: Cr Mark Ridgeway

Seconded: Cr Geoff Neil

**That Council confirms the minutes of the Scheduled Council Meeting held on 23 June 2021 and the Unscheduled Council Meeting held on 29 June 2021, as circulated.**

**CARRIED**

---

**9 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF****Summary**

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

**Recommendation**

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

---

**Resolution 2021/29**

Moved: Cr Rob Guthrie

Seconded: Cr Annette Death

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report with the following changes:**

- 1. At item 1, Councillor briefing on 1 June 2021, Mich Thornton and Ryan Henry are to be listed as being from the Community Vision Assembly, not from consultant i.e. community**
- 2. At item 3, Councillor briefing on 15 June 2021, the item Willowbank Road Development is to be deleted.**
- 3. At item 7, Councillor briefing on 13 July 2021, under planning matters, PLN/2020/356 – 267 Station Road and 11 Stern Way, New Gisborne is to be added.**

**CARRIED**

---

**10 DEPUTATIONS AND PRESENTATIONS TO COUNCIL****Resolution 2021/30**

Moved: Cr Rob Guthrie  
Seconded: Cr Mark Ridgeway

**That Council suspends standing orders to hear depositions, presentations and public questions.**

**CARRIED**

---

One question was received from a member of the public who asked that their personal details not be read out at the meeting. The question and response were read by the Mayor.

**Question:**

With the impending VCAT Compulsory Conference for PLN /2020/165 (Mt Gisborne Reserve) which is designed to have parties agree on a resolution prior to the set full VCAT hearing I ask the following:

What process will those representing Council follow to resolve the matter? Will they have delegated authority and how far could this extend in light of the endorsed Council decision to refuse the permit?

**Response:**

Where a Council resolution overturns the officer's recommendation on a planning application and that planning decision is appealed to VCAT, Council engages an external consultant to represent Council on the matter at VCAT. This is the case with Planning Application PLN/2020/165 for Mount Gisborne Reserve.

No delegation has been granted to mediate, compromise or otherwise agree to the proposal before VCAT. Consequently, Council's consultant will attend the Compulsory Conference to listen to the proceedings and provide information to the Tribunal where required, but not to agree to any matters.

Similarly, at the VCAT merits hearing, Council's consultant will advocate for the proposal to be refused in accordance with Council's resolution.

**Resolution 2021/31**

Moved: Cr Rob Guthrie  
Seconded: Cr Dominic Bonanno

**That Council resumes standing orders to consider the remaining items on the agenda.**

**CARRIED**

---

**11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS****PE.1 RECOMMENDATIONS FOR COMMUNITY FUNDING SCHEME AND COVID SUPPORT****Summary**

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

A total of \$256,000 was advertised as available in the 2021-2022 Community Funding Scheme. This included a \$15,000 contribution from Castello's Victorian Tavern in Gisborne and an additional \$80,000 allocation in COVID-19 funding for recovery-related activities. Council resolved on 24 June 2021 not to accept monies from Castello's Victorian Tavern.

An additional \$25,419 redirected from unspent 2020-2021 Small Project Grant (SPG) funds has been included in the final recommendations to cover \$15,000 that was to be contributed by Victorian Tavern. The extra \$10,410 enables the funding of a further two projects.

This report details the application evaluation process, in accordance with the scheme guidelines, and lists the projects recommended for funding from the 2021-2022 program.

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

- 1. Redirects \$25,419 of unspent funds from the 2020-2021 Small Project Grants to the 2021-2022 Community Funding Scheme.**
- 2. Approves the 2021-2022 Community Funding Scheme allocations as described in Table 1 of this report**
- 3. Approves the COVID-19 support fund allocations as described in Table 2 of this report**
- 4. Notifies all applicants in writing of the outcome of their grant application and provide the opportunity to receive feedback on their application.**

**Motion**

Moved: Cr Geoff Neil  
Seconded: Cr Dominic Bonanno

**That Council:**

1. **Confirm the total funding, as advertised, at \$256,000, including replacement of \$15,000 no longer being accepted from an external provider for consideration at the six-monthly budget review.**
2. **Redirect an additional \$25,410 of unspent funds from the 2020-2021 Small Project Grants to the 2021-2022 Community Funding Scheme.**
3. **Approve the 2021-2022 Community Funding Scheme allocations as described in Table 1 of this report with the following amendments;**
  - a. **Increase funding to the Gisborne SES application to the full amount requested**
  - b. **Confirm additional successful applications, to the limit of the funding allocation, from the next highest ranked eligible applications assessed**
4. **Approve the COVID-19 support fund allocations as described in Table 2 of this report**
5. **Notify all applicants in writing of the outcome of their grant application and provide the opportunity to receive feedback on their application.**

**Amendment**

Moved: Cr Mark Ridgeway  
Seconded: Cr Janet Pearce

**That Council:**

1. **Confirm funding at \$241,000, including consideration of the addition of \$15,000 at six-monthly budget review.**
2. **Redirect an additional \$25,419 of unspent funds from the 2020-2021 Small Project Grants to the 2021-2022 Community Funding Scheme.**
3. **Approve the 2021-2022 Community Funding Scheme allocations as described in Table 1 of this report with the following amendments;**
  - a. **Increase funding to the Gisborne SES application to the full amount requested**
  - b. **Confirm additional successful applications, to the limit of the funding allocation, from the next highest ranked eligible applications assessed**
4. **Approve the COVID-19 support fund allocations as described in Table 2 of this report**
5. **Notify all applicants in writing of the outcome of their grant application and provide the opportunity to receive feedback on their application.**

The meeting was adjourned at 8.05pm. The meeting resumed at 8.15pm. Cr Ridgeway's proposed amendment to Cr Neil's motion was withdrawn.



**Amendment**

Moved: Cr Mark Ridgeway

Seconded: Cr Annette Death

**That Council:**

- 1. Confirm funding at \$241,000, including consideration of the addition of \$15,000 at the six-monthly budget review.**
- 2. Redirect an additional \$25,419 of unspent funds from the 2020-2021 Small Project Grants to the 2021-2022 Community Funding Scheme.**
- 3. Approve the 2021-2022 Community Funding Scheme allocations as described in Table 1 of this report.**
- 4. Should the additional \$15,000 become available:**
  - a. Increase funding to the Gisborne SES application to the full amount requested**
  - b. Confirm additional successful applications, to the limit of the funding allocation, from the next highest ranked eligible applications assessed**
- 5. Approve the COVID-19 support fund allocations as described in Table 2 of this report**
- 6. Notify all applicants in writing of the outcome of their grant application and provide the opportunity to receive feedback on their application.**

**CARRIED**

Cr Ridgeway's amendment to Cr Neil's motion is carried and becomes the substantive motion to be put to a vote.

**Resolution 2021/32**

Moved: Cr Geoff Neil  
Seconded: Cr Dominic Bonanno

**That Council:**

1. **Confirm funding at \$241,000, including consideration of the addition of \$15,000 at the six monthly budget review.**
2. **Redirect an additional \$25,419 of unspent funds from the 2020-2021 Small Project Grants to the 2021-2022 Community Funding Scheme.**
3. **Approve the 2021-2022 Community Funding Scheme allocations as described in Table 1 of this report.**
4. **Should the additional \$15,000 become available:**
  - a. **Increase funding to the Gisborne SES application to the full amount requested**
  - b. **Confirm additional successful applications, to the limit of the funding allocation, from the next highest ranked eligible applications assessed**
5. **Approve the COVID-19 support fund allocations as described in Table 2 of this report**
6. **Notify all applicants in writing of the outcome of their grant application and provide the opportunity to receive feedback on their application.**

In Favour: Crs Mark Ridgeway, Dominic Bonanno, Annette Death, Geoff Neil, Janet Pearce and Bill West

Against: Crs Jennifer Anderson, Rob Guthrie and Anne Moore

**CARRIED 6/3**

---

**PE.2 MACEDON RANGES EVENTS AND FESTIVAL GRANT PROGRAM 2021-2022****Summary**

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

The 2021-2022 program has an approved budget of \$75,000 and a range of in-kind support.

This report details the process of evaluation in accordance with the program guidelines and lists the events recommended to receive funding and in-kind support from the 2021-2022 program.

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

**Resolution 2021/33**

Moved: Cr Geoff Neil

Seconded: Cr Janet Pearce

**That Council:**

- 1. Receives the 2021-2022 Events and Festivals Grant Program Assessment.**
- 2. Endorses the Assessment Panel recommendations in this report and allocates:**
  - a. \$75,300 to the Events and Festivals Grant Program budget;**
  - b. In-kind support; and**
  - c. Two Tier 2 Triennial Agreements.**
- 3. Writes to all applicants thanking them for submitting an application and advising them of the outcomes.**

**CARRIED**

---

**PE.3 ENVIRONMENT STRATEGY UPDATE****Summary**

The Environment Strategy (the Strategy) was adopted by Council in June 2016. The Strategy was developed as a dynamic, high-level policy document which was to be updated annually to reflect changes in legislation or other policy settings.

Most actions in the Strategy have now been completed. Council has also adopted new positions on matters such as climate change, which are not reflected in the current document. In addition, the legislative and policy context has evolved over the last five years, as have community expectations.

As a result, it is timely to undertake a more comprehensive review of the Strategy to ensure it continues to provide the necessary strategic direction to guide Council's environmental work program, decisions and resource allocation.

The updated Strategy retains the original vision, but revises other components to be consistent with Council's adopted Biodiversity Strategy 2018 and the draft Waste and Resource Recovery Strategy 2021-24. The updated Strategy also provides a renewed focus on emerging priorities, such as the climate emergency, sustainable transport, waterway health and community engagement and partnerships.

If endorsed by Council, the draft updated Strategy will be released for public feedback during August and September 2021 for approximately five weeks.

**Resolution 2021/34**

Moved: Cr Anne Moore  
Seconded: Cr Mark Ridgeway

**That Council endorses the draft Environment Strategy 2021, as per Attachment 1, for the purpose of community consultation.**

**CARRIED**

---

**PE.4 OPTIONS FOR DEVELOPMENT PLAN OVERLAY 24 - LANCEFIELD DEVELOPMENT PLAN AREAS****Summary**

This report provides a brief history of Amendment C117macr and the steps Council followed to implement the Development Plan Overlay in Lancefield. The report also outlines options for the Development Plan Overlay Schedule 24 – Lancefield Development Areas, as required by the Council resolution made at the Scheduled Council Meeting held 26 May 2021. Of the options presented, officers' preferred option is that Council refer the preparation of Development Plans for Areas 1, 2 and 3 to the 2022/23 budget process.

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

- 1. Refers the preparation of Development Plans for Areas 1, 2 and 3 identified within Schedule 24 to the Development Plan Overlay to the 2022/23 budget process and seek to recoup costs through the preparation of the Development Plan.**
- 2. Notifies all landholders within the Schedule 24 to the Development Plan Overlay of this decision.**

---

**Resolution 2021/35**

Moved: Cr Bill West  
Seconded: Cr Geoff Neil

**That Council:**

- 1. Requests the Chief Executive Officer to engage an external facilitator to assist Council with a meeting with interested landowners who are within the Development Plan Overlay Schedule 24 area in Lancefield. The purpose of the meeting is to enable a discussion about Development Plan Overlay Schedule 24 and enable landowners to seek clarity on any matters regarding the Development Plan Overlay.**

**The meeting will be run by an external facilitator and attended by the Chief Executive Officer, planning staff and Councillors as appropriate. Minutes from the meeting will be recorded and presented to Council at a future Councillor briefing session.**

**The meeting to be held within 3 months of 28 July 2021.**

- 2. Notifies all landholders within the Schedule 24 to the Development Plan Overlay of this decision.**

**CARRIED**

**PE.5 EXPLORATION LICENCE APPLICATION EL007460****Summary**

The purpose of this report is to inform Council of a submission made to Earth Resources Regulation, regarding a notice of application for an exploration licence in the Riddells Creek, Romsey and Lancefield area.

**Resolution 2021/36**

Moved: Cr Geoff Neil  
Seconded: Cr Rob Guthrie

**That Council notes the submission made to Earth Resources Regulation regarding Exploration Licence Application EL007460.**

**CARRIED**

---

**PE.6 LOCAL GOVERNMENT WORKING GROUP ON GAMBLING****Summary**

Macedon Ranges Shire Council, as a financial member of the Victorian Local Governance Association, is eligible to nominate both a Councillor and an officer representative to the Local Government Working Group on Gambling.

**Resolution 2021/37**

Moved: Cr Anne Moore  
Seconded: Cr Rob Guthrie

**That Council:**

- 1. Commits to participation in the Local Government Working Group on Gambling.**
- 2. Nominates Councillor Death as a delegate to attend the Local Government Working Group on Gambling.**
- 3. Nominates Councillor Anderson and Councillor Pearce as alternative delegates.**
- 4. Confirms the outcomes of this resolution, and delegates, with the Victorian Local Governance Association.**

**CARRIED**

---

**12 CHIEF EXECUTIVE OFFICER REPORTS****CX.1 UPDATE TO INSTRUMENTS OF DELEGATION****Summary**

Changes to the *Environment Protection Act 2017* (EP Act) came into effect on 1 July 2021. To enable Council officers to exercise new powers resulting from those changes, it is recommended that:

1. Council delegates to officers the power to perform functions relevant to the regulation of onsite wastewater management systems (including septic tanks) and noise from construction, demolition and removal of residential premises; and
2. Council remakes the delegation from Council to the Chief Executive Officer (CEO) to indicate that it is satisfied with the CEO delegating those powers to officers on behalf of Council.

**Resolution 2021/38**

Moved: Cr Geoff Neil

Seconded: Cr Rob Guthrie

**That Council:**

1. In the exercise of the powers conferred by section 11(1)(b) of the Local Government Act 2020, resolves that:
  - a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation – Council to Chief Executive Officer (S5), subject to the conditions and limitations specified in that Instrument.
  - b. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
  - c. On the coming into force of the Instrument, the previous Instrument of Delegation – Council to Chief Executive Officer (S5) is revoked.
  - d. The duties and functions set out in the Instrument must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. In the exercise of the powers under section 437(2) of the Environment Protection Act 2017 (EP Act) and the Instrument of Delegation of the Environment Protection Authority under the EP Act dated 4 June 2021, resolves that:
  - a. There be delegated to the members of Council staff holding, acting or performing the duties of the offices or positions referred to in the attached S18 Instrument of Sub-Delegation to Members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in the Instrument.

- b. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and the Mayor.
- c. The duties and functions set out on the Instrument must be performed and executed in accordance with the powers and functions set out in the Instrument of Direction of the Environment Protection Authority dated 4 June 2021.

**CARRIED**

---

## **CX.2 CONTRACTS TO BE AWARDED - JULY 2021**

### **Summary**

This report provides details of contracts proposed to be awarded under a delegation from Council, from the date of the last report to 28 July 2021. Although this report recommends noting the power delegated to Council officers, Council has the power to:

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

### **Resolution 2021/39**

Moved: Cr Mark Ridgeway  
Seconded: Cr Dominic Bonanno

#### **That Council:**

1. Notes that the following contracts will be awarded by Council officers under delegated authority:
  - a. C22.1110 Supply Panel HVAC Services
  - b. C22.1111 Supply Panel Landscaping Services
  - c. C22.1112 Supply Panel Roof Plumbing Services
  - d. C22.1113 Supply Panel Painting Services
  - e. C22.1114 Supply panel Floor Finish Services

**CARRIED**

---



**CX.3 COMMUNITY CONSULTATION FOR THE MANAGEMENT OF STANLEY PARK, MOUNT MACEDON****Summary**

This report details options for the future management of Stanley Park, Mount Macedon and seeks Council endorsement to undertake consultation with the local community on the proposed options.

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

- 1. Notes the proposed options for the future management of Stanley Park, Mount Macedon.**
  - 2. Endorses community engagement on the proposed options for the management of Stanley Park, as outlined in the officer report.**
  - 3. Reports back to a future Council Meeting on the outcomes of community consultation and a recommended option for the future management of Stanley Park.**
- 

**Resolution 2021/40**

Moved: Cr Anne Moore

Seconded: Cr Rob Guthrie

**That Council:**

- 1. Notes the options set out in the report for the future management of Stanley Park, Mount Macedon.**
- 2. Endorses community engagement on the proposed options for the management of Stanley Park, as outlined in the officer report, along with the option of forming a delegated committee.**
- 3. Reports back to the September Scheduled Council Meeting on the outcomes of community consultation and a recommended option for the future management of Stanley Park, including a draft of any formal documents required to give effect to that option.**

**CARRIED**

---

**13 DIRECTOR CORPORATE AND COMMUNITY REPORTS****CC.1 DRAFT MUNICIPAL EARLY YEARS PLAN CREATE 2021-2025****Summary**

Council is undertaking the development of a new early years plan. Officers seek approval for the draft plan, CREATE 2021-2025, to be placed on public exhibition.

**Resolution 2021/41**

Moved: Cr Janet Pearce  
Seconded: Cr Annette Death

**That Council:**

- 1. Notes that a considerable amount of community consultation has informed the development of the draft Municipal Early Years Plan.**
- 2. Resolves to place the draft Municipal Early Years Plan CREATE 2021-2025 on public exhibition for a period of four weeks, with the following changes to be made prior to exhibition:**
  - Page 39 (Action 2.6 1 what success looks like) to be amended to read Breastfeeding rates improve in the shire and remain consistently above the state average**
  - Page 44 (Action 3.1 what success looks like) to be amended to read: It is proposed to employ an Early Years Planner on an ongoing basis subject to feasibility and budget.**
- 3. Notes that following community consultation, officers will report back to a Council Meeting with a summary of community feedback and the final plan for adoption.**

**CARRIED**

---

**14 DIRECTOR ASSETS AND OPERATIONS REPORTS****AO.1 MALMSBURY BOTANIC GARDENS - MASTER PLAN 2021****Summary**

At the Scheduled Meeting held on 27 January 2021, Council resolved to “endorse the Draft Malmsbury Botanic Gardens Master Plan (Master Plan) for the purpose of public consultation for a period of 42 days; and receive a further report following the public exhibition period to consider and adopt the 2021 Malmsbury Botanic Gardens Master Plan.”

The Master Plan was placed on public exhibition for six weeks from 15 February to 29 March 2021. This report details the 24 submissions received during the public exhibition period.

The master plan provides Council and the community with a vision and objectives for the reserve. It includes a list of short, medium and long-term actions, to achieve this vision over the next 20 years.

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

- 1. Adopts the Malmsbury Botanic Gardens Master Plan 2021;**
- 2. Places the master plan on Council’s website for public access; and**
- 3. Writes to community members to thank them for their participation in the consultation process and advising of the adoption the Malmsbury Botanic Gardens Master Plan 2021.**

---

**Resolution 2021/42**

Moved: Cr Mark Ridgeway

Seconded: Cr Anne Moore

**That Council:**

- 1. Adopts the Malmsbury Botanic Gardens Master Plan 2021 with the following amendments;**
  - **Construction of one (1) fenced unlit tennis court within the footprint of the existing courts and positioned without impact to existing trees and their root systems**
  - **Limit Town Hall works to demolition and reconstruction of the existing public toilets, treatment to the facade of the red brick extension and resolving soil level and drainage issues**
  - **Adjust the Master Plan costs to reflect the above amendments**
- 2. Places the master plan on Council’s website for public access; and**
- 3. Writes to community members to thank them for their participation in the consultation process and advising of the adoption the Malmsbury Botanic Gardens Master Plan 2021.**

**CARRIED**

At 9:31pm Cr Anne Moore left the meeting. At 9:32pm, Cr Anne Moore returned to the meeting.

**15 NOTICES OF MOTION AND RESCISSION****NO. 29/2021-22: NOTICE OF MOTION - REGIONAL ROADS VICTORIA -  
ROUNDAABOUT IN GISBORNE****Resolution 2021/43**

Moved: Cr Jennifer Anderson  
Seconded: Cr Rob Guthrie

**That Council directs the Chief Executive Officer to prepare a report for the 25 August 2021 Scheduled Council Meeting regarding the proposed Regional Roads Victoria (RRV) intersection works at Melbourne Road and Kilmore Road in Gisborne. This report is to include any RRV updates on the project including in the context of Council's decision on this matter.**

**CARRIED**

---

**NO. 30/2021-22: NOTICE OF MOTION - PLN/2019/131/B 39 WILLOWBANK ROAD,  
GISBORNE****Resolution 2021/44**

Moved: Cr Rob Guthrie  
Seconded: Cr Anne Moore

**That Council:**

- 1. Notes the submission heard at the Planning Delegated Committee on 14 July 2021 in relation to planning application PLN/2019/131/B and notes that officers are preparing a report, based on all relevant information including the submission received.**
- 2. Refers the decision on this planning application to officers to make under delegated authority on the condition that the applicant formally amends the application to include the construction of a footpath in Stage 5 as opposed to stage 4, which was originally proposed in this application by Collie Pty Ltd on 14/7/2021 on behalf of the permit applicant.**
- 3. As a consequence of part 2 (above), notes that this planning application will not come to the 11 August 2021 Planning Delegated Committee for a decision.**
- 4. Notes that this Council resolution supersedes the resolution of the Planning Delegated Committee of 14 July 2021 in relation to this planning application.**

**CARRIED**

---

---

**NO. 31/2021-22: NOTICE OF MOTION - PLN/2020/356 - STATION ROAD AND STERN WAY, NEW GISBORNE****Resolution 2021/45**

Moved: Cr Anne Moore  
Seconded: Cr Rob Guthrie

**That Council:**

1. Notes the submission heard at the Planning Delegated Committee on 14 July 2021 in relation to planning application PLN/2020/356 and notes that officers are preparing a report, based on all relevant information including the submission received.
2. Refers the decision on this planning application to officers to make under delegated authority.
3. As a consequence of part 2 (above), notes that this planning application will not come to the 11 August 2021 Planning Delegated Committee for a decision.
4. Notes that this Council resolution supersedes the resolution of the Planning Delegated Committee of 14 July 2021 in relation to this planning application.

**CARRIED**

---

**NO. 32/2021-22: NOTICE OF MOTION - PROCUREMENT POLICY 2021****Resolution 2021/46**

Moved: Cr Janet Pearce  
Seconded: Cr Dominic Bonanno

**That Council:**

1. Directs the Chief Executive Officer to provide information for consideration and evaluation for the inclusion of a minimum mandatory weighting criteria (selection criteria) for social procurement as part of all tender evaluations in the development of the Macedon Ranges Shire Council's Procurement Policy review required under the *Local Government Act 2020* (due by 31 December 2021); and
2. Directs the Chief Executive Officer to provide information for consideration and evaluation for options for local procurement.

**CARRIED**

---

**NO. 33/2021-22: NOTICE OF MOTION - RURAL COUNCILS VICTORIA (RCV)****Resolution 2021/47**

Moved: Cr Janet Pearce  
Seconded: Cr Mark Ridgeway

**That Council:**

- 1. Directs the Chief Executive Officer to write to Rural Councils Victoria (RCV) asking it to consult with member councils about the impact of changes in Victorian grant funding streams requiring increased work effort and complexity of supporting grant documents to be successful.**
- 2. Notes that this additional work can include the provision of completed schematic drawings, quantity surveyors cost estimates and geotechnical and other land studies which potentially puts a challenging burden on regional and rural councils, as previously some of these costs would be included within the grant sum. Some councils may not have the human and financial resources to undertake this work.**
- 3. Should this be confirmed, asks RCV to advocate and raise this issue with relevant levels of the Victorian Government and agencies.**

**CARRIED**

---

**16 URGENT BUSINESS**

Nil

**17 CONFIDENTIAL REPORTS****Resolution 2021/48**

Moved: Cr Rob Guthrie  
Seconded: Cr Annette Death

**That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020*, Council closes the meeting to the public to consider the confidential report(s) listed below, which are confidential on grounds provided in Section 3(1) of the *Local Government Act 2020*:**

**17.1 Macedon Ranges Regional Sports Precinct – Intersection****CARRIED****Confidential reasons****17.1 Macedon Ranges Regional Sports Precinct – Intersection**

This matter is considered to be confidential under Section 3(1) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

**The meeting closed at 9.41pm.**