MINUTES

OF THE ORDINARY MEETING OF COUNCIL
HELD ON
TUESDAY 20 FEBRUARY 2018
AT 6.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.
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ECO 05  EVENTS GRANT PROGRAM

ECO 06  QUARTERLY FINANCIAL MANAGEMENT REPORT TO 31 DECEMBER 2017

ECO 07  ASSET VALUATION AND REVALUATION POLICY

11. DELEGATES REPORTS

12. URGENT SPECIAL BUSINESS

13. MEETING CLOSE

SEPARATE ATTACHMENTS:

Separate Attachment ECO 05B: Draft Events Grant Program Application Form 2018-2019, November 2017
ACKNOWLEDGEMENT OF COUNTRY

To start the official proceedings
I would like to acknowledge that we are meeting on Jaara country
of which the members and elders of the Jaara Jaara community and their
forebears have been custodians for many centuries
and have performed age old ceremonies of celebration, initiation and renewal.
We acknowledge their living culture and their unique role in the life of this region.

1. PRESENT

Councillors: Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Dave
Petrusma.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and
Community Services (Lisa Knight), Acting Director Sustainable
Development (Rebecca Stockfeld) and Acting Manager Organisational
Capability (Kevin Pittman).

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST/CONFLICTS OF INTEREST

Nil.

4. MINUTES

4.1. ORDINARY MEETING OF COUNCIL – 19 DECEMBER 2017

The unconfirmed minutes of the Ordinary Meeting of the Mount Alexander Shire Council
held at 6.30 pm on 19 December 2017 at the Mount Alexander Shire Civic Centre have
been circulated to Councillors.

The unconfirmed minutes have also been posted on the Mount Alexander Shire Council
website, pending confirmation at this meeting.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Mount Alexander Shire Council
held on 19 December 2017 be confirmed.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
MOVED COUNCILLOR HENDERSON

That Item 11.1 Notice of Motion 2018/001 - Use of Council’s Parks and Open Spaces for Funerals and Memorials and Item 11.2 Notice of Motion 2018/002 - Private Use of Roads, Road Reserves and Parking, be brought forward in the Agenda and be heard prior to Public Question Time.

SECONDED COUNCILLOR PETRUSMA

CARRIED.

5. NOTICE OF MOTION

5.1. NOTICE OF MOTION 2018/001 USE OF COUNCIL’S PARKS AND OPEN SPACES FOR FUNERALS AND MEMORIALS.

MOVED COUNCILLOR PETRUSMA

That Council:

1. In consultation with the community and funeral service providers, adopts a formal position on the use of Council’s parks and open spaces for funerals and memorial services.

2. Adopts an interim position that funerals and memorials in Council’s parks and open spaces continue to be permitted to occur in locations agreed with Council staff that are away from main thoroughfares and higher general-public use areas.

SECONDED COUNCILLOR NIEMAN

CARRIED.

Rationale

Public open spaces throughout the municipality provide an important asset for a diverse range of activities and services. They are places for relaxation, passive and active recreation and a venue for events and functions.

Events in public open space provide social and economic benefits. Many of the parks, gardens and recreation reserves within the shire are suitable for a small private function or a large community event. We see lots of events in spaces such as the Botanic Gardens, including weekly park runs, weddings, group fitness as well as funerals. These are in addition to the many people walking, jogging, admiring the gardens and playing in the park and Barkers Creek.

Formal use of council's parks and gardens requires permission from the organisation. Within this context, from time to time adjustment to how the spaces are used is needed to ensure the balance between passive and active uses and the quality of the open spaces and garden spaces reflects community standards. The need for review of how our parks and gardens are used has been highlighted over the past weeks, as a result of
the location of a funeral service near the lake within the Castlemaine Botanic Gardens in December 2017.

Thoughtfully managing the location of event and function activities within our parks and gardens ensures that the needs of all users can be met and contributes to a positive community experience of our Shire. It is evident that a formal position of Council is needed to clarify the role of parks and open space for funerals and memorials.

**Officer Comment**

The Shire has significant and state heritage listed parks and gardens, making them attractive to a range of events and festivals. Council actively encourages local events to be held on land owned or managed by Council. These living assets are also places for passive recreation and quiet relaxation and it is important that the many benefits of using open spaces for an event consider all users and long-term sustainable practices.

A broader park user guideline has been under development for some time. The purpose of this document will be to ensure that on-going maintenance and management of these public spaces is in the interests of all users. Specifically this document is intended to ensure that events held in parks, gardens and recreation reserves are appropriate to those locations and that the frequency and size of events do not exceed the carrying capacity of specific parkland sites. The proposed adoption of a Council position on park use for funerals and memorials would be incorporated into this document to operationalise Council’s decision.

An interim position that sensitive events, such as memorials and funerals, be supported in locations that do not conflict with thoroughfares and higher general-use areas would be consistent with current operating practice.

### 5.2. NOTICE OF MOTION 2018/002 PRIVATE USE OF ROADS, ROAD RESERVES AND PARKING

Moved Councillor Nieman

That Council, in consultation with the community, develops and adopts a formal position on the temporary and permanent use of car parking spaces and roads for events and commercial purposes.

**MOVED COUNCILLOR NIEMAN**

That Council:

1. In consultation with the community, develops and adopts a formal position on the temporary and permanent use of car parking spaces and roads for events and commercial purposes; and

2. That the formal position be adopted by 30 September 2018.

**SECONDED COUNCILLOR HENDERSON**

CARRIED.
Rationale

Roads, road reserves and parking areas throughout the municipality provide an important opportunity for a diverse range of activities to occur due to them being (generally) all-weather, flat and in areas of high visibility.

As a result, there are many activities happening in these areas that provide positive tourism, economic, physical and social benefits to the community including, farmers markets, the State Festival and Maldon Dinner. Traditionally, this has involved closing car spaces and/or roads for one day per month (eg. for markets) to closing whole streets for several days.

Formal use of these areas requires permission from the Shire.

More recently, the operators of the Theatre Royal have sought to test how such spaces could be used for longer periods of time for commercial purposes. To assist this trial, officers issued a permit for the Theatre Royal to occupy 3 car spaces in front of that premises for up to two months commencing in January.

Formal and informal feedback during January demonstrated both community support and community concern about the commercialisation of the 3 car spaces. As a result the trial was ceased after four weeks (following the long weekend to permit this time to be tested also). It is understood that the Theatre Royal is preparing documentation to quantify the benefits to that business arising from the trial.

A permit was also issued in January 2018 for closure of Main Street, Maldon for the annual Twilight Dinner. Council has recently received a formal complaint about the impact to a business.

These examples have highlighted that a formal position of Council is needed in regard to the temporary and permanent use of public car spaces and roads by business and community operators.

Officer Comment

The development of a Council position (as proposed by the Notice of Motion) would provide great assistance to staff in responding to future proposals.
6. PUBLIC QUESTION TIME

MOVED COUNCILLOR NIEMAN

That standing orders be suspended at 6.37 pm.

SECONDED COUNCILLOR CORDY

CARRIED.

The Mayor called for any Section 223 submitters objecting to the declaration of a highway of the property commonly known as Plews Lane.

a. Ms Elizabeth Day.

Ms Day spoke in relation to Item PLA 01 of the Agenda, the proposed public highway declaration of laneway between Ray and Elizabeth Streets, Castlemaine. She stated that she would like there to be further consultation with residents and with regard to the siting of bollards

- The Mayor confirmed that consultation would occur.

b. Mr Tony Bell.

Mr Bell asked when the Castlemaine Landfill was expected to be used up at the current compaction rates. He further stated that there are sub-standard pipes in Moscript Street, Campbells Creek which cause flooding of a nearby property and indicated that Council had committed to fix this in 2012.

- The CEO responded by acknowledging that Mr Bell has raised an important matter that, while the answer to his question is not yet known, Council officers are currently investigating that same matter.
- The Mayor advised that Council officers will provide a response to drainage matter raised at the next Ordinary Meeting of Council.

c. Ms Lillian Ibberson.

Ms Ibberson stated that she was unhappy with a countback for the Castlemaine Ward as the process for choosing a new Councillor.

- The Mayor advised that this is a Victorian Electoral Commission matter and Council has no input.

d. Ms Mavis Price.

Ms Price asked in relation Item PLA 01, who was to be consulted.

- The Mayor advised that those properties immediately adjoining the laneway would be consulted.

e. Ms Margaret Tapp.

Ms Tapp expressed concern over emergency vehicle access with the potential bollard installation on the laneway.
• It was advised that emergency services had been consulted as part of the investigation process.

f. Mr Stephan Fitty.

Mr Fitty stated that approximately 28 years ago, Council had said that the laneway was a designated road.

• The Mayor thanks Mr Fitty for his background information.

g. Ms Hayley West.

Ms West asked, in relation to the Notice of Motion for funerals in public spaces, if Council staff would to be required to discuss funeral needs for any requests to use Council’s parks or open spaces.

• This was confirmed to be correct (as per the Council resolution)

h. Ms Lyn Hall.

Ms Hall spoke to a letter that she had sent to all Councillors and stated that she did not have any issue with funerals, but seeing a casket in the Castlemaine Botanical Gardens was upsetting for her organised walking group and Windarring clients.

• The Mayor thanked Ms Hall for her letter and comments.

i. Mr Peter Thompson, Funeral Director, Thompson Family Funerals.

Mr Thompson explained why the funeral was held near the rose garden in the Botanical Gardens.

Mr Thompson presented Council with a petition requesting that Council:

1. Reverse the decision to disallow funerals being held on Council controlled green spaces.
2. Conduct public consultation sessions with interested parties.
3. Create a policy or bylaw to allow funerals to be held on Council controlled property with a casket or similar representation of a body permitted

• The Mayor thanked Mr Thompson for his input and noted that the matters raised in the petition had been addressed in Notice of Motion 2018/001.

MOVED COUNCILLOR HENDERSON

That standing orders remain suspended to allow further questions until 7:30 pm.

SECONDED COUNCILLOR CORDY

CARRIED (7.07 pm).

j. Ms Celia Golding.

Ms Golden advised that she was the mother of a Windarring client, who was quite upset at seeing a casket near the walking path in the Botanical Gardens.
• The Mayor thanked Ms Golding for her comment.

k. Mr Julian Leckie.

Mr Leckie spoke in relation to Item ECO 03 of the Agenda, Planning Permit Application 182/2008, 1610 Bendigo-Sutton Grange Road, Sutton Grange – amendment to permit to amend Conditions 3 and 7 of the permit. He stated that he believed that the matter should be adjourned because of perceived factual errors in the Council report.

• The Mayor thanked Mr Leckie for his comment and the Acting Director Sustainable Development responded to the concerns raised by Mr Leckie.

l. Ms Anne-Marie Monda, Holy Goat Cheese.

Ms Monda advised that she was the proprietor of an organic dairy and goat farm. She advised that she believed that Item ECO 03 did not give enough weight to protecting the farming zone and she was also concerned about potential fire hazards.

• The Mayor thanks Ms Monda for her comments.

m. Mr Craig Marney, resident of Sutton Grange.

Mr Marney advised that he took considerable pride in venues attracting these kinds of events to the Shire and noted that they have been run in a very professional way for many years.

• The Mayor thanked Mr Marney for his comments.

MOVED COUNCILLOR HENDERSON

That standing orders remain suspended to allow further questions until 7:40 pm.

SECONDED COUNCILLOR CORDY

CARRIED (7.30 pm)

n. Ms Melissa Cameron.

Ms Cameron spoke in relation to Item ECO 02 of the Agenda, Planning Permit Application 229/2017, Subdivision of Land into Two Lots at 2 Grigg Street, Maldon. She advised that she believed that the removal of the bushfire overlay was incorrect and asked if it could be reassessed.

• It was advised by the Acting Director Sustainable Development that other authorities are responsible for these assessments and Council must accept their advice. The Country Fire Authority (CFA), to whom the matter was referred, had no concerns.

o. Mr Peter Sidwell, owner of Sutton Grange Wineries and applicant for Item ECO 03.

Mr Sidwell advised that the winery has been holding events since 2008. He stated that he believed that the planning permit conditions were adequate to prevent any potential incidents.
• The Mayor thanked Mr Sidwell for his comments.

p. Ms Marg Collison.

Ms Collison stated that she was worried that the CFA had no concerns over Sutton Grange.

• It was noted that the comment in regard to the CFA was in relation to Item ECO 02 of the Agenda.

q. Todd Ware

Mr Ware stated that he had massive concerns around potential fires and that, in the event of a fire; all resources would be devoted to keeping people safe at the cost of local resident’s farms.

• The Mayor thanked Mr Ware for his comments

MOVED COUNCILLOR NIEMAN

That standing orders be resumed at 7.39 pm.

SECONDED COUNCILLOR PETRUSMA

CARRIED.

7. PETITIONS AND JOINT LETTERS

A petition was tabled by Mr Thompson as per Item 4(i) in Public Question Time (above).
8. COMMITTEE REPORTS

8.1. LODDON MALLEE LOCAL GOVERNMENT WASTE FORUM

The unconfirmed Minutes of the Loddon Mallee Local Government Waste Forum meeting held on 27 November 2017 are at Attachment 7.1A.

8.2. AUDIT AND RISK ADVISORY COMMITTEE

The unconfirmed Minutes of the Audit and Risk Advisory Committee meeting held on 30 November 2017 are at Attachment 7.2A.

RECOMMENDATION

That the unconfirmed Minutes of the Loddon Mallee Local Government Waste Forum and Audit and Risk Advisory Committee meetings be noted.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
1. Welcome and Introductions:

Karen Fazzani opened the meeting at 12.33pm and advised that Daryl Warren was an apology and in his absence Geoff Curnow would be chairing the meeting.

Geoff Curnow welcomed those in attendance to Ouyen, including guest speakers Florence Davidson and Sharon Brettig from the Christie Centre and Megan McDonald from (DELWP).

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<td>2 Present:</td>
<td>Florence Davidson and Sharon Brettig (Christie Centre), Megan McDonald (DELWP), Geoff Curnow (Loddon Shire), Bronwen Machin (phone) (Mount Alexander Shire), Michael Scott (Mount Alexander Shire), Matt George (Mildura Rural City Council), Sarah O’Connor (Mildura Rural City), Karen Fazzani (LMWRG), Melanie Bell (LMWRG), Mark McDonald (Buloke Shire), Lorraine Learmonth (Gannawarra Shire), Nick Tuohy (EPA), Kaylee Thompson (EPA), Ian Gillingham (LMWRG), Adam Cooper (Gannawarra Shire), Gary Randhawa (Macedon Ranges Shire Council), Ken Rowe (Buloke Shire Council), Kylie Douglas (City of Greater Bendigo), Andrea Metcalf (City of Greater Bendigo), Ron Gibbs (Swan Hill Rural City)</td>
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<td>3 Apologies:</td>
<td>Ben Bowman (Mount Alexander Shire), Daryl Warren (Buloke Shire), Jennifer Anderson (Macedon Ranges Shire), Bill Moar (Swan Hill Rural City), Bridgette McDougall (City of Greater Bendigo), Daniel Lloyd (Loddon Shire), Ritika Jindal (Macedon Ranges Shire), Simon Rule (Wentworth Shire), Izzy Tunali (Wentworth Shire), Brooke Pearce (City of Greater Bendigo), Craig Lloyd (City of Greater Bendigo).</td>
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That the apologies be accepted:

Moved: Lorraine Learmonth
Seconded: Andrea Metcalf
Carried

4 Approval of Minutes – 28 August 2017

That the Minutes of the meeting from 28 August 2017 be accepted:

Moved: Lorraine Learmonth
Seconded: Mark McDonald
Carried
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<th>Action by Whom</th>
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<td>2. LMWRRG Projects. Procurement policy&lt;br&gt;Action: Bronwen to look for procurement policy.</td>
<td>Bronwen</td>
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<td>3. Attendance at next meetings.&lt;br&gt;ACTION – Chair/Karen to invite president of MAV and LGA to next meetings.</td>
<td>Chair / Karen</td>
<td>Next meeting</td>
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<td>4. Officers for the Protection of the Local Environment (EPA Pilot Program)&lt;br&gt;Action: Keep Forum briefed on how this is travelling.</td>
<td>EPA</td>
<td>Next meeting</td>
<td>Completed. Nick provided the following update: This program came from the EPA reform and was one of the recommendations. EPA needed more coverage across the state beyond Bendigo as it was hard to action reports due to the long distances. 10 OPLE’s have been employed including Kristen O’Hallaran (Loddon, Buloke, Central Goldfields), Michael Lindeman (Mildura). They started in September and are currently undertaking training and will start duties in January 2018. The 15 month Pilot Program is aimed to improve response to pollution and complaints in a timelier manner, improve relationships and prevent harm. <a href="http://www.epa.vic.gov.au/our-work/programs/ople-pilot">http://www.epa.vic.gov.au/our-work/programs/ople-pilot</a></td>
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<td>Action: Nick to invite the Loddon Mallee OPLE’s to the 28 May meeting.</td>
<td>EPA</td>
<td>28 May 2018</td>
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<td>5. Vic Waste Data portal presentation – Marcus Fagarty, Data Analyst</td>
<td>Councils</td>
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<td>Noted.</td>
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6. E-Waste Ban and Energy from Waste presentations – Angela Hoefnagels, Manager Waste and Resource Recovery, Climate Change, DELWP.

**ACTION:** Mark McDonald to email Angela councils national television and computer scheme issues.

**ACTION:** Win to include an update on the e-waste ban in the next board report to WRGG’s.

**ACTION:** During the 3 month consultation period, starting sometime in September 2017, councils are asked to provide feedback to DELWP on the implementation of the e-waste ban. This can be done through the Engage Vic website, through the LMWRRG, or councils can write to DELWP.

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<th>Mark McDonald</th>
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8. Regional consolidated solution for waste/recycling.

**ACTION:** Karen to raise with the LMWRRG Board on how we can establish this dialogue for the best way to approach State Government.

| Karen Fazzani | Next meeting | Karen will put on the agenda for the next board meeting on 8 December 2017 |

6. 2017/18 Loddon Mallee Waste and Resource Recovery Fund - Construction and Demolition Waste recover-Sort-ReUse Program – presentation by Florence Davidson (Executive Officer) and Sharon Brettig (Team Leader) from the Christie Centre Inc.

Disability provider the Christie Centre (NDIS registered) provides group, individual support and employment services (work opportunities) for people with a disability through various services, based on individual interests and needs with transition pathways for life long personal development within the Loddon Mallee region (centrally located in Mildura).

**OUR SOCIAL ENTERPRISES**

- Aroundagain collects donated goods for resale or repurpose. This is a social enterprise with an environmental conscience, reducing or ultimately avoiding the amount of waste to landfill.
- All income is reinvested back into the operation of Aroundagain, enabling us to run a sustainable business, which in turn can continue employing people living with a disability.
- We are based at the Mildura Landfill on Council land and have formed a very strong and collaborative partnership with the Council, which greatly benefits everyone.

**Our Goals**
- Employment for people with a disability
- Reduce or avoid landfill
- Provide additional income for the Christie Centre
- Provide a retail outlet for second hand goods

Loddon Mallee Fund Project: C&D Waste Recover-Sort-Reuse Program.
It is a pilot project to collect waste materials from construction and demolition sites throughout Sunraysia to reduce the amount of waste going to landfill and increase the recovery of waste materials that can be reused and recycled.

On June 21st and 22nd a team of Aroundagain Staff partnered with builder, Luke Tierney at 7 Wattle Avenue to dismantle a house marked for demolition.
Under the guidance from Luke and assistance from his Staff, the Aroundagain Team successfully dismantled specific items suitable for recycling.
We have since proceeded with dismantling & collecting building materials in the Mildura and surrounding areas as well as receiving construction and demolition waste at our Receiving station at the landfill.
Approximately 7.55 tonnes of construction & demolition waste (i.e. windows, pavers, corrugated iron) has avoided landfill from 3 houses (3.2T(43%), 3.5T(46%) and 250kg(3%)). 600kg(8%) has been collected at the receiving station.

Snapshot of E-Waste items received, tested and processed in Receiving Station over 5 days:
- 84 items (72%) were put in the shop for sale
- 25 items (21%) were dismantled for recovery of components
- 8 items (7%) were put in the rubbish

**Document destruction:**
- We offer an environmentally friendly solution, with all of the shredded paper being bailed and forwarded to recycling centres reducing the waste stream by over 200 tonnes per year.
- We are a certified member of the National Association of Information Destruction (NAID)

**Future plans:**
- New Receiving shed to be built
- Expansion of Construction & Demolition waste with a new shed and drop off area
- Partnerships with Community groups to repair donated items
- Revamped good room area in sales shed which will allow more space for quality items
- Workshops for the community using materials and items on site
- Second hand clothing expansion into revamped good room area
- Expansion of the Document Destruction business

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**DELWP policies update - Reducing Plastic Pollution Consultation, E-Waste Landfill Ban Consultation and the Turning Waste into Energy Consultation** – presentation by Megan McDonald, Senior Policy Officer, DELWP.
Reducing the impacts of plastics on the Victorian environment

Victoria is already reducing litter
- Victoria litter levels < other states...and our litter levels keep falling
- **Victorian Litter Innovation Fund**: $700k to prevent litter and illegal dumping
- **Victoria’s Litter Report Card** focuses on:
  - Litter in coastal areas and waterways
  - Illegal dumping
  - Roadside litter
  - Cigarette butt litter
  - Plastic and microplastic litter
- **Trial to recover flexible plastics through kerbside recycling** - collected 25 million plastic packaging items in first year

Plastic pollution is a global problem
- Plastic products are useful
- Plastic consumption is growing
- Plastic pollution is also growing
- Plastics can have environmental impacts:
  - Break into smaller pieces over time and become more difficult to manage
  - Risk to marine animals – swallow or become tangled
  - Highly durable – impacts are long term

Banning single-use plastic bags
- Victoria will ban lightweight plastic shopping bags
- 1.6 billion used in Victoria per year
- Less than 1% of Victoria’s litter, but impacts are disproportionate:
  - Highly mobile and can easily reach waterways
  - Threat to marine wildlife
- Analysis suggests banning bags in Victoria will have overall economic benefits
- A ban is preferred option:
  - Easier for retailers to comply with
  - Easier for government to administer
  - Clearer for consumers and retailers

Getting a ban right
- Bans in other jurisdictions have had unintended consequences
  - Increase purchases of bin liners
  - Increase in thick plastic bag use
  - After initial good results, plastic bag litter in some states gradually increased following bans
- Retailers have told us consistency with other states important
- Need to consider exemptions (e.g. medical/security activities)
- Should biodegradable shopping bags be included?
- Other types of shopping bags also have environmental impacts
  - Key to reducing impacts is to
    - reuse as many times as possible

Going further
Reducing other plastic litter impacts – we’re seeking ideas on approaches for:
- Drink containers and coffee cups
- Plastic straws and utensils
- Fruit and vegetable packaging
- Cigarette butts
- Balloons
- Microbeads
- Microfibres
- Nurdles (plastic pellets)

**Where to next**
- Consultation open until 25 Jan 2018
- Engage Victoria - discussion paper and survey
- Talking to community groups, retailers and industry
- Feedback to be published in March 2018

*For further information: wastepolicy@deh.wa.gov.au*
*Plastics pollution: Dominik Nicholls - dominik.nicholls@deh.wa.gov.au*

**Discussion:**
- At the moment the Government is looking at lightweight plastic bags.
- Has been rolled out in SA and TAS.
- "Say no to plastic bags" program exists in Buloke (single use plastic bags, does not specify light weight). Problem with people not putting waste in bags is when garbage truck is emptied at the landfill the litter can blow everywhere as it is all loose. Suggest other ways to do things such as reusing bread and potato bags.
- FOGO uses compostable bags (corn starch) rather than biodegradable bags.

**Turning waste into energy**

**Why explore waste to energy for Victoria?**
- 12.7Mt tonnes of waste managed in 2015-16. 33% went to landfill.
- Only 4% of waste was used for energy recovery in 2015-16.
- Vic population forecast to generate >60% more waste over next 30 years.
- Potential avoidance of 9Mt tonnes of CO2-e nation-wide by 2020 (CEFC).
- Opportunity for up to $5 billion in new investment by 2020 (CEFC).

**Types of facilities**

**Scale of operation:**
- Small <10,000 t/pa, medium <100,000 t/pa, large >100,000 t/pa

**Technologies and feedstock:**
- Thermal e.g. combustion, gasification, pyrolysis
- Biological e.g. anaerobic digestion, fermentation, MBT

**Inputs**
e.g. organic waste (food waste, crop residues, effluents), mixed waste streams, homogenous waste streams (tyres)

**Outputs**
- Electricity, gas, heat, steam, fuel, oil, chemicals, recycled products, residues, waste.

**Types of facilities – examples**
- Large scale combustion plant (thermal)
- Anaerobic digestion plant (biological)
- Precinct solutions (thermal or biological)
- Closed-loop industrial site (thermal or biological)

**Waste to energy in Victoria**
- A number of waste to energy facilities currently operate in Victoria.
- This includes Australian Tartaric Products, Canwarp VIC (grape marc) in the Loddon Mallee
What are the opportunities and risks?

Opportunities include:
- Increasing resource recovery (incl. challenging waste streams)
- Reducing greenhouse gas emissions
- Reducing reliance on landfills and prolonging capacity
- Economic and regional development
- Supplementing our energy mix

Risks include:
- Stimulating demand for waste generation
- Undermining higher order resource recovery
- Land contamination and biosecurity
- Air pollution and health impacts of by-products
- Amenity protection

Waste Hierarchy
- Waste to energy should not undermine higher order recovery processes
- Recovery of energy sits in the middle of the hierarchy

Victorian Government’s Preliminary Position

We’d like to see more WtE facilities that:
- Reduce GHG emissions
- Reduce waste to landfill
- meet EPA requirements
- deliver net benefits – enviro, social, economic
- consistent with state policy
- increase resource recovery
- generate reliable, renewable energy
- create jobs + economic growth
- viable + sustainable business model

What government support already exists?

Investment support programs:
Assisting with business cases, funding and procurement:
  e.g. SV Investment Facilitation Service, Waste to Energy Infrastructure Fund, CEFC
Strategic planning for the future:
  Providing a roadmap for state-wide waste infrastructure and the recovery of resources.
  e.g. SWRRIP, RWRRIPs, VORRS
Laws and Regulations:
  Providing a regulatory framework to protect the environment and human health.
  e.g. Environment Protection Act 1970 and Energy from Waste Guideline (EPA Victoria) Publication 1559.1
Energy programs:
  Encouraging energy productivity and a shift to renewables through incentives, sector plans, funding
and grants.
e.g. Victorian Renewable Energy Target, Victorian Energy Efficiency Certificates, ARENA
Climate change programs:
Supporting climate change mitigation through incentives to reduce greenhouse gas emissions.
e.g. Commonwealth Emission Reduction Fund

What barriers exist?
- Market competitiveness
- Bankability and finance
- Securing long-term contracts
- Social-licence
- Feedstock composition

Where to next?
- Consultation with stakeholders, Oct 2017 – Dec 2017
- Collection and analysis of submissions, Oct 2017 – Jan 2018
- Finalise Vic Govt position on WtE, Early 2018
- Develop & implement support program/s
  (if necessary) 2018 -
Join our discussion at www.engagew.vic.gov.au/waste
For further information: wastepolicy@delwp.vic.gov.au
Waste to energy: Angela Hoefnagels: angela.hoefnagels@delwp.vic.gov.au

Proposed e-waste policy package
Why ban e-waste from landfill?
E-waste is growing three times faster than other waste streams
- Increase recovery of valuable resources
- Reduce harm from e-waste in landfill
- Reduce waste going into landfill
...and support jobs and investment in the recycling industry

E-waste Working Group
DELWP, EPA, SV, WRRGS

Consultation
- Initial information gathering, Jan-July 2015
- Starting the conversation, Aug-Sept 2015
- Testing ideas, Aug-Oct 2016
- Testing details, Oct 2016-2017
- Formal consultation on policy package, Oct-Jan 2017

What we've learnt
- Community needs to be on board
- Access needs to be easy
- Responsibility cannot only sit with those managing other people’s waste
- Time is needed to adapt
- Enforcement must be sensible, risk-based
- There will be costs associated with these changes
- Market for products is critical

**Proposed e-waste policy package**

- **E-waste education ($1.5m)** To increase awareness about e-waste and what to do with it
  - Support for e-waste collection ($1.5m)
    - Reasonable access for community
    - Safe collection & storage
- **WMP (E-waste)** To specify how e-waste must be managed
- **WMP (Landfill)** To ban e-waste from landfill
- **Other activities:**
  - Resource recovery infrastructure program ($14.6m)
  - Market development programs
  - National product stewardship programs
  - Officers for protection of local environment (OPLEs)
  - Guide to Better Practice for Resource Recovery Centres
  - E-goods retailer engagement

**Regulatory measures**

Now available for feedback until **25 January 2018**.

**Key elements:**

- All e-waste banned from landfill
- Shared responsibility
- Recording; keeping
- Aligned with AS5377
  - Segregation of e-waste from other waste
  - Safe storage area with impermeable surface and cover
  - Measures to prevent breakage, crushing
  - Signage and information

**Working together**

<table>
<thead>
<tr>
<th>State government</th>
<th>Local government</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop clear, robust reg tools and guidance</td>
<td>Review and provide feedback</td>
</tr>
<tr>
<td>Upgrade Victoria’s collection network</td>
<td>Participate in site assessments</td>
</tr>
<tr>
<td>- Map existing network</td>
<td>Provide local input</td>
</tr>
<tr>
<td>- Assess standard</td>
<td>Consider and plan for other changes needed</td>
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<tr>
<td>- Fund upgrades</td>
<td></td>
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<tr>
<td>Help councils understand likely future volumes of e-waste</td>
<td></td>
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<tr>
<td>Develop statewide education campaign</td>
<td>Participate in upcoming workshops</td>
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<tr>
<td>- Develop key messages</td>
<td>Help disseminate key messages</td>
</tr>
<tr>
<td>- Provide regionally-appropriate</td>
<td>Use campaign materials</td>
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<tr>
<td>campaign materials for local</td>
<td>Provide feedback</td>
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<tr>
<td>application</td>
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<tr>
<td>- Fund core materials</td>
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</tbody>
</table>

| Support councils to provide e-waste   | Work with other councils to procure appropriate |
| management services:                 | e-waste services                  |
| - Provide guidance on identifying    | Ensure e-waste management services procured |
|   appropriate e-waste services       | comply with regulatory requirements|
| - Facilitate discussions between     |                                 |
|   councils and e-waste services      |                                 |

**Feedback**

Share your views on how e-waste should be managed in Victoria. Consultation is open until the 25 January 2018.


**For further information:** wastepolicy@dewp.vic.gov.au

E-waste: Megan McDonald - megan.mcdonald@dewp.vic.gov.au

**Discussion**

- Regulations will be adapted as per feedback received.
- Will take effect mid next year – comprehensive ban starting 1 July 2018, all e-waste at once.
- The level of compliance to meet ban will be gradual (12 months from 1 July 2018 to do so).
- Must have plans in place to be compliant by 1 July 2019.
- Some councils have had experience with damaged e-waste not being accepted by contractor.
- Councils encouraged to share their fees and charges.

8 **Update from LMWRRG Board – Karen Fazzani**

- New Market Development Manager appointed, Ian Gillingham.
- Attended Waste Expo in Melbourne.
- Jono Craven, Gippsland Water presented on his Churchill Scholarship project on composting for application on farm.
- Regional Procurement Strategy has commenced.
- Draft Contingency Plan approved.
- Household organics and composting workshop held in Kerang.
- Just Eat it screening held for schools – Castlemaine and Mildura.
- Greenlight graduation breakfast held in Mildura and Bendigo.
- RFQ for Regional Organics Strategy released and awarded to Blue Environment.

9 **Update from Technical Sub-Committee – Matt George**

Matt highlighted the discussion points from the technical meeting:

- The main focus of the meeting was a workshop to develop e-waste ban communication materials with SV. DEWLP also gave a brief introduction on the e-waste policy which fed into the workshop.
- Focus for the next meeting will be to workshop project ideas to begin drafting an annual work
<p>| | |</p>
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| 10. | **SV Update - Win Laing**  
- Report attached to the agenda. |
| 11. | **EPA Update – Nick Tuohy**  
- Amendments to asbestos in the scheduled premises regulations section 12  
- The Public Landfill Register is due to go live on the EPA website in February 2018. Except for some errors that will be addressed, councils are overall comfortable with the sites listed on the register.  
- The Environmental Risk Assessment Tool for closed landfills is waiting for consent from the other WRRG’s before being released to councils for use.  
- Shaun Breaden has moved from Bendigo into another role in Melbourne. Nick has stepped into his role until February 2018 and Paul Ratajczyk will be returning to his previous role at the same time. Shaun will be attending the next meeting in February 2018. |
| 12. | **Regional Waste and Resource Recovery Implementation Plan (WRRIP) Update – Melanie Bell.**  
Melanie discussed the progress of the WRRIP and projects currently being implemented from the priority actions.  
- Updated information on LMWRRG website, sent letters to respondents detailing how their comments were addressed in the WRRIP.  
- Feedback received from the launch has been used to inform the delivery of the 2017/18 projects.  
- Local Suicide Support Program. The LMWRRG is currently working with its member councils to reference the regional implementation plan and ensure the schedule aligns with the relevant council planning schemes; protect buffers of current and future waste and resource recovery facilities from encroachment; protect communities from the potential negative impacts of waste and resource recovery facilities; and support councils to effectively use buffer protection tools. The program will also provide FREE Planning Institute Australia training for council planners and waste management staff on Friday 16 March 2018 in Swan Hill. The Planning for Major Waste and Resource Recovery Facilities course is new in 2017 and deals with how the planning system manages waste after it has been collected.  
- Two applicants have been successful in receiving funding through the 2017/18 round of the Loddon Mallee Waste and Resource Recovery Fund. The Christie Centre provided a presentation earlier in the meeting. The aim of the funding is to assist councils, business, industry and community groups to deliver best practice projects that help improve recycling and reduce the amount of waste going to landfill from the(C&I) and (C&D) sectors in our region: I Do Stuff Bendigo - PALLETS TO PELLETS (P2P) project. The project is diverting pallets and other end of life timbers from landfill to produce pellets (an environmentally sustainable biomass fuel) to provide heating to a range of horticultural industries that currently rely on gas to heat growing environments. A portable chipping machine provides a free on-site pallet and end of life timber chipping service to C&I and C&D businesses. Chipped material is processed via Hammer-Mill with the product then pelletised. A total of 12.9 tonnes of pallets has been collected to end Oct 2017. A pellet heater has been installed at B&B Basil with a total of 11.6 tonnes of pellets produced and supplied to B&B Basil for biofuel heating for the hot house.
- LMWRGG Contingency Plan. As part of the regional implementation plan the LMWRGG is required to factor contingency requirements into the assessment of landfill and resource recovery needs. Planning for, and allocating contingency allowances ensures that sufficient landfill or reprocessing capacity is available if an adverse or emergency event occurs, such as bushfires or floods. The LMWRGG has developed a Contingency Plan 2017 that was approved by the LMWRGG board in October. The LMWRGG is currently consulting with councils to identify what support would be useful for councils to receive going forward in relation to managing incidents, such as information about where the regions waste and resource recovery infrastructure is and the capacities of these.

<table>
<thead>
<tr>
<th>13</th>
<th>Other</th>
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<tbody>
<tr>
<td></td>
<td>LMWRGG Staff and Council representatives attended the official opening of the Biomix in vessel composting facility in Stanhope.</td>
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<td></td>
<td>Mildura Rural City Council’s kerbside organics proposal is sitting in front of council.</td>
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<table>
<thead>
<tr>
<th>14</th>
<th>Next Meeting</th>
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<tbody>
<tr>
<td></td>
<td>Monday 26 February, Kooyoora meeting room, Loddon Shire Council, 41 High Street, Wedderburn.</td>
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<tr>
<td></td>
<td><strong>ACTION</strong>: Mel to send calendar invitations.</td>
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<td>Monday 28 May, Wychproof.</td>
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<thead>
<tr>
<th>15</th>
<th>Meeting Close</th>
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<tr>
<td></td>
<td>There being no further business, the meeting closed at 2.38pm</td>
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<thead>
<tr>
<th>16</th>
<th>Site tour of the Ouyen Landfill.</th>
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<tbody>
<tr>
<td></td>
<td>Several participants drove to the site for a tour.</td>
</tr>
</tbody>
</table>
AUDIT AND RISK ADVISORY COMMITTEE MEETING MINUTES
30 NOVEMBER 2017 AT 9.00AM AT THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTELTON AND LLOYD STREETS, CASTLEMAINE.

1. PRESENT

Committee members:
Nicole Cox (Acting Chairperson), Marina Bland, Glenn Sutherland; Councillor Bronwen Machin (Mayor), Councillor Robin Taylor

Officers: Chief Executive Officer (Darren Fuzzard); Executive Manager Business Performance (Bradley Thomas), Acting Executive Manager Organisational Capability (Kevin Pittman) - Item 7.1 and Item 7.2; Principal Governance Officer (Suellen Pepperell) - Item 7.1 and Item 7.2.

Visitors: Philip Delahunty (External Auditor)

2. APOLOGIES

Ken Belfrage (Chairperson), Andrew Zavitsanos and Lynda Cooper (Internal Auditors - Crowe Horwath)

3. DECLARATIONS OF INTEREST / CONFLICTS OF INTEREST

Nil

4. ACCEPTANCE OF MINUTES

The unconfirmed minutes of the Audit and Risk Advisory Committee meeting held on 31 August 2017 at the Council Chamber, Mount Alexander Shire Civic Centre have been circulated to Committee members and are at Attachment 4.1A.

RECOMMENDATION

That the unconfirmed Minutes of the Audit and Risk Advisory Committee meeting 31 August 2017 be confirmed.

Moved: Glenn Sutherland/Seconded: Marina Bland.
AUDIT AND RISK ADVISORY COMMITTEE
UNCONFIRMED MINUTES
31 AUGUST 2017 AT 9AM AT THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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   7.1. RISK MANAGEMENT REPORT AS AT 30 JUNE 2017 11
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    11.1. ASSET POLICIES – NON CURRENT ASSET RECOGNITION POLICY AND ASSET VALUATION AND RE-EVALUATION POLICY 12
    11.2. PULSE DEMONSTRATION 12
12. FOR INFORMATION
12.1 ANNUAL PLAN 2017/2018
12.2 VAGO PERFORMANCE AUDIT – INTERNAL AUDIT PERFORMANCE
12.3 DATE OF NEXT MEETING: THURSDAY, 30 NOVEMBER 2017 AT 9.00 AM

13. MEETING CLOSED AT 11.50 AM
1. **PRESENT**

Committee members:

Ken Belfrage (Chair), Nicole Cox, Marina Bland, Glenn Sutherland (Items 1-8); Councillor Sharon Telford (Mayor), Councillor Robin Taylor

Officers: Acting Chief Executive Officer (Jason Taylor); Executive Manager Business Performance (Bradley Thomas); Acting Executive Manager Organisational Capability (Kevin Pitman) (Item 7); Principal Governance Officer (Suellen Pepperell) (Item 7)

Visitors: Andrew Zavitsanos (Crowe Horwath), Phillip Delahunty (RSD) – Items 1-8
Cr Christine Henderson, Cr John Nieman and Cr Bronwen Machin

2. **APOLOGIES**

Officers: Chief Executive Officer (Darren Fuzzard)

3. **DECLARATIONS OF INTEREST / CONFLICTS OF INTEREST**

Nil

4. **ACCEPTANCE OF MINUTES**

The unconfirmed minutes of the Advisory Committee Meeting held on 1 June 2017 at the Council Chamber, Mount Alexander Shire Civic Centre had been circulated to Committee members and were confirmed by Nicole Cox and Marina Bland.
5. MATTERS ARISING FROM MINUTES

<table>
<thead>
<tr>
<th>MEETING</th>
<th>ITEM</th>
<th>ACTION</th>
<th>OUTCOME</th>
</tr>
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<tbody>
<tr>
<td>1 June 2017</td>
<td>Mr Belfrage appointment as a member of the Committee came to an end.</td>
<td>Advertise and appoint an independent member of the Committee.</td>
<td>Following advertising of the role, at the 18 July 2017 Ordinary Meeting Council reappointed Mr Belfrage to the Committee for a three year term ending 30 June 2020</td>
</tr>
<tr>
<td>1 June 2017</td>
<td>Audit Committee Chairperson</td>
<td>Mayor Telford will call for nominations for the role of Chairperson for the Audit &amp; Risk Advisory Committee.</td>
<td>Following the Committee proposing a Chairperson, a Council report will be prepared and Council will appoint a Chairperson.</td>
</tr>
</tbody>
</table>

Mayor Telford, assumed Chair, called for nominations as Chairperson. Ken Belfrage was nominated and accepted.

**ACTION:** Executive Manager Business Performance to prepare a Council Report to appoint Mr Belfrage as Chairperson of the Audit and Advisory Committee.

6. FINANCE REPORTS

6.1. ANNUAL FINANCIAL AND PERFORMANCE STATEMENTS

The Executive Manager Business Performance, and Councils External Auditors spoke to and presented the Draft Audited Annual Financial Statements and Performance Statement for the year ended 30 June 2017. The Audit and Risk Advisory Committee noted the reports.

Moved:

That the Audit and Risk Advisory Committee, following consideration of the draft financial statements for the year ended 30 June 2017, recommend to Council that:

Council gives its in principle agreement to adopt the statements for forwarding to the Victorian Auditor General for approval; and

Authorise Councillor Telford and Councillor Taylor, as members of the Audit and Risk Advisory Committee, to sign the financial statements in their final form after any changes recommended or agreed to by the auditors have been made.

Moved: Glenn Sutherland. Seconded: Marina Bland - Approved

7. RISK MANAGEMENT

7.1. RISK MANAGEMENT REPORT AS AT 30 JUNE 2017

The Audit and Risk Advisory Committee noted the Risk Management Report.
Moved: Nicole Cox. Seconded: Marina Bland - Approved.

8. INTERNAL & EXTERNAL AUDITORS DISCUSSION

The Committee held discussions with both the internal and external Auditors without management representatives present.

Action: A report on the number of corporate cards and use be provided at the next meeting of the Committee.

9. CHIEF EXECUTIVE OFFICER REPORT

The Audit and Risk Advisory committee noted the verbal Chief Executive Report which included the following topics:

- Central Goldfields Shire
- Corporate Restructure
- Leadership Development
- RSPCA
- Castlemaine Depot
- NCCMA Flood Study
- Harcourt Mountain Park

10. AUDIT REPORTS

10.1. INTERNAL AUDIT REPORT – TREE MANAGEMENT

The Audit and Risk Advisory Committee endorsed management’s response to the recommendations in the Internal Audit Report – Tree Management.
Moved: Marina Bland. Seconded: Nicole Cox - Approved.

10.2. INTERNAL AUDIT - FOLLOW UP REVIEW

The Audit and Risk Advisory Committee endorsed management’s response to the recommendations in the Internal Audit Report – Follow Up Review
10.3. INTERNAL AUDIT – STRATEGIC AUDIT PLAN

The Audit and Risk Advisory Committee endorsed the Internal Audit Strategic Audit Plan for 2017/2018.

Moved: Ken Belfrage. Seconded: Nicole Cox - Approved.

10.4. INTERNAL AUDIT – PROGRESS REPORT

The Audit and Risk Advisory Committee endorsed the Internal Audit Progress Report for August 2017.

Moved: Ken Belfrage. Seconded: Nicole Cox - Approved.

10.5. INTERNAL AUDIT – RECENT REPORTS AND PUBLICATIONS OF INTEREST

The report was noted by the Committee.

11. OTHER

11.1. ASSET POLICIES – NON CURRENT ASSET RECOGNITION POLICY AND ASSET VALUATION AND RE-EVALUATION POLICY

Both policies were noted by the Audit and Risk Advisory Committee.

Moved: Ken Belfrage. Seconded: Marina Bland - Approved.

11.2. PULSE DEMONSTRATION

The Audit and Risk Advisory Committee noted a presentation of PULSE - Council’s Corporate Reporting Software.

12. FOR INFORMATION

12.1. ANNUAL PLAN 2017/2018

The Audit and Risk Advisory Committee noted the Annual Plan 2017/2018.

12.2. VAGO PERFORMANCE AUDIT – INTERNAL AUDIT PERFORMANCE

The Audit and Risk Advisory Committee noted the Report.

12.3. DATE OF NEXT MEETING: THURSDAY, 30 NOVEMBER 2017 AT 9.00 AM

13. MEETING CLOSED AT 11.50 AM
5. MATTERS ARISING FROM PREVIOUS MINUTES

<table>
<thead>
<tr>
<th>MEETING</th>
<th>ITEM</th>
<th>ACTION</th>
<th>OUTCOME</th>
</tr>
</thead>
<tbody>
<tr>
<td>31 August 2017</td>
<td>Appointment of Chairperson</td>
<td>Executive Manager Business Performance to prepare a Council Report to appoint Mr Belfrage as Chairperson.</td>
<td>Prepared for Council meeting – 21 November 2017 Complete.</td>
</tr>
<tr>
<td>31 August 2017</td>
<td>Corporate Credit Card Usage Report</td>
<td>Executive Manager Business Performance to provide a credit card usage report at the next meeting</td>
<td>Report included in Agenda Complete.</td>
</tr>
</tbody>
</table>

All matters deemed complete.
Moved: Glenn Sutherland/Seconded: Marina Bland

6. FINANCE REPORTS

6.1 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD: 1 JULY 2017 – 30 SEPTEMBER 2017


7. RISK MANAGEMENT

7.1. RISK MANAGEMENT ACTIVITIES

Report noted. Moved: Glenn Sutherland/Seconded: Marina Bland

7.2. STRATEGIC RISK MANAGEMENT REPORT

Report noted. Moved: Marina/Seconded: Robin Taylor

Action:
- Add inherent Risk Column in future reports
- Detail the tolerance criteria in future reports
8. CHIEF EXECUTIVE OFFICER REPORT – VERBAL

The Chief Executive Office spoke on the following topics:

- 2018/2019 Budget
- New Councillor and Councillor Elections
- Landfill Rehabilitation
- Appointment of new Minister Local Government
- Rate Notices
- Local Government Act Review

9. AUDIT REPORTS

9.1. INTERNAL AUDIT – INTERNAL AUDIT PUBLICATIONS OF INTEREST

Report noted. Moved: Marina Bland/Seconded: Robin Taylor

9.2. INTERNAL AUDIT – PROGRESS REPORT:

Report noted. Moved: Marina Bland/Seconded: Robin Taylor

9.3. EXTERNAL AUDIT – FINAL AUDIT MANAGEMENT LETTER 2017-2018

Report noted. Moved: Robin Taylor/Seconded: Marina Bland

9.4. CORPORATE CREDIT CARDS

Report noted. Moved: Glenn Sutherland/Seconded: Marina Bland

10. OTHER MATTERS - FOR INFORMATION ONLY

10.1. ANNUAL REPORT

10.2. EXTERNAL AUDIT – CLOSING REPORT

10.3. IMASC PROJECT UPDATE

11. NEXT MEETING – 8 MARCH 2018

Committee Members confirmed Thursday mornings are the preferred time to meet.

ACTION - All future reports to detail Council Officer presenting the Report.

12. MEETING CLOSE: 10.55 AM
9. ASSEMBLIES OF COUNCILLORS

Responsible Director: Chief Executive Officer
Responsible Officer: Principal Governance Officer

Executive Summary

The purpose of this report is to provide the record of any assemblies of Councillors, held since the last Council Meeting, so they may be incorporated into the Minutes as required under the Local Government Act 1989 (the Act).

The Act defines an assembly of councillors as a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- The subject of a decision of the Council; or
- Subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee.

The definition does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

The Act requires that the CEO must ensure that a written record of an assembly of councillors is kept and that it include:

1. The names of all Councillors and members of Council staff attending;
2. The matters considered;
3. Any conflict of interest disclosures made by a Councillor attending; and
4. Whether a Councillor who has disclosed a conflict of interest leaves the assembly.

The Chief Executive Officer must ensure that the written record of an assembly of councillors is, as soon as practicable:

1. Reported at an ordinary meeting of the Council; and
2. Incorporated in the minutes of that Council meeting.

RECOMMENDATION

That Council notes the records for the Assemblies of Councillors, as required under the Local Government Act 1989.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR PETRUSMA

CARRIED.
ASSEMBLY OF COUNCILLORS RECORD
12 DECEMBER 2017
AT 3.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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5. MEETING CLOSE 3
1. **PRESENT**

Councillors: Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Dave Petrusma and Robin Taylor.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Acting Director Sustainable Development (Rebecca Stockfeld), Principal Governance Officer (Suellen Pepperell), Manager Communications and Customer Services (Adam Perrett, Item 5.1), Venues Coordinator (Natalie Parsons, Item 5.1), Manager Economy and Culture (David Leatham, Item 5.2 and 6.3), Events Officer (Karen Evennett, Item 5.2), Manager Community Places and Spaces (Ben Grounds, Item 5.3), Property Portfolio Coordinator (Daniel Borton, Item 5.3), Executive Manager Business Performance (Bradley Thomas, Item 5.4), Acting Manager Infrastructure (Marcus Goonan, Item 6.1), Project Engineer (Janek Bharati, Item 6.1) and Manager Community Partnerships (Gaynor Atkin, Item 6.3).

Visitors:
Item 5.1 Kate Stones, Castlemaine Theatre Company

2. **APOLOGIES**

Nil.

3. **PURPOSE OF THE MEETING**

The purpose of the meeting was to brief Councillors on issues and matters of interest which impact the Shire and which may be considered by Council in the future.

<table>
<thead>
<tr>
<th>Matter Discussed</th>
<th>Councillor Conflict?</th>
<th>Councillor Name</th>
<th>Councillor Left Meeting?</th>
<th>Time Left</th>
<th>Time Returned</th>
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<tbody>
<tr>
<td>5.1. Phee Broadway Theatre Hire Model Review</td>
<td>No</td>
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<td>5.2. Events Grant Program</td>
<td>No</td>
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<td>5.3. Awarding of 21 Year Lease For Castlemaine Caravan Park</td>
<td>No</td>
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<td>5.4. Budget 2019/2019 Process Follow Up</td>
<td>No</td>
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<td>6.1. Yandell Street Footpath Design</td>
<td>No</td>
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<td>6.2. Rezoning of Flood Prone Areas in Campbells Creek</td>
<td>No</td>
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<td>6.3. Australia Day Nominations</td>
<td>No</td>
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</tbody>
</table>

4. **RECORD OF CONFLICT OF INTEREST**

Councillors are required to leave the meeting if they have declared an interest in an item that is being discussed. Councillors who have left the meeting must not be able to see or hear the proceedings.
5. MEETING CLOSE

Meeting closed at 5.52 pm.
ASSEMBLY OF COUNCILLORS RECORD
12 DECEMBER 2017
AT 5.52 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

TABLE OF CONTENTS
1. PRESENT 2
2. APOLOGIES 2
3. PURPOSE OF THE MEETING 2
4. RECORD OF CONFLICT OF INTEREST 2
5. MEETING CLOSE 2
1. **PRESENT**
   
   Councillors: Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Dave Petrusma and Robin Taylor.
   
   Officers: Chief Executive Officer (Darren Fuzzard).

2. **APOLOGIES**
   
   Nil.

3. **PURPOSE OF THE MEETING**
   
   The purpose of the meeting was for councillors and the Chief Executive Officer to discuss issues and matters of interest which impact the Shire and which may be considered by Council in the future.

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<th>Time left</th>
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<tbody>
<tr>
<td>Wesley Hill Projects</td>
<td>No</td>
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<tr>
<td>HR Matters</td>
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</table>

4. **RECORD OF CONFLICT OF INTEREST**

   Councillors are required to leave the meeting if they have declared an interest in an item that is being discussed. Councillors who have left the meeting must not be able to see or hear the proceedings.

5. **MEETING CLOSE**

   Meeting closed at 6.15 pm.
ASSEMBLY OF COUNCILLORS RECORD  
COUNCILLOR BRIEFING MEETING  

**ASSEMBLY DETAILS**  
**Date:** 19 December 2017  
**Time:** 5.30 pm to 6.15 pm  
**Location:** Council Chamber, Civic Centre, Cnr Lloyd and Lyttleton Streets, Castlemaine  

**ATTENDANCE**  
**Councillors:** Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Dave Petrusma, Robin Taylor.  
**Officers:** Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Acting Director Sustainable Development (Rebecca Stockfeld), Principal Governance Officer (Suellen Pepperell).  
**Visitors:** Nil.  
**Apologies:** Nil.  

**MATTERS DISCUSSED**  
1. Memorandum of Understanding – Council and the CWA  
2. Footpath Damage in front of Wintringham Housing Units between Hargraves and Lyttleton Street  
3. Lease Arrangements for 35 Etty Street Castlemaine  
4. Awarding of 21 Year Lease for Castlemaine Caravan Park  
5. Awarding of Contract M1331-2017 for the Local Road Resealing Program 2017-2018  
6. Discontinuation of Government Roads CA2012 Parish of Ravenswood, County of Talbot  
7. Relinquishment of SES Land at Wesley Hill  
8. Planning Permit Application 214/2016 - 45 Elizabeth Street, Castlemaine  
9. Review of Protected Disclosure Procedures  
10. Appointment of Councillors as Delegates and Representatives to Committees  

**CONFLICT OF INTEREST DISCLOSURES**  
<table>
<thead>
<tr>
<th>Matter No.</th>
<th>Councillor / Officer name and description of interest</th>
<th>Councillor / Officer left the meeting</th>
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<tbody>
<tr>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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</table>
10. OFFICER REPORTS

10.1. OUR PEOPLE (PEO)

PEO 01 ANNUAL PLAN 2017/2018 – QUARTER 2 PROGRESS REPORT

Responsible Director: Director Corporate and Community Services
Responsible Officer: Executive Manager Business Performance
Original Document: DOC/18/3092

Executive Summary


RECOMMENDATION


MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
Context

Council prepares an Annual Plan each year to monitor progress toward actions in the Council Plan and receives a quarterly report on the achievements against the Annual Plan.


Refer to:

Policy and Statutory Implications

Council has adopted a Council Plan for 2017-2021 and Budget 2017/2018 in accordance with the Local Government Act 1989 (the Act).

The Annual Plan is prepared each year and progress in delivering projects is reported to Councillors and the community each quarter in accordance with the Act.

Issues

Of the 66 projects and programs outlined in the Annual Plan 2017/2018, as at 31 December 2017:

- 6 are completed
- 50 have commenced
- 1 is on hold
- 4 are not due to start; and
- 5 are on-going projects

Alternate Options

Nil.

Financial and Resource Implications

Projects and initiatives contained in the Annual Plan are fully funded in the Budget 2017/2018. The majority of projects are contained within the Capital Works Program or funded as a one-off initiative. A number of programs are also funded from the Operating Budget.

Consultation

Individual projects within the Annual Plan involve community consultation or consultation with relevant stakeholders.
10.2. OUR PLACE (PLA)

PLA 01 PROPOSED PUBLIC HIGHWAY DECLARATION OF LANEWAY BETWEEN RAY AND ELIZABETH ST CASTLEMAINE

Responsible Director: Acting Director Sustainable Development
Responsible Officer: Acting Manager Infrastructure
Original Document: DOC/17/36401

Executive Summary

The purpose of this report is to recommend the laneway between Ray and Elizabeth Street, Castlemaine be declared a public highway.

RECOMMENDATION

That Council, having considered the submissions received under Section 223 of the Local Government Act:

1. Declare the laneway between Ray and Elizabeth Street a public highway;

2. Publish a notice in the Government Gazette describing the public highway declaration in accordance with Section 204(1) of the Local Government Act 1989; and

3. Notify submitters in writing of the decision.

MOVED COUNCILLOR PETRUSMA

That Council, having considered the submissions received under Section 223 of the Local Government Act:

1. Declare the laneway between Ray and Elizabeth Street a public highway;

2. Publish a notice in the Government Gazette describing the public highway declaration in accordance with Section 204(1) of the Local Government Act 1989;

3. Notify submitters in writing of the decision; and

4. Install bollards, in consultation with the affected properties, to prevent vehicular through traffic

SECONDED COUNCILLOR CORDY

CARRIED.
Context

The laneway between Ray and Elizabeth Streets in Castlemaine is proposed to be declared a public highway. Council officers commenced a statutory process for this to occur, and in accordance with Section 223 of the Local Government Act 1989, Council gave public notice of its intention to declare a public highway.

Notice was published in the Midland Express on 5 December 2017, with submissions closing at 5.00 pm on Wednesday 10 January 2018.

A total of three submissions were received and one submitter requested to speak to their submission. Elizabeth Day and Dennis Baldock will represent the submission received from residents of Graceland Court and Elizabeth Street in Castlemaine.

Refer to:

Attachment PLA 01A: Submission 1 - Ken Maas, 5 Lawrence Street Castlemaine.
Attachment PLA 01B: Submission 2- Residents of Graceland Court and Elizabeth Street Castlemaine.
Attachment PLA 01C: Submission 3- Mavis Price, 115 Ray Street Castlemaine.

Policy and Statutory Implications

Relevant policies, strategies and plans

Council Plan 2017-2021

The pillar of ‘Our Place’ includes the objective of ‘Well managed assets for now and into the future’.

Statutory powers and implications

Section 204 – Council may declare a road to be a public highway or to be open to the public

(1) A Council may, by notice published in the Government Gazette, declare a road in its municipal district to be a public highway for the purposes of this Act.

Section 207A - Submissions under section 223

A person may make a submission under section 223 on the proposed exercise of any power under –
(a) Clauses 1(b), 2,3,7 and 8 (1)(a) of Schedule 10;
(b) Schedule 11
(c) Sections 204(1) and (2).

Section 204 (1) refers to the proposal of Council to declare a road in its municipal district to be a public highway and is therefore required to give public notice of its intention to declare a public highway and invite submissions under a S223 process.

Local Government Act 1989 Part 11 General

223 Right to make submission

(1) The following provisions apply if a person is given a right to make a submission to the Council under this section (whether under this or any other Act)
(a) The Council must publish a public notice –

(i) Specifying the matter in respect of which the right to make a submission applies;
(ii) Containing the prescribed details in respect of the matter;
(iii) Specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published;
(iv) Stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission;

(b) If a request has been made under paragraph (a)(iv), the Council must –

(i) Provide the person with the opportunity to be heard in support of the submission in accordance with the request at a meeting of the Council or of a committee determined by the Council;
(ii) Fix the day, time and place of the meeting;
(iii) Give reasonable notice of the day, time and place of the meeting to each person who make a request;
(c) If the committee determined under paragraph (b)(i) is not responsible for making the decision in respect of which the submissions have been made, the committee must provide a report on its proceedings, including a summary of hearings,
(d) The Council responsible for making the decision must –

(i) Consider all the submissions made under this section and any report made under paragraph (c);
(ii) notify in writing; each person who has made a separate submission, and in the case of a submission made on behalf of a number of persons, of the decision and the reasons for that decision.

Issues

Concerns raised in the submissions were as follows:

- Traffic and pedestrian management
- Security and Noise
- Access and Drainage

Officers have considered all concerns raised and believe that the measures set out at the Councillor Briefing Session on 26 September 2017 adequately address all concerns:

- Installation of bollards will control traffic and access. It will also stop cars driving through the lane which will reduce noise and increase security.
- Upgrading the pedestrian desire line will control pedestrian movements.
- Drainage is not considered an issue.

Alternate Options

Council could decide not to declare a public highway, retaining the status quo.

Financial and Resource Implications

Council will incur costs associated with advertising under the Local Government Act 1989. All costs can be contained within current budget and staffing allocations.
Proposed works and future maintenance is to be met from current and future budgets as approved by the Infrastructure Department.

**Consultation**

Prior to declaring a road in its municipal district to be a public highway in accordance with the Local Government Act 1989, Council must undertake notice in accordance with Section 207A, and accept submissions in accordance with Section 223 of the Local Government Act. This requires Council to publish a public notice, invite submissions, and allow submitters to be heard by Council.

Notice was placed in the Midland Express on 5 December 2017 with submissions closing at 5pm on Wednesday 10 January 2018 and all directly affected residents were notified by mail.

A total of three written submissions were received and the issues raised are addressed in this report. All submitters have been advised that their submissions have been received.

One submitter has requested to be heard and the opportunity to speak will be provided at Public Question time.

This is the standard process Council follows to declare a public highway under the Local Government Act 1989. Following publishing of notices, and allowing any submitters that wish to be heard to do so, Council can then make a formal decision on whether or not to proceed with the proposed public highway declaration.
8 Dec 2017.

Submission Re. Ray/Eliz St Lane.

Council + Community should consider decent attitude for people living there, with regards to Noise, Security and Privacy. I used to live there.

Ken Maas 5 Lawrence St 5472 4723

castlemaine.
January 4, 2018

PO Box 622
CASTLEMAINE 3450
(03) 5472-1930
0418-308-330
liz_day6@bigpond.com

The Chief Executive Officer
Mount Alexander Shire Council
PO Box 185
CASTLEMAINE, VIC 3450

Dear Sir,

RE: Proposed public highway declaration of laneway between Ray and Elizabeth Streets in Castlemaine

We refer to letter dated 6 December 2017 – Your reference: DOC/17/54814.

As residents of Graceland Court and Elizabeth Street, Castlemaine who will be affected by this declaration, we wish to make a submission to the proposal as per the attached document dated 14th December and headed: Submission re proposed public highway declaration of laneway between Ray and Elizabeth Streets in Castlemaine by Mount Alexander Shire Council.

We also wish to appear in person and/or be represented by the persons listed below at the Ordinary Meeting of Council to be held 6.30 pm Tuesday, 20 February, 2018 in the Castlemaine Civic Centre.

Yours sincerely,

G.C. & E. Day
4 Graceland Court, Castlemaine

J & D Baldock
2 Graceland Court, Castlemaine

K. Holland
58 Elizabeth Street, Castlemaine.

W & G Coupland
57A Elizabeth Street, Castlemaine

T. Olsson
56 Elizabeth Street, Castlemaine.
Submission re proposed public highway declaration of laneway between Ray and Elizabeth Streets in Castlemaine by Mount Alexander Shire Council.

We submit that the laneway between Ray and Elizabeth Streets be deemed:

1. limited vehicle/pedestrian access only, vehicle access being restricted to those property owners currently with vehicle access to the rear of their property via the laneway and
2. such vehicle access be controlled by physical means that have been drawn up by joint consultation between Council and the property owners affected by the Council’s decision to make the above declaration.
3. Council provide hard copy of the proposal to “undertake minor works to improve the road surface and facilitate legal and safe access for all users including pedestrians”.
4. that the laneway not be given free vehicle access at any time in the future.
5. access via the laneway in any future subdivision application involving the west boundary properties be rejected.
6. maintenance of the laneway - currently undertaken by residents of the properties adjacent to the laneway - be carried out at appropriate intervals; copy of the proposed schedule to be provided to resident abutting the laneway and
7. that Council provide in writing the reason for this action given the denial of ownership and responsibilities over a prolonged period.

BACKGROUND TO SUBMISSION AND REQUEST TO LIMIT VEHICLE ACCESS.

A search of the land in question (Part Allotment 15 Section D5) reveals a Crown Grant purchase 3.3.1856 including ownership of Road 26 called Garden Street. The land passed through various hands and it is believed that “ownership” of the land fell into “abeyance” when the beneficiary of a will failed to carry out the proper transfer of title procedure. From discussions held with various long term residents, the “laneway” has a long and varied history, including association with Cobb & Co coaches.

Prior to the purchase of the property Lot 2 Graceland Court, Castlemaine in early 2012, extensive enquiries regarding ownership of the laneway running between Ray and Elizabeth Streets were made as it afforded rear access to the property enabling the storage of a caravan and vehicular access – an important point in the final purchasing decision.

These enquiries included:

- verbal advice from Council that they did not own the land nor had any responsibility for it.
- title searches of the properties abutting the laneway and a review of the titles by a Planning Lawyer resulting in an answer that the land in question was “vacant land without designation”.

Printed: 5 January, 2017
advice from the real estate agent and the original owner of the sub-division indicating that the lane was originally access for the Cobb & Co coaches to a property now located off Ray Street known as Ferndale Manor

A decision to purchase the property was made with possession 4th May, 2012.

Following occupation it became obvious that the lane was used as a vehicle “short cut” between Ray Street and Elizabeth Street rather than the driver continuing to the intersection of Elizabeth Street (Pyreenees Highway) and Ray Street some additional 200 metres further west of the laneway. Vehicles proceeded at speed along the lane and included not only domestic motor vehicles but Cleanaway Garbage trucks, Leech Earthmoving vehicles and many others. This occurred even though minor “speed humps” had been formed along the laneway. As the living/dining/kitchen area and outdoor living area of the property are located a short distance from the lane boundary, the subsequent dust and noise became a problem.

In August 2013 access via the laneway was denied via a structure with a sign saying “Private Driveway”. It was later discovered that this had been erected by the tenant living a 115 Ray Street and that he had taken this step as he was tired of vehicles progressing at speed down the lane churning up dust which covered his washing and entered the house.

Following discussions a more appropriate barrier which allowed access but slowed down passage, and had a better visual appearance, was erected. This did result in the number of vehicles (particularly large vehicles) travelling down the lane dropping, however it did not stop all vehicles. It also allowed easier access to the properties backing onto the lane having the means to swing back against the fence thus giving wider access.

Concerns with regard to the land in question becoming an open carriageway

- traffic management (i.e. one way or two way) – has a report been carried out – if not will it be done
- potential for both vehicular accidents and pedestrian injury from accidents due to the close proximity of
- the Graceland Court/Ray Street intersection to the lane
- the Ray Street Child Care Centre at 54 Ray Street with vehicles entering and leaving after dropping/picking up children at child care from 6.00 am to 6.00 pm
- the bus shelter at the Elizabeth Street intersection blocking sight of traffic from the right
- the Ray Street-Elizabeth Street (Pyreenees Highway) intersection.
- storm water and drainage management plan – has a report been carried out – if not will it be done
- lack of concern by motorists for pedestrian safety including school children alighting from the bus at the end of the laneway in Elizabeth Street and walking thru to Ray Street.
- safety of residents exiting the rear of their property.
- use of the laneway as a means of a short cut by motorists.
- potential increase in accidents
- increased traffic generation detrimentally affecting the amenity of the residents.

Printed: 5 January, 2017
70 Graham Road  
KANGAROO GROUND VIC 3450  

9 January 2018  

The Chief Executive Officer  
Mount Alexander Shire Council  
25 Lytton Street  
CASTLEMAINE VIC 3450  

Dear Sir,  

Re: Proposed Highway declaration for laneway between Ray St and Elizabeth St.  

My parents bought the land on the West side of the laneway in the 1970s and they corresponded with the council at that time concerning the amount of traffic which used the laneway, the speed of various vehicles and the amount of dust which resulted. At that point no resolution was found because not all the adjacent landowners could agree to a solution. Their block of land was subsequently subdivided and I now own the property facing Ray Street and the laneway has continued to be a challenge causing discomfort to myself and various tenants. In order to reduce the impact on my property of the various factors mentioned above the gate was put in place to reduce the volume of traffic, the size of vehicles using the lane and the amount dust. This has proved successful from my point of view, although I have heard some complaints.  

The proposal to remove the uncertainty concerning who is responsible for that strip of land is very welcome. Minimal maintenance has been done by my family and other adjacent landowners so that people would be discouraged from using the laneway. With the subdivision of the land on the East to form Graceland Court two other houses are now very close to the dusty thoroughway.  

Because of the narrowness of the southern end of the laneway I think that it would be appropriate to provide pedestrian and bicycle access only, provided that those properties which currently have access onto the lane would continue to have access from one end. An alternative, which I would be willing to discuss, would be allowing one-way traffic from South to North, since the right-hand turn from Elizabeth St to Ray St is awkward.  

I propose to attend the Ordinary Meeting of Council to be held at 6:30pm on Tuesday 20 February 2018 in the Castlemaine Civic Centre.  

Thank you.  

Yours truly,  

[Signature]
PLA 02 DISCONTINUATION OF GOVERNMENT ROAD CA2035 PARISH OF FRYERS, COUNTY OF TALBOT

Responsible Director: Acting Director Sustainable Development
Responsible Officer: Acting Manager Infrastructure
Original Document: DOC/17/51688

Executive Summary

The purpose of this report is for Council to approve the discontinuation of the government road known as Crown Allotment 2035, Parish of Fryers, County of Talbot.

RECOMMENDATION

That Council:

1. Complete the discontinuation of government road known as Crown Allotment 2035, Parish of Fryers, County of Talbot;
2. Publish a notice in the Government Gazette describing the discontinuation in accordance with Section 206 Schedule 10 (3a) of the Local Government Act 1989; and
3. Advise the Department of Environment Land Water and Planning (DELWP) that the road is discontinued.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR PETRUSMA

CARRIED.
Context

Councillors were notified in December 2017 that officers were proceeding with discontinuing the government road off the Fryers- Taradale Road known as Crown Allotment 2035, Parish of Fryers, County of Talbot. A statutory process has been undertaken, as follows:

1. Give public notice in accordance with Section 223 of the Local Government Act 1989 of its intention to discontinue the government road off Fryers –Taradale Road known as CA2035 Parish of Fryers, County of Talbot;
2. Publish the public notice in the Midland Express;
3. Accept written submissions on the matter until 5.00pm on 17 January 2018;

Councillors must then:

4. Hear any persons who wished to be heard at the Ordinary Meeting of Council on 20 February 2018 in the Castlemaine Civic Centre;
5. Having considered submissions, determine whether to proceed with the proposed discontinuation and publish a notice in the Government Gazette.

The public notice was published in the Midland Express on Tuesday 12 December 2017 advertising the proposed discontinuation.

No written submissions were received and no person requested to be heard.

Refer to:

Attachment PLA 02A: OP123916 Plan of Sugarbag Track Road Closure

Policy and Statutory Implications

Relevant policies, strategies and plans

Council plan 2017-2021

The preparation of this report is consistent with the strategic objectives of the Council Plan 2017-2021, including managing land use and development in the municipality in accordance with the Mount Alexander Planning Scheme and good governance.

Statutory powers and implications

Schedule 10 - Powers of Councils over Roads

Part 3 – Power to discontinue roads

A Council may, in addition to any power given to it by sections 43 and 44 of the Planning and Environment Act 1987:

(a) Discontinue a road, or part of a road, by a notice published in the Government Gazette; and
(b) Sell the land from that road (if it is not Crown Land), transfer the land to the Crown or itself or retain the land.

Section 207A - Submissions under section 223

A person may make a submission under section 223 on the proposed exercise of any
power under –
Clauses 1(b), 2, 3, 7 and 8 (1)(a) of Schedule 10;

Schedule 10 Clause 3 refers to the power to discontinue roads and Council is required to give public notice of its intention to discontinue the road and invite submissions under a S223 process.

As no submissions were received to the Section 223 public notice, the formal road discontinuation can now be determined.

A notice must be published in the Government Gazette describing the road discontinuance.

Issues

DEWLP requested officers to review the status of this unused road reserve as infrastructure has been installed on this section of road reserve without approval. Officers found that the road reserve was not required and road discontinuation is being undertaken as the most appropriate procedural option to close the government road.

After the public notice period closed no written submissions were and no person requested a hearing.

Under Schedule 10 (3b) of the Local Government Act 1989, the land is to be transferred to the Crown.

To facilitate this, the DELWP created four new Crown Allotments under OP123916 as follows:

CA2035 – Road to be discontinued
CA2036 – Crown land parcel
CA2037 – Road surveyed by DELWP, and provides access to property
CA2038 – Unreserved crown land

The transfer of land will be managed by Department of Environment Land Water and Planning to the adjoining owner.

Alternate Options

There are no alternate options.

Financial and Resource Implications

There will be administration costs associated with advertising and preparing notices in accordance with the Local Government Act.

Consultation

DEWLP requested officers to review the status of this unused road reserve. Officers conclude that the road reserve was not required.

Officers completed the public notice process in accordance with Section 223 of the Local Government Act 1989 advising of its intention to discontinue the government road off Fryers –Taradale Road known as CA2035 Parish of Fryers, County of Talbot
No submissions were received to the Section 223 public notice, the formal road discontinuation can now be determined.

Advise the Department of Environment Land Water and Planning (DELWP) that the road is discontinued.
PLA 03 FLOOD LEVEES CASTLEMAINE, CAMPBELL'S CREEK AND NEWSTEAD

Responsible Director: Acting Director Sustainable Development
Responsible Officer: Acting Manager Infrastructure
Original Document: DOC/18/4745

Executive Summary

Council officers have presented the designs of flood levees to the community for three towns; Castlemaine, Campbells Creek and Newstead. The Castlemaine and Campbells Creek designs were based on recommendations from the Castlemaine, Campbells Creek and Chewton Flood Management Plan and the Newstead design was based on recommendations from the GHD Levee Investigation Report.

RECOMMENDATION

That Council:

1. Endorses the proposed final levee designs at:
   a) Elizabeth Street, Castlemaine
   b) Castlemaine Central Cabins and Van Park
   c) Campbells Creek
   d) Alexander Bridge
   e) National School Lane
   f) Newstead

2. Supports further design and community consultation being undertaken in relation to the Gingell Street north and south areas

3. Notes the estimated contribution required by Council on a 2:1 funding basis and considers funding some or all of these works during the development of future Council budgets.

4. Advises the community of Council’s decision in relation to each levee.

MOVED COUNCILLOR NIEMAN

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
Context

In August 2015, North Central Catchment Management Authority (NCCMA) released the Castlemaine, Campbells Creek and Chewton Flood Management Plan (the Plan), in partnership with Council. The development of the Plan was guided by a steering committee comprising representatives from various statutory agencies and the community. There were ten recommendations from the Plan. Recommendations 1 to 6 were for the investigations into levee installations at Gingell Street (North and South), Castlemaine Central Cabins and Van Park, Elizabeth Street, Campbells Creek and National School Lane.

As part of the ongoing flood management works, GHD was also commissioned to undertake an investigation of the existing Newstead levee in early 2014. A detailed report was provided to Council in November 2015. The investigation made seven recommendations including assessment and associated levee design works.

The next stage of this project is to advise Council of the outcome of community consultation and confirm the priority levee projects for officers to seeking external funding for development, subject to matched funds.

Designs and cost estimates have now been completed for all levees.

Refer to:

Confidential Attachment PLA 03A: Feedback emails - Castlemaine and Campbells Creek Levees, May – August 2017
Confidential Attachment PLA 03B: Feedback emails - Newstead Levee, May – August 2017
Attachment PLA 03C: CBR Flood Levees February 2018

Policy and Statutory Implications

Castlemaine, Campbells Creek and Chewton Flood Management Plan

Recommendations to construct levees in Castlemaine and Campbells Creek.

Newstead Levee Investigation Report

Recommendations including assessment and associated levee design works.

Council Plan 2017-2021

Council Plan includes the strategic objectives as follows:

A welcoming place for all

- Build community resilience by working together with the community and key stakeholders to prevent, prepare, respond and recover from emergencies and manage risk.
- Secure funding from State Government for Emergency Management role and associated activities.

Issues

Council have designed seven levees and it has sought community feedback on and have completed a cost benefit ratio (CBR) analysis to assist in deciding which levees will progress to funding and then construction phase.
Cost benefit analysis (CBA) is a process used to determine the value of a project in relative terms. Project justification is measured as economic worth to the community. To evaluate a project’s benefit to the community, a CBA will compare the benefit with the overall cost, to deliver and sustain the project. If overall benefits are demonstrated to exceed the expected costs (CBR of above one), a project is generally considered viable.

The cost and benefit figures used are “simple” and do not take into account other factors like mental distress, loss of personal items, amenity, flora and fauna.

Consultation outcome

There is general support for the levees, in particular at Campbells Creek, but there are also some strong objections to the Gingell Street levee and to a lesser degree the Newstead levee. The objections raise the following concerns:

**Gingell Street**
- The aesthetics of the “concrete wall” levee.
- Potential to cause damage to the avenue trees.
- The minimal protection offered by the 1:20 levee on the southern end of Gingell Street.
- The overall need to install this infrastructure.

**Newstead**
- The aesthetics of the earthen levee at 6 Layard St, including privacy.
- The perceived additional flooding on the southern side of the Loddon River caused by construction.

Assessment

While the CBR is the simplest way to see a project’s viability, officers have taken into account community feedback when making the following recommendations:

**Gingell Street North**
The levee design has an impact on the aesthetics of the area and takes up some park land. Construction will harm the health of the existing trees. It has the lowest CBR at 0.5 of all the levees due to the high construction cost and low benefit, this would be reduced even further if amenity and fauna damage was taken into account. There is a possibility of cost increases as construction is difficult due to available space and construction materials. This levee is not supported by the community.

Officers do not support.

**Gingell Street South**
The levee design has an impact on the aesthetics of the area. Construction may harm the health of the existing trees. The CBR is above 3 as the Railway Hotel is in this section of the works. If the protection level of the levee is included at only 1:20, the CBR reduces to 0.67; this would be reduced even further if amenity and fauna damage was taken into account. There is a possibility of cost increases as construction is difficult due to available space, heritage constraints of the area and construction materials. This levee is not supported by the community.

Officers do not support the development of this levee.
**Castlemaine Central Cabins and Van Park**

The levee design has minimal impact on the aesthetics of the area. Construction may harm the health of the existing trees although there is a low level of attachment to these trees and they are mainly non-native. The CBR is above 3 as the construction costs are relatively low and the potential damages are high as the entire caravan park and some houses in Bruce Street are subject to major flooding.

Officers support construction.

**Elizabeth Street**

The levee design has minimal impact on the aesthetics of the area, although it does take up some park land. The CBR is 0.72 offering protection to industrial land near the Elizabeth Street Bridge. It also offers protection to the power / switching station although the station has been raised the levee would guarantee there was no damaged due to flooding.

 Officers support construction, as this levee protects our power infrastructure.

**Campbells Creek**

The levee design has minimal impact on the aesthetics of the area. The CBR is 0.93 offering protection to several houses. This levee will also require the reconstruction of some banks offering further protection to the back yards of a number of houses which are very close to the current bank.

Officers support construction.

**Alexander Bridge**

Minimal works involved and supported by the community.

Officers support construction.

**National School Lane**

Minimal works involved. This location has one objection based on the removal of existing vegetation which is planted in the current levee. It is best practice to remove vegetation from the levee during other construction works.

A CBR has not been completed for National School Lane or Alexander Bridge works as both have construction costs of under $100,000.

Officers do support construction.

**Newstead**

The Newstead levee is constructed on private land, very close to existing houses, there are concerns from directly affected residents about impact on amenity, however the levees will be constructed generally 5 metres further from existing residents than originally planner, although higher to offer 1:100 protection. There is some concern from residents on the South side of the Loddon that the levee will cause additional flooding although Councils modelling show no additional flooding will be caused.

A CBR has not been completed for the Newstead levee as the construction costs are comparatively low when compared to the multiple private and public buildings which would be impacted by a 1:100 year event.

Officers support construction.
Future Action

Subject to Councillor’s support for proceeding with the supported levees officers will need to:

- Communicate back to the community the supported options;
- Undertake a process of redesign and re-engagement with the community about the Gingell Street levees;
- Complete management/maintenance plans for the supported levees;
- Seek external matched funding for the supported levees, and commence a business case for part council funding;


Alternate Options

The alternate option is to not proceed with the recommended parts of the levee program requiring alternative engineering solutions to manage flooding. These have not been explored in depth as levees are the most practical and the recommendation of the Castlemaine, Campbells Creek and Chewton Flood Management Plan.

Given the community objections and low CBR the Gingell Street levees are not supported and recommended to be put on hold pending continued investigation. NCCMA, Council Officers and Department of Environment, Land, Water and Planning (DELWP) are talking about other less intrusive options which design budget bid for 2018/19, these include:

- Reconfiguration of the road height
- Using the current fence lines as the levee walls (requiring gates to be installed at each driveway)

Designs for the Gingell Street levee will be presented at a future Councillor Briefing once designs are completed.

Financial and Resource Implications

Council previously adopted the Castlemaine, Campbells Creek and Chewton Flood Management Plan and noted the following financial and resource implications:

- The Flood Management Plan provides different mitigation options with total cost estimates for capital and maintenance works ranging from $1.4 million to $3.5 million.
- These works are proposed to be one third Council funded and one third each from State and Federal funding.
- The costs associated are dependent on designs and time is open to various influences.

Council does have funding allocated. The estimate used for Council’s current adopted Long Term Financial Plan is approximately $2.5 million over ten years. The $2.5 million cost based on one-third contribution resulted in a cost to council of $833,333.

Councils adopted Long Term Financial Plan currently includes borrowings of $833,000 and a rate variation to fund the principle and interest repayments of the $833,000.

Current costs are now estimated at $3.5 million for the Castlemaine and Campbells Creek levees and $500,000 for the Newstead levee; therefore Council’s one third share
would be $1.32 million. Council will need to consider possible funding models of the $1.32 million in future budgets. Funding models may include the below, or a combination of the below:

- Application of a rate variation above the State Government Rate Cap. Council would need to apply for a 10 year rate variation of an additional 0.75% to fund Council’s share of costs;
- Borrowings to fund the construction, and reduction of capital expenditure equal to the repayment costs.

The current costs estimate will change if the Gingell Street levees are put on hold. This will reduce the overall cost from $3.5 million to $2.5 million and therefore Council’s contribution to $833,000.

Council officers have spoken with NCCMA and confirmed that some funding can be made available for these projects subject to finalising designs (completed), Council contributions and emergency / maintenance management plans.

Given the size of this project it is expected that the project would be delivered using an external project manager and an external contractor, reporting into Infrastructure.

**Consultation**

The Castlemaine and Campbells Creek Levee designs consultation was completed via a series of community meetings and various forms of written communication prior to finalising the design, with the addition of a Councillor Briefing and then a further community meeting held after finalising the designs.

A similar process was undertaken for Newstead, although the final designs have not been taken back to the community.

The feedback for both consultations is attached.
The simplest way to look at the benefit of each levee construction is a straight Cost Benefit Ratio (CBR) as shown below (Damages / Cost):

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>Damages</th>
<th>2017 Capital Cost</th>
<th>Maintenance</th>
<th>Total of Mitigation</th>
<th>CBR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gingell St Nth</td>
<td>$434,028</td>
<td>$754,419</td>
<td>$116,000</td>
<td>$870,419</td>
<td>0.5</td>
</tr>
<tr>
<td>Gingell St Sth</td>
<td>$2,306,452</td>
<td>$531,043</td>
<td>$166,000</td>
<td>$657,043</td>
<td>3.36</td>
</tr>
<tr>
<td>Caravan Park</td>
<td>$1,352,548</td>
<td>$211,723</td>
<td>$80,000</td>
<td>$291,723</td>
<td>3.75</td>
</tr>
<tr>
<td>Elizabeth St</td>
<td>$489,244</td>
<td>$545,340</td>
<td>$131,000</td>
<td>$676,340</td>
<td>0.72</td>
</tr>
<tr>
<td>Campbells Creek</td>
<td>$837,291</td>
<td>$785,922</td>
<td>$116,000</td>
<td>$901,392</td>
<td>0.03</td>
</tr>
</tbody>
</table>

Although the Gingell Street South levee only gives 1:20 flood protection, the CBR should also include probability of flooding and would therefore be (Damage x Probability / Cost):  

<table>
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<td>$166,000</td>
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<td>0.67</td>
</tr>
</tbody>
</table>
10.3. OUR ECONOMY (ECO)

ECO 01  PLANNING PERMIT APPLICATION 136/2017 – RESUBDIVISION OF FOURTEEN (14) LOTS INTO FORTY SEVEN (47) LOTS (STAGED), CREATION AND ALTERATION OF EASEMENTS, AND CREATION OF ACCESS TO A ROAD ZONE CATEGORY 1 ROAD AT LOT 1 ON TP567245R, LOT 1 ON TP592162D, LOT 1 ON TP563075M, LOTS 1 AND 2 ON TP512818D, LOTS 1, 2 AND 3 ON TP401788E, AND CROWN ALLOTMENTS 101 TO 106 ON SECTION 3A OF THE PARISH OF CASTLEMAINE, 14 MIDLAND HIGHWAY, CAMPBELLS CREEK

Responsible Director: Acting Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/17/46337

Executive Summary

Council has received an application for a forty seven (47) lot subdivision (staged), creation and alteration of easements, and creation of access to a Road Zone Category 1 Road, at 14 Midland Highway, Campbells Creek. The site is located within the Township Zone and is not covered by any overlays.

The application was advertised and received three objections raising concerns with a range of issues including concerns with access arrangements, fencing provision, landscaping, lack of footpath and bus stop provision, and local speed limit concerns. Various permit conditions are proposed to address some of these concerns, and one objection was withdrawn after the applicant resolved fencing issues, leaving only two current objections.

The site consists of Lot 1 on TP567245R, Lot 1 on TP592162D, Lot 1 on TP563075M, Lots 1 and 2 on TP512818D, Lots 1, 2 and 3 on TP401788E, and Crown Allotments 101, 102, 103, 104, 105 and 106 on Section 3A of the Parish of Castlemaine.

The purpose of the Township Zone is to encourage development that respects the neighbourhood character of the area.

The application has been assessed against the provisions of the Township Zone and local and state planning policy and is considered to be appropriate.

It is recommended that a Notice of Decision to grant a planning permit subject to conditions be issued.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a planning permit for a forty seven (47) lot (staged) subdivision, creation and alteration of easements, and creation of access to a road zone category 1 road at lot 1 on TP567245R, lot 1 on TP592162D, lot 1 on TP563075M, lots 1 and 2 on TP512818D, lots 1, 2 and 3 on TP401788E, and Crown Allotments 101 to 106 on Section 3A of the Parish of Castlemaine, 14 Midland Highway, Campbells Creek, subject to the following conditions:

1. SUBDIVISION LAYOUT PLAN

1.1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
2. FORMAL PLAN OF SUBDIVISION

2.1. The formal plan of subdivision lodged for certification must be in accordance with the approved endorsed plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

3. SOUTH-WEST BOUNDARY FENCING

3.1. Prior to the commencement of any on-site construction works a colorbond fence colour “Woodland Grey” (or equivalent colour) measuring 1.8 metres high plus 200 millimetres timber plinth must be erected along the southwest boundary of lots 15, 24 and 25 (as shown on the endorsed plans).

4. PEDESTRIAN FOOTPATHS

4.1 Prior to the issue of a Statement of Compliance for Stage 2, a 1.5 metre wide concrete footpath link must be constructed within the Midland Highway road reserve on the east side, linking pedestrian access from the site to the existing pedestrian bridge on the east side of the Midland Highway. This must be constructed to the standards and satisfaction of both VicRoads and the Responsible Authority.

4.2 Appropriate 1.5 metre wide concrete pedestrian footpaths must be provided throughout the new internal road network for each stage to the standards and satisfaction of the responsible authority.

5. PUBLIC STREET LIGHTING

5.1. Street lighting must be provided to the requirements and satisfaction of both Powercor and the Responsible Authority prior to the issue of a Statement of Compliance for each stage.

6. LANDSCAPING PLANS

6.1. An adequate landscaping plan providing for suitable street trees and landscaping must be provided to the satisfaction of the Responsible Authority, and when endorsed, must then be implemented on site prior to the issue of a Statement of Compliance for each stage.

7. ENGINEERING PLANS

7.1 Prior to commencement of any construction works associated with the development, detailed road and drainage construction plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The engineering plans must accord with the infrastructure design manual. All works necessary for each stage must be constructed or carried out in accordance with those approved plans and completed to a standard satisfactory to the responsible authority prior to the issuing of statement of compliance for that stage. The plans are to include:

a) Drainage including outfall drainage upgrade and flood mitigation works

b) Road and vehicle crossing works etc.

c) Traffic management works

d) Provision of footpaths for the new internal road network

e) Provision of the new footpath link along the East of the Midland Highway road reserve up to the existing pedestrian footbridge.
f) Street lighting must be provided to the requirements and satisfaction of both Powercor and the Responsible Authority.

g) Location of any proposed street trees as per the landscaping plan.

8. ROADS

8.1. Road construction is to comply with the requirements of the infrastructure design manual for an access place. The plans must include details in relation to pavement and formation width, pavement depth, pavement type and surfacing, drainage details, intersection treatments, footpath, landscaping, lighting and fire plug details. Computations are required to support the pavement and drainage design.

9. VEHICLE Crossovers

9.1. Proposed vehicle crossovers are to be constructed to the levels/requirements of council. No impending or redirection of existing surface flow is allowed to occur as a result of these works. Where two crossovers are in close proximity, pipes are to be extended through to create one wide crossover servicing both properties.

10. DRAINAGE

10.1. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the council as the responsible drainage authority so as to prevent the discharge of water from the subject land across any road or onto any adjoining land.

10.2. The site stormwater discharge is not to be increased by the proposed developments. The drainage system shall include provision of storm water retention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a 5 year annual recurrence interval (IDM Design standards - Section 19.3 Requirements)

10.3. On completion of the works, certification must be submitted to the Responsible Authority certifying that works have been completed in accordance with the Approved Engineering Plans.

10.4. Provide cut off drains or similar to protect adjoining properties from overland storm water flow. Provision is to be made to divert major rainfall (1 in 100 year) storm events away from the building envelopes of lots within this and adjoining subdivisions.

10.5. Designation of the minor and major flow paths shall be indicated on drainage plans.

10.6. In designing this drainage system the applicant may also consider incorporating aspects from Guidelines for Water Sensitive Urban Design (WSUD).

10.7. The developer must formalise the open drains along the Main Road at the development frontage, to the satisfaction of the Responsible Authority.

10.8. The legal point of discharge to the development is to the existing drainage system. Accordingly stormwater runoff from all buildings and paving areas must be drained and connected to the existing drainage asset.
11. EASEMENTS
11.1. All existing and proposed easements and sites for existing and required utility services and drainage must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

11.2. All services, with the exception of underground storm-water drainage and sewer systems, are to be located within the road reserves.

12. TRAFFIC MANAGEMENT PLAN
12.1. Prior to commencement of any development works, a traffic management plan for the site must be submitted to and approved by the responsible authority.

13. INFRASTRUCTURE STATUS
13.1. All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance.

14. SEDIMENT POLLUTION CONTROL
14.1. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

15. CONSENT FOR CONSTRUCTIONS
15.1. Council is to be paid a fee of 0.75% of the total construction costs for these works for the approval of said plans plus 2.5% for supervision of construction. Said fees to be paid prior to commencement of any road/drainage works. Estimate for the works are to be prepared and submitted to Council.

15.2. Prior to the commencement of any works on the road reserve the owner/applicant must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.

16. STATEMENT OF COMPLIANCE
16.1. Prior to the issue of a statement of compliance for the subdivision, the drainage and vehicle crossing works must be installed to satisfaction of council in accordance with the approved Engineering plans.

17. REMOVAL OR TRIMMING OF ROAD RESERVE TREES
17.1. If the applicant / property owner requires removing or trimming of trees in council road reserves as part of the development or as part of future works, all the cost of such removal must be borne by the applicant / property owner. The applicant / property owner must obtain consent and necessary work permits from the council for such future tree trimmings / removals prior to commencement of tree removal works.

18. VICROADS CONDITIONS
18.1. Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988, the following amendments to the plans submitted with the application must be made:
a) 5 metre by 5 metre corner splay must be provided at the intersection of the subdivisional road and the Midland Highway; and

b) Any land set aside as a Road must be labelled “ROAD” on the plan of subdivision and must be vested in the Council.

c) The plantation reserve must be vested with Council.

18.2. Prior to the certification of the plan of subdivision, a functional layout plan must be submitted and approved in writing by the to the Roads Corporation to show the following:

a) A CHR(S) right turn treatment in accordance with Austroads (2017) Guide to Road Design Part 4, Figure A29;

b) An AUL(S) left turn treatment in accordance with Austroads (2017) Guide to Road Design Part 4A, Figure 8.3;

c) All existing accesses / crossovers to abutting properties on both sides of the Midland Highway;

d) Any existing or disused crossovers from the subdivisional land made redundant must be removed and the area reinstated;

e) The following swept paths at 10 km/h (minimum):
   • An 8.8 metre length vehicle (turning left and right in at a 12.5 metre radii) and a B85 car (turning right and left out) and vice versa – with 0.5 metre clearances; and
   • A 19 metre length single articulated truck at 15 metre radii (clearances not required).

f) Flag lighting in accordance with AS1158;

g) All existing and relocated services; and

h) The removal of any existing vegetation, reorientation of table drains etc. along the Midland Highway.

18.3. A Road Safety Audit must be undertaken at the detailed design stage in accordance with VicRoads’ Road Safety Audit Policy.

The audit findings and the consultant’s responses to the findings must be provided to the Roads Corporation for review and approval. Any mitigating works arising out of the audit must be carried out by the applicant at no cost and to the satisfaction of the Roads Corporations prior to the issue of a statement of compliance.

18.4. Prior to the Issue of a Statement of Compliance:

a) The following works must be completed to the satisfaction of and at no cost to the Roads Corporation:
   • The construction of the CHR(S) and AUL(S) turn treatments;
   • The removal of any disused or redundant vehicle crossings;
   • Flag lighting; and
   • Any other works required.

b) A Road Safety Audit must be undertaken in accordance with VicRoads’ Road Safety Audit Policy.
   • The audit findings and the consultant’s responses to the findings must be provided to the Roads Corporation for review and approval.
• Any mitigating works arising out of the audit must be carried out by the applicant at no cost and to the Roads Corporations’ satisfaction.

19. TELECOMMUNICATIONS
19.1. The owner of the land must enter into an agreement with:
- A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and
- A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

19.2. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
- A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
- A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

20. VICTRACK CONDITIONS
20.1. The permit holder must, at all times, ensure that the common boundary with railway land is fenced at the permit holder’s expense to prohibit unauthorised access to the rail corridor.

20.2. The permit holder must not, at any time:
   a) allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or
   b) store or deposit any waste, soil or other materials on the railway land.

20.3. The permit holder must not plant any plants or tree species that are likely to cause any future overhang onto the railway land or disturbance to the railway operations.

21. COLIBAN WATER CONDITIONS
21.1. The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets. Services are to be provided and where necessary, existing services may require amending in accordance with our specifications.

21.2. If the water main extension is servicing more than 40 lots, a DN150 water main extension will be required.
21.3. The developer is required to provide additional storage at SMS005459 and the main is to be upsized in conjunction with Coliban Water to prevent flooding of SMS005459 and flooding of any additional maintenance shafts.

21.4. All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.

22. AUSNET GAS SERVICES (DOWNER UTILITIES) CONDITIONS

22.1. The plan of subdivision submitted for certification must be referred to Ausnet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

23. POWERCOR CONDITIONS

23.1. The Plan of Subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.

23.2. The applicant shall:

- Provide an electricity supply to all lots in the subdivision in accordance with Powercor’s requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work will be required). In the event that a supply is not provided the applicant shall provide a written undertaking to Powercor Australia Ltd that prospective purchasers will be so informed.

- Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.

- Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

- Any construction work must comply with Energy Safe Victoria’s “No Go Zone” rules.

- Set aside on the plan of subdivision for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required to service the subdivision.

- Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.

- Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoining land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easement(s) in favour of "Powercor Australia Ltd" for “Power Line” pursuant to Section 88 of the Electricity Industry Act 2000.
• Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
• Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

24. GOULBURN MURRAY WATER (GMW) CONDITIONS
24.1. All works within the subdivision must be done in accordance with sediment control principles outlined in ‘Construction Techniques for Sediment Pollution Control’ (EPA, 1991).
24.2. All wastewater from the subdivision must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
24.3. Stormwater run-off from buildings and other impervious surfaces must be directed to a legal point as nominated by the Responsible Authority.

25. COUNTRY FIRE AUTHORITY (CFA) CONDITIONS
25.1. Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
25.2. Hydrants
   Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
25.3. The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.
   **Note – CFA's requirements for identification of hydrants are specified in “Identification of Street Hydrants for Fire fighting Purposes” available under publications on the CFA web site (www.cfa.vic.gov.au)
25.4. Roads
   Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
25.5. Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.
25.6. Dead end roads and cul-de-sac's more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including roll-over kerbs if they are provided); T or Y heads of dimensions specified by the CFA may be used as alternatives.
25.7. The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
25.8. Curves must have a minimum inner radius of 10 metres.
26. PUBLIC OPEN SPACE CONTRIBUTIONS

26.1. Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the Responsible Authority. If the land is subdivided in stages, the contribution may be paid proportionally to the area of the lots being created.

27. VALUATION EXPENSES

27.1. The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.

28. PERMIT EXPIRY

28.1. This permit will expire if one of the following circumstances applies:

   a) The plan of subdivision for the first stage of the subdivision is not certified within two years from the date of the permit.

   b) The plan of subdivision for each subsequent stage is not certified within 2 years of certification of the previous stage.

   c) The registration of the plan of subdivision for each stage is not completed within 5 years of certification of that stage.

If the plan of subdivision for each stage is not certified within the specified time in this permit, the responsible authority may extend the time for certification if a request is made in writing prior to expiry of the permit or within 6 months after the expiry date.

Note: If a request for an extension of commencement is made out of time allowed by the permit condition, the responsible authority cannot consider the request and the permit holder will not be able to apply to VCAT for a review of the matter.

PERMIT NOTES

Permit Expiry Note

The starting of a subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under Section 6 of the Subdivision Act 1988. Completion is regarded as registration of the subdivision.

Council Infrastructure Department Permit Note:

The Property is currently serviced by Main Road, a state highway within the Midland Highway road reserve. VicRoads is the responsible road authority for the Midland Highway.

Approval from VicRoads is required for the design and construction of the intersection with Main Road.

VicRoads Permit Notes:

The discharge of any concentrated drainage onto the Midland Highway road reserve is not permitted unless approved in writing by VicRoads.
Separate ‘detailed design’ approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of:

- Right and left turn treatments;
- Flag lighting; and
- Any other works in the arterial road reserve.

Please forward details marked attention to David Wallace on

nr.mailbox@roads.vic.gov.au

Further information regarding VicRoads’ consent to work within the road reserve can be found on the VicRoads Website:


or by or telephoning (03) 5434 5089.

MOVED COUNCILLOR PETRUSMA

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
**Context**

The purpose of this report is to enable Council to make a determination on an application for a proposed re-subdivision of fourteen (14) lots into forty seven (47) lots (staged), creation and alteration of easements, and creation of access to a Road Zone Category 1 Road, at 14 Midland Highway, Campbells Creek. The application has been referred to Council for a decision because there are two outstanding objections.

Refer to:

Attachment ECO 01A: PA136/2017 - Context and site aerial photo  
Attachment ECO 01B: PA136/2017 - Final plans submitted with application  
Attachment ECO 01C: PA136/2017 –Clause 56 Assessment

The application was lodged on 4 July 2017 for a proposed forty seven (47) lot subdivision, creation and alteration of easements, and creation of access to a Road Zone Category 1 Road. The proposal would re-subdivide fourteen (14) lots into forty seven (47) lots of sizes ranging between 707 square metres and 1,295 square metres, along with drainage and plantation reserves and new road reserves for access.

In a further information request forwarded to the applicant on 1 August 2017, Council officers outlined that our parks and gardens department did not support the proposed vesting of a long narrow lot of land at the rear as an open space reserve with Council, as this would be difficult to maintain and of limited use. On 1 September 2017 the applicant accordingly chose to amend their plans to remove the vesting of this land with Council, removing this land from the proposal.

Following discussions with an objector the plans were later amended again to include specific fencing treatments along a shared property boundary with the objector, resulting in the withdrawal of their objection.

The subject site is on the developing southern end of Campbells Creek, an area which is a mixture of vacant paddocks and new suburban-style residential development on lots of moderate size. Access is via a set of new inter-connected residential streets, with access via a currently unused road reserve to the Midland Highway. It is currently vacant and comprises fourteen (14) titles containing a total area of approximately 5.3Ha (53,000 square metres). The disused Castlemaine-Maryborough railway line runs close to the eastern property boundary.

The site is relatively flat, vacant land with no existing trees of other vegetation. It is residentially zoned and is not subject to any planning overlays, and the proposal presents a conventional suburban-style subdivision layout.

Previously, in 2010 Planning permit application PA115/2010 sought permission for a similar 45 lot subdivision. This application was lapsed after the applicant failed to provide additional traffic assessment information requested by VicRoads within the statutory timeframe provided. Council records do not show any other previous planning permit applications on this site in recent history.
Policy and Statutory Implications

State Planning Policy Framework (SPPF)

Clause 11.02-1 Supply of urban land
The objective of this clause is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.07 Regional Victoria
The objective of this clause is to develop settlements which have a strong identity, are prosperous and are environmentally sustainable.

Clause 11.14 Loddon Mallee South
The objective of this clause is to focus growth and development into a network of settlements identified in the Loddon Mallee South Regional Growth Plan.

Clause 13.05 Bushfire Planning
This clause requires the consideration of bushfire risks for subdivisions of more than 10 lots even where there is no Bushfire Management Overlay but the site is located within the Bushfire Prone Area, which consists of almost all of rural Victoria.

Clause 14.02-1 Catchment Planning and Management
The objective of this clause is to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Clause 14.02 -2 Water Quality
The objective of this clause is to protect water quality.

Clause 15.01 Urban environment
Policy in this clause offers broad guidelines for the design of urban areas, subdivisions and buildings. Relevant policy aims to ensure development responds to the local context and provides energy efficient development through design and location close to services and transport. Urban environments should be functional and provide a sense of place and cultural identity.

Clause 19.03 Development infrastructure
Objectives and strategies outlined within this clause have the purpose of ensuring appropriate physical infrastructure is provided during the development of land and that infrastructure meets recognised standards.

Clause 19.03-2 Water Supply, Sewerage and Drainage
The protection of water supply from uses that may cause possible contamination must be considered in permit applications.

Appropriate on-site waste disposal methods in areas not connected to a reticulated sewerage system must be provided to all lots created through subdivision.
Local Planning Policy Framework (LPPF)

Clause 21.02 Municipal Vision and Framework Plan
The land use planning and development vision for Mount Alexander Shire will be achieved by increasing housing choice and consolidation of urban growth to maximise infrastructure and reduce environmental impacts.

Under the heading of Township role and identity at Clause 21.02-3, Campbells Creek is classed as a local community centre and identified as a satellite of Castlemaine due to its location, with key features including tree-lined entrances along the Midland Highway and gold mining era development patterns.

Clause 21.06-3 Water
This clause aims to protect and improve water quality and quantity in the Shire. The policy recognises the poor condition of water catchments, including open potable water catchment areas, which cover much of the Shire and outline strategies to address identified issues.

Clause 21.11 Infrastructure
This clause gives an overview of the Shire’s significant infrastructure assets and also issues arising due to lack of infrastructure in some areas. Key issues include preventing unplanned residential development in rural area which can increase costs of infrastructure maintenance and provision.

Zoning

Clause 32.05 Township Zone (TZ)
Pursuant to clause 32.05-5 a planning permit is required to subdivide land.

The purpose of the Township Zone includes:

- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Overlays

The site is not located within any planning overlays.

Particular provisions

Clause 52.01 Public Open Space Contribution and Subdivision
This Clause refers to the public open space contribution and provides that a person who proposes to subdivide land must make a contribution to Council for public open space up to a maximum 5% of the site value.

Having regard to each of the relevant criteria under the Act, it is considered that there will be a need for more open space and existing public open space is likely to be more intensively used because of the subdivision and the likely development of the land. A contribution toward the provision of public open space is therefore appropriate.
Clause 52.02 Easements, Restrictions and Reserves

Pursuant to Clause 52.02 a permit is required before a person proceeds under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.

Clause 52.29 Land Adjacent to a Road Zone, Category 1

Pursuant to Clause 52.29 a permit is required to:

- Create or alter access to a road Zone, Category 1;
- Subdivide land adjacent to a road in a Road Zone, Category 1.

The proposal includes one new access from the subject land onto the Midland Highway. VicRoads have provided conditional consent for this access arrangement.

Clause 56 Residential Subdivision

This clause lays out various standards for subdivision proposals. A detailed assessment against the relevant sections of clause 56 has been included as an attachment to this report.

Clause 65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 66 Referral and Notice Provisions

This clause includes mandatory conditions requiring permits for subdivision to require the provision of telecommunications services, preferably fibre optic services, where available. These conditions would be included in any permit to be issued.

Issues

Township Zone

A permit is required to subdivide land. While there is no specific minimum lot size in the Township Zone, any subdivision should respect the neighbourhood character of the area.

The proposal would re-subdivide fourteen (14) lots into forty seven (47) lots of sizes ranging between 707 square metres and 1,295 square metres, along with drainage and plantation reserves and new road reserves for access. The proposal has also been assessed against clause 56 standards and is considered to be compliant.

The subject proposal would result in suburban style residential lots of a similar size to other existing developments in the surrounding area, and is considered to be consistent with the purpose and decision guidelines of the Township Zone.

Fire Risk

In changes to Clause 13 of the Mount Alexander Planning Scheme introduced by the State Government on 12 December 2017, a greater emphasis is placed on addressing bushfire risk, including specifically requiring the consideration of bushfire risk for all subdivisions of more than 10 lots.
The application was forwarded to the CFA as a Section 52 Referral. The CFA provided a response highlighting that adjacent grass could pose a fire risk. This response was discussed verbally with CFA officer Mark Kelly, who confirmed that the site is still a relatively low fire risk (with no vegetation or Bushfire Management Overlay) and provided additional conditions via email to address road access and hydrant provision standards for adequate bushfire protection.

This is considered to suitably address the relatively minor bushfire risks of this site.

**Footpath Provision and Pedestrian Access**

The planning report provided by the applicant’s consultant outlines that the subdivision is proposed to include footpaths throughout the new internal road network, but no detailed plans have been provided, and no link to the wider footpath network has been proposed by the applicant.

Under the standards of clause 56 subdivision, it is expected that footpaths would be provided on streets serving more than 5 lots, and the provision of footpaths throughout the new internal street network will be implemented through appropriate permit conditions.

While the developer had initially suggested a pedestrian footpath link should be partially paid by Council and/or other benefitting property owners, it is Council’s and Vic Roads view in this instance that this footpath link along the Midland Highway should be solely funded by the developer. This is reasonable due to both the large (47 lot) size of the development, and the close nexus between this development and the use of the proposed footpath; it would be almost entirely used by the new residents of the proposed development.

Council’s Walking and Cycling Strategy (2010) suggests only a long bike lane upgrade/extension on the opposite (west) side of Midland Highway in this area. However, there is an existing concrete footpath on this (east) side of the highway, which extends as far as the wooden bridge over a small creek around 200 metres to the north. This footpath continues all the way into Castlemaine.

On the opposite (west) side the nearest section of footpath is around 1 kilometre away, and this does not continue into Castlemaine. Similarly, there is no nearby section of bike lane to connect to.

Given the location of the proposal on the east side of the road, the much closer and more affordable location of the existing section of footpath to connect to, and the closer nexus to the development and greater utility for its future residents, requiring the pedestrian footpath as far as the existing pedestrian bridge on the east side of the road is the most appropriate way to link this development into the wider footpath network.

For the reasons that have been outlined above requiring a footpath link along the east side of the road from the large development around 200 metres to the existing pedestrian bridge is considered to be appropriate and is supported by Council officers.

**State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF)**

The SPPF and LPPF support infill developments and increasing densities where appropriate within existing urban areas. Local policy identifies Campbells Creek combined with Castlemaine as the main population centre in the municipality, encourages residential development in Campbells Creek, and identifies the potential for further future expansion South of the proposed development.
Aboriginal Cultural Heritage Sensitivity

The site is located within 200 metres of a waterway, Campbells Creek, and is therefore within an area of potential aboriginal cultural heritage sensitivity under the Aboriginal Heritage Act (2006). Within such an area, a high impact use such as a subdivision of three (3) or more lots requires a Cultural Heritage Management Plan (CHMP) unless it can be demonstrated that the site has previously already been subject to significant ground disturbance as defined under that Act.

In this case the applicant has provided a detailed report prepared by a professional archaeologist, Nicholas Clark, outlining the extensive mining history of the site including extensive mechanical bucket dredging, and providing evidence including historical witness accounts and State department mapping of such mining activity. This is considered to be appropriate evidence that significant ground disturbance as defined under that Act has occurred, and that therefore a CHMP is not required.

Alternative Options

Council could refuse the application, however there are no grounds for refusal.

Financial and Resource Implications

Cost of potential appeal to the Victorian Civil and Administrative Tribunal.

Consultation

Advertising

Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987 to owners and occupiers of adjoining land and a sign was also placed on-site.

Three objections were received. One was withdrawn after the applicant agreed to add fencing on a shared boundary as part of the plans for the proposal. The other two objections were not withdrawn and remain current.

An applicant objector meeting was not held for the remaining two objections, as their concerns were considered to be largely addressed by correspondence forwarded from VicRoads and Transport for Victoria as the relevant authorities regarding road speed limits and maintenance and public transport provision, Council officers are supporting their request for a footpath connection as a recommended permit condition, and there are no other significant matters raised to be discussed.

In summary, these combined remaining grounds of objection can be summarised and detailed as:

Request for lowered speed limits on the Midland Highway adjacent this subdivision

The Midland Highway is a VicRoads arterial road, and therefore Council officers forwarded this request to VicRoads as the relevant road owner and authority.

VicRoads advised that they do not support lowering the speed limit below the current 80 kilometre per hour limit, which was forwarded on to the objectors.

VicRoads advised the 80 kilometre per hour limit area had recently been extended, and they consider it to be appropriate post-development, particularly as access would be via a formal new road access rather than numerous individual driveways.
**Stormwater Concerns**

One objector raised concerns with the maintenance of existing storm water drains along the Midland Highway Road Reserve. Discussions with our infrastructure engineers indicate that as a VicRoads road reserve these are VicRoads responsibility to maintain.

This issue was raised by Council officers with VicRoads along with the speed limit, but there has been no direct response. VicRoads contact details were then provided to the objector to allow them to further discuss these concerns with VicRoads directly.

Council’s infrastructure department are confident of being able to suitably address stormwater issues subject to appropriate permit conditions including the subsequent creation of engineering plans to their satisfaction, while the regular cleaning and maintenance of existing road reserve drains is an issue and regular responsibility to be addressed separately by VicRoads.

**Request for creation of a potential new bus stop and/or bus route**

Public transport provision, including bus services, is a State Government responsibility provided by Public Transport Victoria, and the planning of new services is organised by the recently formed new State authority ‘Transport for Victoria’ (TfV).

Council officers forwarded this request to Transport for Victoria, which responded with a formal letter outlining that it had reviewed the proposed development, but currently it does not plan to open a bus route and, as such, no bus stop was required. This letter was forwarded on to the objectors for their information.

**Request for a Pedestrian Footpath Link**

Both Council officers and VicRoads support the developer providing for a pedestrian footpath link along Midland Highway to the existing footpath/bridge to the north.

**Referrals**

The application was referred externally to Goulburn Murray Water, Powercor Australia, North Central Catchment Management Authority, Coliban Water Authority, Downer/Ausnet Utilities (Gas), VicRoads, VicTrack, Department of Environment Land Water and Planning (DELWP), the Country Fire Authority (CFA), and internally to Council’s Infrastructure Unit.

Council’s parks and gardens officers did not support the vesting of a narrow strip of land alongside the railway line with Council as it was considered to be unsuitable for a park reserve, and this lot was accordingly removed from the proposal altogether with amended plans.

All other parties responded with no objection subject to various permit conditions which would be included in any permit to be issued.
## Clause 56 Residential Subdivision Assessment

<table>
<thead>
<tr>
<th>Clause/standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 56.03-5 Neighbourhood character (C6)</td>
<td>It is considered that the proposal respects the predominant size, layout, and character of the area, with mostly large suburban lots of a similar size to those existing in this developing area.</td>
</tr>
<tr>
<td>Clause 56.04-1 Lot diversity and distribution (C7)</td>
<td>Complies. Each proposed lot is greater than 500m² and contain sufficient area to easily accommodate a 10x15m rectangle and provide for private open space.</td>
</tr>
<tr>
<td>Clause 56.04-2 Lot area and building envelopes (C8)</td>
<td>Variation</td>
</tr>
<tr>
<td></td>
<td>While the long axis of a number of lots are not within the preferred range of 20° north west - 30° north east, the lots are all quite large and their orientation is a result of the street network reacting to the orientation of the Midland Highway and the need to minimise street connections to it.</td>
</tr>
<tr>
<td></td>
<td>The relatively large (mostly 800 to 1000sqm+) lots have reasonable access to northern sunlight.</td>
</tr>
<tr>
<td>Clause 56.04-3 Solar orientation of lots (C9)</td>
<td>Complies. All lots face the new internal road network access while positioning private open space to the rear.</td>
</tr>
<tr>
<td>Clause 56.04-4 Street Orientation Objective</td>
<td>Not Applicable. No common property is proposed, only road and drainage reserves.</td>
</tr>
<tr>
<td>Clause 56.04-5 Common area (C11)</td>
<td>Complies, subject to conditions. No landscaping plan has been</td>
</tr>
</tbody>
</table>
| Clause 56.05-2 Public Open Space Provision Objectives | Complies  
Permit conditions will require a 5% POS fund contribution in line with Council’s adopted policy. |
| Clause 56.06-2 Walking and cycling network objectives | Complies, subject to conditions.  
With a footpath link into town to the North required by amended plan permit conditions, the development will link into the footpath network appropriately.  
Permit conditions will also require the provision of footpaths within the new street network as proposed in the applicant’s report. |
| 56.06-4 Neighbourhood street network objective | Complies.  
The proposal complies with the Roads corporation’s requirements, provides access via new local roads which are well separated and delineated from the arterial road, and provides for emergency and service vehicle access. |
| 56.06-5 Walking and cycling network detail objectives | Complies, subject to conditions.  
No detailed plans for footpath design and layouts have been provided. Such plans will be required by permit conditions which will also require the provision of footpaths to be to Council’s standards and satisfaction. |
| Clause 56.06-7 (20) - Neighbourhood street network detail objective | Complies.  
The new internal road network will be required to be built to Council’s IDM standards and will provide a suitable low speed environment. |
<table>
<thead>
<tr>
<th>Clause 56.06-8 (C21) - Lot access</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access to lots will be provided via the new internal road network to Council standards, with a single connection to the Midland Highway to VicRoads standards.</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Clause 56.07-1(C22) drinking water supply</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reticulated water supply will be extended from existing water mains in the Midland Highway road reserve.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 56.07-2 (C23) Reused and recycled water</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>A recycled water supply is not currently available in the area.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 56.07-3 (C24) Waste Water Management</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reticulated water and sewer services will be provided as per referral authority proposed permit conditions.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 56.07-4 (C25) Urban run-off management</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater from the lots will be appropriately managed by an on-site drainage system to Council's satisfaction.</td>
<td></td>
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<table>
<thead>
<tr>
<th>Clause 56.08-1 site management (C26)</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The level of construction activity resulting from the proposed subdivision will be moderate, and regulated by some proposed permit conditions. Thus there will be a minimal effect on the neighbourhood in terms of erosion, dust, run-off, litter, etc.</td>
<td></td>
</tr>
</tbody>
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<thead>
<tr>
<th>Clause 56.09-1 shared trenching (C27)</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shared trenching will be used to supply reticulated services to the lots where suitable. The new road reserves provide opportunities for shared services.</td>
<td></td>
</tr>
<tr>
<td>Clause</td>
<td>Description</td>
</tr>
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</tr>
<tr>
<td>56.09-2 (C28) Electricity, telecommunications and gas</td>
<td>Complies. These services will be supplied to the lots in accordance with the providers' requirements.</td>
</tr>
<tr>
<td>56.09-3 Fire Hydrants</td>
<td>Complies. Fire hydrants will be provided in accordance with the CFA’s requirements. The maximum spacing between hydrants will be 200m. The maximum distance between a hydrant and the rear of any lot will be 120m.</td>
</tr>
<tr>
<td>56.09-4 Public Lighting</td>
<td>Complies, subject to conditions. Subject to conditions, public lighting will be provided in accordance with the relevant Australian Standards.</td>
</tr>
</tbody>
</table>
ECO 02 PLANNING PERMIT APPLICATION 229/2017 - SUBDIVISION OF LAND INTO TWO LOTS AT 2 GRIGG STREET, MALDON

Responsible Director: Acting Director Sustainable Development  
Responsible Officer: Manager Development Services  
Original Document: DOC/18/2043

Executive Summary

Council has received an application for subdivision of land into two lots at 2 Grigg Street, Maldon. The site is located within the General Residential Zone (GRZ) and is partially covered by the Bushfire Management Overlay (BMO). The trigger for the planning permit is the GRZ and BMO.

One objection has been received raising general issues with the change to the BMO, which previously covered more of this property and also the building envelope that is required by the BMO which has a one metre setback from her property boundary.

The proposed subdivision supports the objectives and outcomes of infill development as stated in the State and local policies of the Mount Alexander Planning Scheme. The subject site is located within the defined township boundary on the Maldon Framework Plan where opportunities for residential growth are encouraged. The design of the subdivision has responded to the existing neighbourhood character by providing lot sizes that integrate with the adjoining lots, are of a sufficient size that would enable the appropriate siting of a dwelling with good solar access and private open space and reinforce the existing subdivision pattern in this section of Grigg Street.

It is recommended that a Notice of Decision be granted subject to conditions.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Permit for the subdivision of land into two lots at 2 Grigg Street, Maldon subject to the following conditions:

1. FORMAL PLAN OF SUBDIVISION

1.1. The formal plan of subdivision lodged for certification must be in accordance with the approved plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

2. LAYOUT PLAN

2.1. The subdivision, as shown on the endorsed plan(s), must not be altered without the prior written consent of the Responsible Authority.

3. PROVISION OF SERVICES

3.1. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the approved plan in accordance with the authority’s requirements and relevant legislation at the time.

3.2. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
3.3. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

4. TELECOMMUNICATIONS

The owner of the land must enter into an agreement with:

4.1. A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

4.2. A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

4.3. A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and

4.4. A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

5. PUBLIC OPEN SPACE CONTRIBUTION

Prior to the issue of Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the Responsible Authority. If the land is subdivided in stages, the contribution may be paid proportionally to the area of the lots being created.

6. VALUATION EXPENSES

6.1. The applicant or owner must pay on demand to Council, the Council’s reasonable costs and expenses to provide valuation for payment in lieu of open space.

7. ENGINEERING PLANS

7.1. Prior to commencement of any construction works associated with the subdivision, detailed access, road & drainage construction plans must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and form part of the permit. The engineering plans must accord with the infrastructure design manual. All works constructed or carried out must be in accordance with those approved plans and completed to a standard satisfactory to the responsible authority prior to the issuing of statement of compliance.
8. DRAINAGE WORKS

8.1. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the legal point of discharge to prevent the discharge of water from the subject land across any road or onto any adjoining land.

8.2. The site stormwater discharge is not increased by the proposed subdivision. The drainage system shall include provision of storm water retention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a 5 year annual recurrence interval (IDM Design standards - Section 19.3 Requirements)

8.3. Provide cut off drains or similar to protect adjoining properties from overland storm water flow. Provision is to be made to divert major rainfall (1 in 100 year) storm events away from the building envelopes of lots within this and adjoining subdivisions.

8.4. The legal point of discharge to the development is to the proposed open drain in Grigg Street. The developer formalise the open drain in Steele Street at property frontage. The open drain should be extended into Grigg Street & Nursery Lane junction, to the satisfaction of the responsible authority

9. INTERNAL ACCESS

9.1. The access road reserve must be constructed/upgraded to a suitable standard from Grigg Street & Nursery Lane Junction up to this property as per the following minimum requirements:

- Sealed carriageway minimum clear width of 5.5 metres or matching the width of the existing road section of Grigg Street.
- Wearing course 30 millimetres asphalt or two coat spray seal.
- The proposed road must be further extended minimum 10 metres from the entry to Lot 1 and provision is to be made for the turning circle/court Bowl or Hammerhead treatments at the road end for domestic garbage and emergency service vehicles.
- Pavement type to be either approved Natural Gravel or Fine Crushed Rock.
- Pavement depth in accordance with subgrade conditions and latest Austroads.
- Line marking for the internal road at the Nursery Lane Intersection.
- Provision of culverts and table drains.

9.2. The internal driveway access shall be constructed to appropriate engineering standards approved by council along with appropriate cut off table drains and cross culverts.

10. VEHICLE Crossovers

10.1. Proposed vehicle crossovers are to be constructed to the levels/requirements of council. No impending or redirection of existing surface flow is allows to occur as a result of these works. Council’s minimum standards are:

- 3.5 metres wide
• With appropriately sized reinforced concrete pipes (minimum 375 millimetres) 4.8 metres long centred on the crossover matching the capacity of the open drain.
• Low profile culvert end-walls to all culvert ends
• Crossings must be positioned keeping a minimum of 3 metres clearance from the council trees located at the property frontages.

11. INFRASTRUCTURE STATUS

11.1. All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance

12. SEDIMENT POLLUTION CONTROL

12.1. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991).

13. CONSENT FOR CONSTRUCTIONS

13.1. Council is to be paid a fee of 0.75% of the total construction costs for these works for the approval of said plans plus 2.5% for supervision of construction. Said fees to be paid prior to commencement of any road/drainage works. Estimate for the works are to be prepared and submitted to Council.

13.2. Prior to the commencement of any works on the road reserve the owner/applicant must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.

14. STATEMENT OF COMPLIANCE

14.1. Prior to issue of a statement of compliance for the subdivision, the vehicle crossovers, drainage and works must be installed to satisfaction of council in accordance with the approved Engineering plans.

15. REMOVAL OR TRIMMING OF ROAD RESERVE TREES

15.1. If the applicant / Property owner require removing or Trimming of trees in the road reserve as part of the works permitted by this planning permit or as part of future works, all the cost of such removal must be borne by the applicant / Property owner. Applicant / Property owner must obtain consent and necessary work permits from the council for such future tree trimmings/removals prior to commencement of the works.

16. ACCESS AND ENCROACHMENT

16.1. No access is permitted to the subject land via the adjoining Crown land.

16.2. Adjoining Crown land must not be used for truck turning areas, entry points, parking areas or temporary stack sites during the construction of buildings or works.

16.3. No polluted and/or sediment laden run-off is to be discharged directly or indirectly into drains or watercourses on Crown land. Overland flows must be maintained at the same rate post-development as on the undeveloped land.
17. EXPIRY OF PERMIT SUBDIVISION

17.1. The plan of subdivision must be certified within two (2) years of the date of issue of this Permit unless the Responsible Authority grants an extension of the Permit upon application in writing by the permit holder within six (6) months of the prescribed expiry date. Once the plan of subdivision is certified, the permit will expire five years from the date of certification of the plan of subdivision.

Notes:

The adjoining Crown land is not to be used for access, storage of materials or rubbish. Any private use of Crown land requires consent and/or licensing from the Department of Environment, Land, Water and Planning.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
Context

The purpose of this report is to enable Council to make a determination on an application for a two lot subdivision at 2 Grigg Street, Maldon. The application has been referred to Council for a decision as there has been an objection lodged to the application which has not been withdrawn.

Refer to:

Attachment ECO 02A: PA229/2017 – Design Response.

The application was lodged on 27 October 2017 and proposes to subdivide the land into two lots. The land is located within the General Residential Zone (GRZ) and is covered by the Significant Landscape Overlay- Schedule 1 and small portions to the northern boundary of the site are covered by the Bushfire Management Overlay, and Erosion Management Overlay.

The land is located on the north side of Grigg Street, having a 32.5 metre frontage to Grigg Street and a depth of 122 metres, having a total area of 4047 square metres. The land is currently vacant and access is provided via an existing driveway from Grigg Street.

The subject land forms the boundary between the existing GRZ and the adjoining Crown land located within the Public Conservation and Resource Zone. Land to the south has been developed with single dwellings on a mixture of lot sizes, all contained within the General Residential zone.

The application proposes to subdivide the land into two lots of approximately 2000m2 each lot two is a battle-axe lot with a driveway width of 4.5 metres.

All lots would have reticulated sewerage and water.

Policy and Statutory Implications

State Planning Policy Framework (SPPF)

Clause 11.07 Regional Victoria
To develop regions and settlements which have a strong identity, are prosperous and are environmentally sustainable.

Clause 15.01-1 Urban design
The objective of this clause is to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-2 Urban design principles
The objective of this clause is to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

Clause 15.01-3 Neighbourhood and subdivision design
The objective of this clause is to ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable diverse and sustainable neighbourhoods.
Clause 15.02-1 Energy and resource efficiency
The objective of this clause is to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

Clause 16.01-1 Integrated housing
The objective of this clause is to promote a housing market that meets community needs.

Clause 19.03 Development infrastructure
Objectives and strategies outlined within this clause have the purpose of ensuring appropriate physical infrastructure is provided during the development of land and that infrastructure meets recognised standards.

Local Planning Policy Framework (LPPF)

Clause 21.03 Municipal Vision and Framework Plan
The land use planning and development vision for Mount Alexander Shire will be achieved by consolidation of urban growth to maximise infrastructure and reduce environmental impacts.

Clause 22.02 Maldon
The Mount Alexander Shire Council recognises that the heritage of the town of Maldon is of national significance due to:

- The town centre being one of the most intact of any nineteenth century town in Australia.
- The large number of buildings and works of historic significance in the area.
- The unusual and attractive relationship of the town and other historic sites with the diverse natural and historic landscape which forms an essential part of the character of both the town and its surroundings.

Zoning

Clause 32.08 General Residential Zone
The purpose of this clause includes:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential.

Under Clause 32.08-3 a permit is required to subdivide land. An application to subdivide land that creates a vacant lot capable of development for a dwelling or residential building, must ensure that each lot created contains the minimum garden area set out in Clause 32.08-4. For lots above 650 metres square, the minimum percentage of a lot set aside as garden area is 35%. This requirement has been met by a building envelope shown on the design response plan to both satisfy the garden area requirements as well as the Bushfire Management Overlay.
Overlays

Clause 44.06 Bushfire Management Overlay

The purpose of this clause:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Under to Clause 44.06-1 a permit is required to subdivide land.

Clause 42.03 Significant Landscape Overlay

No planning permit is required to subdivide land under this overlay.

Clause 44.01 Erosion Management Overlay

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

Under to Clause 44.01-4 a permit is required to subdivide land.

Particular provisions

Clause 52.01 Public Open Space Contribution and Subdivision

This Clause refers to the public open space contribution and provides that a person who proposes to subdivide land must make a contribution to Council for public open space up to a maximum 5% of the site value.

Having regard to each of the relevant criteria under the Act, it is considered that there will be a need for more open space and existing public open space is likely to be more intensively used because of the subdivision and the likely development of the land. A contribution toward the provision of public open space is therefore appropriate.

Issues

Consistency with planning policy

State and local planning policies relating to infill development require a balanced consideration of infill development objectives against neighbourhood character objectives.

There is policy support for infill development in both the State and Local Planning Policy framework of the Mount Alexander Planning Scheme as demonstrated above, that encourages a range of lot sizes within areas identified for infill development, particularly on sites that can connect to reticulated services.
The layout and design of the subdivision is considered to achieve the existing neighbourhood character reflecting the existing built form in this section of Grigg Street. The proposed minimum lot size would be 2000 metres square which is considered a reasonable size to accommodate a dwelling.

The proposed size and layout of the lots is in keeping with a similar subdivision in the surrounding area, therefore the proposed subdivision is considered to respond to this existing character and proposes two new vacant lots that do relate to the surrounding context.

Neighbourhood character

Clause 56.03-5 requires subdivisions to be designed to respond to neighbourhood character. Standard C6 of this clause state that subdivisions should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme;
- Respond to and integrate with the surrounding urban environment; and
- Protect significant vegetation and site features.

The subject site is located within an established residential area and has existing infrastructure capable of accommodating additional lots. The proposal is considered consistent with the existing prevailing subdivision pattern and built form existing in this area.

Clause 56 Assessment – Residential Subdivision

All standards and objectives of Clause 56 are satisfactorily met. The proposed lots provide areas and dimensions that enable appropriate siting of future development, solar access, vehicle access and parking, water management, easements and retention of significant vegetation where appropriate.

Vehicle Access

Both lots have frontage to Grigg Street and an extra crossover will be provided. Lot two has an access way of 4.5 metres in width and 71 metres in length. Council Infrastructure Unit is satisfied with the proposed access arrangements subject to conditions.

Outstanding objections to the application

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987, one objection was received.

The objector has raised concern about reduction in safe building space with respect to lot 1 this is regarding the changes to the Bushfire Management Overlay.

The objector has also raised issue with the 1 metre setback of the building envelope from the property boundary and potential overlooking.

In regards to the bushfire risk, the application was referred to CFA and they were satisfied that the building envelope is located outside the Bushfire Management Overlay and consented without conditions. The building envelope has been provided to satisfy the requirements of the Bushfire Management Overlay and the garden area requirement and it has satisfied these requirements.
Consideration of any application must be assessed against the relevant provisions of the planning scheme and in this instance, the proposed two lots are considered to accord with the provisions, as outlined in this report, particularly as it relates to neighbourhood character and integration of the lots with the existing environment.

**Alternative Options**

Council could refuse the application, however there are no grounds for refusal.

**Financial and Resource Implications**

Cost of potential appeal to the Victorian Civil and Administrative Tribunal.

**Consultation**

*Advertising*

Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the *Planning and Environment Act 1987* to owners and occupiers of adjoining land and. A sign was also placed on-site.

*Applicant-objector correspondence*

No applicant-objector meeting was undertaken as it was not considered that an outcome which satisfied both applicant and objector could be reached.

*External Referrals*

The application was referred to the Country Fire Authority, who consented without condition. Notice was provided to the Department of Environment Land Water and Planning as the abutting land owner to the east and they have suggested conditions which will be included in the notice of decision.

*Internal Referrals*

The application was referred to Council’s Infrastructure Unit who has provided conditional consent.
ECO 03 PLANNING PERMIT APPLICATION 182/2008 1610 BENDIGO SUTTON GRANGE ROAD, SUTTON GRANGE – AMENDMENT TO PERMIT TO AMEND CONDITIONS 3 AND 7 OF THE PERMIT.

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/18/2827

Executive Summary

Council has received an application to amend conditions 3 and 7 of planning permit 182/2008 which allows the use and development of the land for an outdoor music event (place of assembly) at Sutton Grange Winery, 1610 Bendigo –Sutton Grange Road, Sutton Grange. Outdoor music events have operated on the land since March, 2009. The amendments seek to change the location of the event on the land (condition 3) and increased patron numbers from 6000 to 15,000 (condition 7). The site is located within the Farming Zone (FZ) and is affected by the Environmental Significance Overlay – Schedule One (ES01).

Seven objections have been received, relating to a number of issues including increased patrons in the area adding to the bushfire threat, noise, traffic management, increased crime and loss of amenity in this rural setting.

The amendments sought can be considered at this site given that the increase in patron numbers can be effectively managed through compliance and enforcement of the updated event management plan and the location of the event allows for considerable buffer distances to existing dwellings in the area. In addition, all referral authorities both externally and internally have provided conditional consent to the changes sought that addresses traffic management, bushfire management, noise and waste management.

It is recommended that a Notice of Decision to grant an amended permit subject to conditions.

RECOMMENDATION

That Council issue a Notice of Decision to Grant an Amended Planning Permit 182/2008-3 to amend conditions 3 & 7 of planning permit relating to a change in the location of an event on the land and increase patron numbers to a maximum of 15,000 at 1610 Bendigo Sutton-Grange Road, Sutton Grange, subject to the following amended conditions

1. DURATION OF PERMIT

   The permit will be valid for only 5 years, being the years 2009-2013 inclusive. After this time the development allowed by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

2. FORTHCOMING EVENTS

   The permit is valid for 6 weekends annually commencing March 7 and 15, 2009. The applicant must advise the Responsible Authority in writing the proposed dates for each forthcoming event at least three months before each event.
3. **LAYOUT OF SITE**

The layout of the site as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.

4. **MANAGEMENT OF THE EVENT**

Management of the event must be in accordance with the endorsed Event Management Plan except without prior written approval of the Responsible Authority.

5. **EVENT MANAGEMENT PLAN**

At least three months prior to each event a current event management plan is to be submitted for written approval by the Responsible Authority.

6. **HOURS OF MUSIC**

Music can only be performed/played on the approved days between the 5.00 pm to 10.30 pm.

7. **NO OF PATRONS**

The maximum number of patrons attending the event is restricted to 15,000 only. The number of patrons must not be increased without the written approval of the Responsible Authority.

8. **GOULBURN-MURRAY WATER**

8.1. Construction must follow sediment control principles outlined in ‘Construction Techniques for Sediment Pollution Control’ (EPA, 1991) including areas such as car parks, footpaths and tracks.

8.2. Sufficient ablution facilities shall be made available for the expected attendance number to the satisfaction of the Responsible Authority.

8.3. All wastewater (sewage and sullage) generated must be transported off-site and disposed of at an approved facility to the satisfaction of Council’s Environmental Health Officer. No wastewater is to be discharged on site.

8.4. All rubbish generated must be managed and removed at the conclusion of the festival in accordance with the Responsible Authority’s requirements.

8.5. Should any events extend beyond the proposed area in closer proximity to Myrtle Creek, a fenced buffer zone of 30 metres adjacent to Myrtle Creek must be established to protect waterways. Patrons must be restricted from accessing these areas and no structures, facilities, and activities associated with the event are to occur within these areas.

8.6. Should any events extend beyond the proposed area, no structures and facilities associated with the event are to be located within any drainage lines.

9. **ENVIRONMENT PROTECTION AUTHORITY**

Music noise levels must at all times comply with the State Environment Protection Authority (Control of Music Noise from Public Premises) No N-2.
10. ENVIRONMENTAL HEALTH OFFICER

10.1. Sufficient ablution facilities must be provided for the increased patrons. All wastewater from the temporary ablution facilities must be transported off site and disposed of at an approved facility. No wastewater (apart from pre-existing approved systems) is to be discharged on site.

10.2. Sanitary facilities must be properly serviced and cleaned throughout the duration of the event by a qualified and competent person.

10.3. All temporary food premises must be registered under the Food Act 1984.

10.4. Music noise levels must at all times comply with the State Environment Protection Authority (Control of Music Noise from Public Premises) No N-2.

10.5. The event organisers are to provide an adequate number of waste disposal bins fitted with lids, for the temporary storage of refuse at the site for the duration of the event.

11. ENGINEERING

Engineering Plans

11.1. Prior to commencement of any construction works associated with the developments, detailed access, Road & drainage construction plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. The engineering plans must accord with the Infrastructure Design Manual. All works constructed or carried out must be in accordance with those approved plans and completed to a standard satisfactory to the Responsible Authority.

Drainage

11.2. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the council as the responsible drainage authority so as to prevent the discharge of water from the subject land across any road or onto any adjoining land.

11.3. All existing natural flow path running through the property must be maintained according to the conditions set by North Central Catchment Management Authority (NCCMA).

11.4. The site stormwater discharge is not increased by the proposed developments. The drainage system shall include provision of storm water retention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a 5 year annual recurrence interval (IDM Design standards - Section 19.3 Requirements)

Access Road/ Internal driveway

11.5. Provision of culverts and table drains along creeks as in accordance with NCCMA standards/satisfaction.

11.6. The existing roads should be inspected with council staff 7 days prior to and after each event to verify road conditions. Any rectifications are to be completed to council’s standards/satisfaction.

11.7. All Carpark areas are to be located inside the property boundaries.

11.8. Dust suppression plans for Bendigo-Sutton Grange, Carochans/Back Road and Sutton Grange-Redesdale Road are to be implemented on the days of each event.
Vehicle crossovers

11.9. Proposed and Existing vehicle crossovers are to be constructed to the levels/requirements of council. No impending or redirection of existing surface flow is allowed to occur as a result of these works.

Traffic and Emergency Management Plan

11.10. Prior to commence any development works, a traffic management plan for the site must be submitted to and approved by the responsible authority.

11.11. Traffic management plans are to be put in place, 7 days prior to commencement of each event.

11.12. Community event signage’s are to be placed along Bendigo-Sutton Grange and Sutton Grange-Redesdale Road, 7 days prior to any events.

11.13. All adjacent neighbours are to be sent a letter notifying them of the relevant event and details, 14 days prior to the event.

11.14. Emergency management plans for Bendigo-Sutton Grange, Carnochans/Back Road and Sutton Grange-Redesdale Road to be implemented on the days of each events, are to be submitted to the council for approval.

11.15. Vehicles transporting the infrastructure (stage/lighting etc) associated with an event must enter the site from the main “Sutton Grange Stud” entrance opposite the Harcourt –Sutton Grange Road.

11.16. Access via the Carnochans Back Road is restricted to emergency vehicles only if required.

Infrastructure Status

11.17. All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance

Consent for constructions

11.18. Council is to be paid a fee of 0.75% of the total construction costs for these works for the approval of said plans plus 2.5% for supervision of construction. Said fees to be paid prior to commencement of any road/drainage works. Estimate for the works are to be prepared and submitted to Council.

11.19. Prior to the commencement of any works on the road reserve the owner/applicant must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.

Removal or Trimming of road reserve trees

11.20. If the applicant / Property owner require removing or Trimming of trees in the road reserve as part of the works permitted by this planning permit or as part of future works, all the cost of such removal must be borne by the applicant / Property owner. Applicant / Property owner must obtain consent and necessary work permits from the council for such future tree trimmings/ removals prior to commencement of the works.
12. AMENITY
The use permitted by this permit must not, in the opinion of the Responsible Authority adversely affect the amenity of the area.

13. VICROADS
Prior to each event within the subject land, a Traffic Management Plan (TMP) must be submitted to and approved by VicRoads. The TMP must show (but not be limited to the following) any proposed signage on the Calder Freeway and the wider road network.

14. PARAMEDICS TO BE PROVIDED
Paramedics must be provided for the duration of each event to the satisfaction of Rural Ambulance Victoria.

15. SECURITY MANAGEMENT PLAN
Security to cater for the numbers must be engaged for each event and in accordance with the approved security management plan. Security must include protection of neighbouring properties as well as to maintain appropriate behavioural standards of persons at the event.

16. COUNTRY FIRE AUTHORITY
16.1. Suitable access must be provided for emergency vehicles both into and around the site including truck turnarounds adjacent to the stage and food areas. The truck turn around can take the shape of a court bowl with minimum radius of 10 metres, a roadway encircling the relevant areas or a “T” or “Y” head solution with each leg measuring 8 metres from the centre point with a minimum trafficable width of 4 metres.

16.2. Access and egress routes are to have a minimum trafficable width of 6 metres and must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable width.

16.3. A minimum 10 metre buffer zone must be provided around the event site (i.e. fire breaks around the perimeter of the event site and car parks) with a minimum 3 metre wide ploughed/discard break either side of the 10 m buffer zone. Alternately a minimum 3mt ploughed/discard break followed by a minimum 5 metre buffer and another minimum 3mt discarded break (total of 11 metres). A 3 metre wide road with no fuel is considered to comply where required.

16.4. Vegetation works must be undertaken prior to the events to remove fuel hazards (long grass, etc.) where necessary across the site.

16.5. All grass in and around car parking areas, vehicular routes, camping areas, stage areas, cooking areas and Emergency Assembly Areas must be maintained to a height of no more than 75 millimetres to the satisfaction of CFA. This can be done by mowing, slashing or grazing.

16.6. Suitable access to a water supply must be provided for firefighting purposes (e.g. dams).

16.7. Two bulk water carriers with a minimum capacity of 10 000 litres are to be made available on site. These may be used to reduce dust on roadways and also be available for firefighting purposes.

16.8. No fires will be permitted in the open.
16.9. In the event that a Total Fire Ban day is declared, permits for cooking must be obtained (these permits are available on application to CFA in Chapel Street Bendigo). Each individual stall holder that may require a permit must lodge an application – a bulk site permit will not be granted.

Note: The permits should be obtained prior to the close of business on the Friday

16.10. An Emergency Management Plan must be developed which is to include appropriate signage for Emergency Assembly Areas.

16.11. A draft copy of the Emergency Management Plan is to be submitted to CFA not less than two (2) months prior to any proposed event to provide opportunity for comment to the Responsible Authority.

16.12. A finalised copy of the Emergency Management Plan is to be submitted to CFA not less than three (3) weeks prior to any proposed event to provide opportunity for comment to the Responsible Authority.

16.13. Appropriately trained Fire Wardens must be in attendance at the venue at all times.

16.14. The event organiser is to appoint Safety Officers. All Safety Officers must have completed the “Safety Officer – In a place of Public Entertainment” course or hold an equivalent competency.

16.15. Suitable fire equipment must be provided (e.g. fire extinguishers) for coverage of hazards on the site, particularly around the stage area and the food & beverage area.

16.16. All stalls, displays, tents and marquees (either temporary or permanent structures) must be a minimum of 6 metres apart or may have a lesser separation distance where the event organiser has demonstrated to the satisfaction of the Responsible Authority that fire spread between stalls etc will not occur.

16.17. Traffic Management Personnel must be on site at all times to facilitate emergency vehicle access to the site in case of emergency.

16.18. Written authorisation from the CFA Operations Manager, District 2 - Bendigo must be obtained for any use of CFA resources and/or personnel

17. NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY

17.1. Prior to the commencement of works, a separate permit for any new or modified waterway crossing must be obtained directly from the North Central Catchment Management Authority. Please contact Adrian Bathgate on 03 5440 1896 to obtain a full understanding of the North Central CMA's requirements.

17.2. The proposed stage and associated structures are of a temporary nature and must be removed immediately after any event.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment: 18 January 2010

Responsible Authority: Mount Alexander Shire Council

- Please note that on 18 January, 2010 only condition 116 was amended
THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

Date of Extension: 28 March 2013

Responsible Authority: Mount Alexander Shire Council

- This permit will expire on the 6th weekend of events held in 2016

Date of Extension: 18 October 2016

Responsible Authority: Mount Alexander Shire Council

- This permit will expire on the 6th weekend of events held in 2019

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment: 20 February, 2018

Responsible Authority: Mount Alexander Shire Council

- The permit has been amended to include changes to condition 3, change of location of the event and to condition 7 to increase patron numbers to 15,000.

- Conditions 8, 10, 11,12 & 13 have been updated accordingly.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
Context

The purpose of this report is to enable Council to make a determination on an application to amend planning permit 182/2008 which allows the use and development of the land for the purposes of an outdoor music event and associated facilities at Sutton Grange Winery, relating to a change to the location of the event on the land and increasing the number of patrons permitted from 6000 to 15,000 patrons. The application has been referred to Council for a decision because there are outstanding objections which have not been resolved.

Refer to:

Attachment ECO 03A: PA182/2008 - Site and Aerial plan.
Attachment ECO 03B: PA182/2008 - Location layout of the event.

The application was lodged on 11 December, 2017 and proposes to amend existing planning permit 182/2008 to allow a change to the location of an event on the land and increase the patrons numbers associated with an event on the land. The amendment is required pursuant to Section 72 of the Planning and Environment Act 1987, seeking to amend conditions 3 (location of the event) & 7 (increasing patron numbers)

Planning permit 182/2008 was issued on the 16 December, 2008 and allows the land to be used for outdoor music events at Sutton Grange Winery. The permit allows for up to six events per year. Outdoor music events have occurred on the land since 2009, being located on the winery lawn, with a maximum of 6000 patrons permitted.

The owners of the land are proposing to increase the patron numbers from 6000 to 15,000 to accommodate the Neil Diamond 50 year anniversary tour on the 31 March, 2018. This event and events in excess of 6,000 patrons are proposed to be located approximately 360 metres south east of the winery, in an existing cleared area of the site. All parking including bus parking would be located on the land in the grazing paddocks south of the winery, having access to the site from the Bendigo-Sutton Grange Road (Melbourne bound traffic) and from Carnochans Road (Bendigo bound traffic and Bus entry). Vehicles transporting the infrastructure (stage etc.) for the event will access the site via Carnochans Back Road entrance. This access will also provide an emergency access vehicles entrance and exit if required.

The submission includes a detailed risk assessment and event management plan including fire prevention, evacuation procedures, emergency assembly points, entry and exits points for all vehicles, waste management, crowd control and security. The playing of music in all events is currently restricted to the hours of 5.00pm to 10.30pm, which is not proposed to be altered.

The land has a frontage to the Bendigo Sutton –Grange Road (eastern boundary), Carnochans Road (part northern boundary) and Carnochans Back Road (western boundary, having a total area of in excess of 100 hectares. The land is developed with a winery and stud and is known as the Sutton Grange Winery. The land is undulating and contains 12 hectares of vineyards which have been established since 1998. The property contains pockets of scattered trees particularly adjacent to watercourses and property boundaries.

The land is located within the Farming Zone and is affected by the environmental significance Overlay –schedule 1.

Surrounding land generally consists of large land holdings consisting of open grazing land, having the closest adjoining dwelling being located 1.3 kilometres south of the
proposed event location. Sutton Grange township is located south west of the subject site, approximately 2.6 kilometres (at its closest point) from the proposed event location.

**Policy and Statutory Implications**

**State Planning Policy Framework (SPPF)**

*Clause 13.04-1 Noise abatement*

This policy seeks to assist in the control of noise effects on sensitive land uses. This is achieved by the use of State Environment Protection Policy (Control of Noise from Public Premises) and land use separation.

*Clause 13.05 Bushfire Planning*

This clause requires the consideration of bushfire management through risk-based planning that prioritises the protection of human life. This is achieved by reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process. CFA and emergency management agencies have been consulted and involved in the planning of the event and the Applicant has provided a bushfire risk assessment in the submission to the application. In addition, CFA have provided conditional consent to the amendments.

*Clause 14.02-1 Catchment Planning and Management*

The objective of this clause is to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

All wastewater from the site would be transported off site and disposed of at an approved facility, to the satisfaction of Council’s EHO and GMW. No wastewater (apart from pre-existing approved systems) would be discharged on site.

*Clause 17.03 – 1 Economic Development – facilitating tourism*

Relevant strategies mentioned in this Clause relate to encouraging the development of a range of well-designed and sited tourist facilities, and to ensure that tourism facilities have access to suitable transport and be compatible with and build upon the assets and qualities of surrounding urban or rural activities and cultural and natural attractions.

**Local Planning Policy Framework (LPPF)**

*Clause 21.06-3 Water*

This policy aims to protect and improve water quality and quantity in the Shire. The policy recognises the poor condition of water catchments, including open potable water catchment areas, which cover much of the Shire and outline strategies to address identified issues.

*Clause 21.09-3 Tourism*

The objective of this clause is to capitalise on the potential for increased tourist visitation following the upgrade of the Calder Highway and improved rail connections with Melbourne and Bendigo and maximising opportunities for the future development of boutique accommodation. It also includes encouragement of new tourist development to be sited and designed to minimise its impact on the natural environment and landscapes or productive agricultural land.
Zoning

Clause 35.07 Farming Zone. The purpose of the Farming zone includes:

- to provide for the use of land for agriculture,
- to encourage the retention of productive agricultural land,
- to ensure dwellings do not adversely affect the use of land for agriculture.
- to encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Overlays

*Environmental Significance Overlay- Schedule 1*

Clause 42.01 Environmental Significance Overlay

The environmental objective is to ensure the protection and maintenance of water quality and water yield within the Eppalock Water Supply Catchment Area as listed under Section 5 of the Catchment and Land Protection Act 1994.

Particular provisions

*52.06 Car Parking*

The purpose of this clause includes:

- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

The proposal includes parking and traffic management as follows:

- Melbourne bound traffic, VIP parking and Accessible parking will all enter the site through the property from the main “Sutton Grange Stud” entrance opposite to the Harcourt – Sutton Grange Road.
- Bendigo bound traffic and Bus entry will be via Carnochans Road with the turn off at the second entry to the property.

Parking on site is proposed as follows:

- 400 spots for VIP and Accessible Parking
- 2800 spots for Melbourne Bound
- 1500 spots for Bendigo Bound

It is noted that the indicative numbers of the Neil Diamond 50th Anniversary Tour suggest that 70% of patrons will be coming from Melbourne. The industry average for similar events typically consists of 2.5 persons per car which allows for 11,750 patrons in these two car parking areas. An additional overflow car park will also be available if required. Bus patronage is expected to be at 30% of attendance for the Neil Diamond 50th Anniversary Tour taking in to account the demographic of his audience.
The table to Clause 52.06-5 requires for a place of assembly the provision of 0.3 spaces to each patron which equates to 4500 spaces. The proposal includes the provision of 4700 spaces and there is availability for additional spaces if required. The parking available on the land associated with the increase in patron numbers satisfies the requirements of Clause 52.06.

**Issues**

**Bushfire Management**

The bushfire threat has been raised as an issue, particularly as large numbers of people are proposed to congregate in large numbers on site at an event. The application has considered the risk of bushfire to people, property and community infrastructure, as required by Clause 13.05 of the planning scheme.

CFA and emergency management agencies have been consulted and involved in the planning of the event and the Applicant has provided a bushfire risk assessment that the CFA have provided conditional consent to. The bushfire protection measures include suitable access to the site and within the site, vegetation management, water supply for firefighting purposes and the requirement for an Emergency Management Plan. These requirements have been included as updated CFA conditions if a permit was to issue, therefore they will be required to be enforced and complied with in accordance with the requirements of the Planning and Environment Act.

**Rural Amenity**

The amendments sought can be considered at this site given that the increase in patron numbers can be effectively managed through compliance and enforcement of the updated event management plan and the location of the event allows for considerable buffer distances to existing dwellings in the area. In addition, the inclusion of additional conditions from referral authorities addressing traffic and bushfire management, noise and waste management will further assist in minimising the impact of the amendments on the amenity of the area.

**Economic development**

The site is suitably located to capitalise on the tourism corridor between Melbourne and Bendigo. The site is close to the Calder Freeway and within a 30 minute drive from Bendigo providing high accessibility. The proposal has the potential to support local businesses through increased tourism.

Local policy encourages developments that promote tourism and economic benefit to the shire. The continued use of the land for events at this location promotes the area and Mount Alexander as a desirable place to live and visit. Policy encourages new tourist development sited and designed to minimise its impact on the natural environment and landscapes.

Mount Alexander Shire Council's Economic Development Strategy 2013-2017 recognises that ‘Events’ are a significant and important drawcard for visitors for the Shire. The continued use of this site for events is encouraged as an important element in sustainable development of tourism in the municipality.

**Outstanding objections to the application**

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987, two objections was received at the time of writing this report.
Traffic management of the site and surrounding roads

A detailed traffic management report has been submitted that manages traffic in and out of the site for the anticipated patron numbers including the provision of parking on the land and the management of roads in and around the site.

The existing road network and driveways / internal tracks provide suitable all weather access to all parts of the site to be used as part of this proposal.

Bushfire threat given the numbers of people on site.

CFA and emergency management agencies have been consulted and involved in the planning of the event and the Applicant has provided a bushfire risk assessment that the CFA have provided conditional consent to. The bushfire protection measures include suitable access to the site and within the site, vegetation management, water supply for firefighting purposes and the requirement for an Emergency Management Plan. These requirements have been included as updated CFA conditions if a permit was to issue, therefore they will be required to be enforced and complied with in accordance with the requirements of the Planning and Environment Act.

Loss of amenity due to the increased people and traffic in the area.

The amendments sought can be considered at this site given that the increase in patron numbers can be effectively managed through compliance and enforcement of the updated event management plan and the location of the event allows for considerable buffer distances to existing dwellings in the area. Further, the inclusion of additional conditions from referral authorities addressing traffic and bushfire management, noise and waste management will further assist in minimising the impact of the amendments on the amenity of the area.

The proposal would result in increased crime, antisocial behaviour and increased the chances of a terrorist attack in the area.

There is no evidence presented suggesting that crime, anti-social behaviour or hoon driving has increased in the area as a direct association with events on the land.

The land has been used for concerts since 2009 and Council has no record of any ongoing issues from this site or the area, nor have Police advised Council of the same.

The use of the land is contrary to the objectives and outcomes of the Farming Zone

The use of the land for a place of assembly has been operating since 2009. The amendment does not seek a change to this permitted use. The land continues to be used for agriculture.

Alternative Options

Council could refuse the application, however there are no grounds for refusal.

Financial and Resource Implications

Cost of potential appeal to the Victorian Civil and Administrative Tribunal.
Consultation

Advertising
Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987 to owners and occupiers of adjoining land and a notice in the local newspaper.

Applicant-objector correspondence
In response to concerns raised by Council Officers and the objections received, the application has not been amended.

No applicant-objector meeting was undertaken as it was not considered that an outcome which satisfied both applicant and objectors could be reached.

External Referrals
The application was referred to Goulburn Murray Water, Vic Roads, and CFA who have all provided conditional consent.

Internal Referrals
The application was referred internally to Council's Infrastructure Unit and Environmental Health Officer, who both provided conditional consent.
ECO 04  PLANNING PERMIT APPLICATION 214/2016 – RESUBDIVISION OF FIFTEEN (15) LOTS INTO FOURTEEN (14) LOTS, CONSTRUCTION OF A DWELLING/FENCE (LOTS 1 AND 2), AND ALTERATION TO AN EXISTING EASEMENT AT LOTS 1 AND 2 ON TP232878T, LOTS 1,2,3,4 AND 5 ON TP124889R, LOTS 1,2,4,5 AND 6 ON TP945371E, AND LOT 2 ON PS525554C, AND PART OF CA 31 ON SECTION D4 OF THE PARISH OF CASTLEMAINE, 45 AND 71 ELIZABETH STREET, CASTLEMAINE

Responsible Director: Acting Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/17/46337

Executive Summary

Council has received an application for the re-subdivision of fifteen lots into fourteen (14) lots, construction of a dwelling/fence (Lots 1 and 2), and alteration of existing easement at 45 and 71 Elizabeth Street, Castlemaine. The site is located within the General Residential Zone and is partially covered by the Land Subject to Inundation Overlay (LSIO) and the Significant Landscape Overlay Schedule 2 (SLO2) – Castlemaine Environs.

The application was advertised and has received two objections raising concerns with a range of issues including the safety of access arrangements, lot sizes and layout, the level of parking and footpath provision, visual amenity impact of bin enclosures, potential for overlooking, treatment of an easement, extent of cut and fill, and potential need for retaining walls. Various permit conditions are proposed to address some of these concerns.

The site consists of the following fifteen (15) existing lots: lots 1 and 2 on TP232878T, lots 1,2,3,4 and 5 on TP124889R, lots 1,2,3,4,5 and 6 on TP945371E, lot 2 on PS525554C, and part of Crown Allotment 31 Section D4 in the Parish of Castlemaine.

The purpose of the General Residential Zone is to encourage development that respects the neighbourhood character of the area.

The application has been assessed against the provisions of the General Residential Zone and local and state planning policy and is considered to be appropriate.

It is recommended that a Notice of Decision to grant a planning permit subject to conditions be issued.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a planning permit for a fourteen (14) lot subdivision, construction of a dwelling/fence (Lots 1 and 2), and alteration to an existing easement at Lots 1 and 2 on TP232878T, Lots 1,2,3,4 and 5 on TP124889R, Lots 1,2,4,5 and 6 on TP945371E, Lot 2 on PS525554C, and Part of CA31 on Section D4 of the Parish of Castlemaine, 45 and 71 Elizabeth Street, Castlemaine, subject to the following conditions:

1. **AMENDED PLANS REQUIRED**

   Before the subdivision is certified amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three
copies must be provided. The plans must be generally in accordance with the current amended plans dated 29/3/2017 and referred to as ‘Proposed Plan of Subdivision, Draw Ref PPS01, Revision D’, but modified to show:

a) Detailed Plans in generally in accordance with the plan referred to as ‘Proposed Common Property Typical Cross Section, Draw Ref XS01, Revision B’, providing elevations/cross sections demonstrating the protection of the privacy of neighbouring properties from view-lines in accordance with Rescode standards, and showing the location of retaining wall works, but providing greater detail as to the maximum heights at various points along the shared property, and a schedule detailing suitable proposed materials and colours/finishes for the retaining walls and fencing.

b) Provision of a 3 metre wide easement on the plans along the common property shared driveway reserve where necessary for future maintenance access to stormwater drainage assets.

c) Provision of a 1.5 metre wide footpath along the frontage of Lots 1 to 13 where they meet the common property, which connects to footpath in Langslow Street (at Elizabeth Street intersection) to provide access to the pedestrian trails in the area, with gradients and design suitable for all access including for disabled persons and mobility aids, with any necessary changes to the subdivision layout to facilitate it while still providing adequate vehicle access.

d) Swept path detailed plans showing that the access to Langslow Street will be designed to sufficiently support the turning movements of service and emergency vehicles, and any necessary changes to the subdivision layout, to the satisfaction of both the Responsible Authority and the CFA.

e) Provision of appropriate treatment such as a retaining wall along the existing site cut adjacent the rear eastern (71 Elizabeth Street) property boundary to prevent erosion and/or stability risks for the neighbouring property.

f) As per NCCMA conditions, show Allotment 1 to be filled to at least (300 millimetres above) the applicable 1% AEP flood level(s). Prior to issuing a statement of compliance a certified survey plan of the finished surface levels prepared by a licensed surveyor must be submitted to the Responsible Authority for its approval.

g) As per NCCMA conditions, show a balance of cut and fill to be achieved on the site. Any proposed cut must be self-draining.

h) As per NCCMA conditions, prior to the commencement of the works detailed plans and computations must be provided to the NCCMA demonstrating how this condition will be achieved must be provided to the North Central CMA for approval.

2. SUBDIVISION LAYOUT PLAN

2.1. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

3. GARDEN AREA REQUIREMENTS OF THE GENERAL RESIDENTIAL ZONE (CL 32.08-1)

3.1. Development within all lots on this plan of subdivision must comply with the Garden Area requirements as specified at Clause 32.08-1 to the Satisfaction of the Responsible Authority.
4. FORMAL PLAN OF SUBDIVISION

4.1. The formal plan of subdivision lodged for certification must be in accordance with the approved plan and must not be modified except to comply with statutory requirements or with the further written consent of the Responsible Authority.

5. DWELLING PLANS REQUIRED FOR Lots 1 AND 2

5.1. Before the construction of dwellings on lots 1 and 2, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must show:

a) No changes to the ground levels which create new flooding or drainage issues. Any changes to ground levels must not breach any of the existing requirements placed on the subdivision, including that:
   • As per NCCMA conditions, a balance of cut and fill must be achieved on the site. Any proposed cut must be self-draining.
   • As per NCCMA conditions, Allotment 1 must be filled to at least (300 millimetres above) the applicable 1% AEP flood level(s).

b) Appropriately detailed plans and elevations of the proposed dwelling, any proposed associated outbuildings on each lot, and their associated garden and landscaped areas, showing the design to be appropriate to the purpose and decision guidelines of the Significant Landscape Overlay Schedule 2 (SLO2) – Castlemaine Environs, including demonstrating the following:
   • The design should minimise impacts on visually sensitive land forms and areas which have a high degree of landscape character and importance, such as sight lines to the heritage railway and avoiding impacting the privacy of neighbouring properties.
   • The buildings and their associated works, gardens, and landscaped areas should be designated on the plans and thereafter maintained in such a manner as to harmonise and suitably fit in with the visual character of their surroundings.
   • The design should prevent water pollution and avoid drainage and erosion issues.

6. DWELLING LAYOUT PLANS

6.1. The proposed dwelling layout as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

7. CONSTRUCTION MANAGEMENT PLAN

7.1. Prior to the commencement of works, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:

a) Hours of construction to accord with Local Laws

b) Management of Langslow Street and Elizabeth Street to ensure that they are not blocked by parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to benefitting properties at all times, unless with the written consent of the Responsible Authority
c) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing

d) No parking of vehicles within the railway reserve and Maldon rail trail area.

e) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties, including the rail reserve and Maldon rail trail.

f) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties

g) Minimising disruption to pedestrian access along footpaths including the Maldon rail trail.

h) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours

i) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors

j) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

8. LANDSCAPING PLANS

8.1. An adequate landscaping plan providing for suitable street trees having a minimum of one tree per lot/shared common property driveway and landscaping must be provided to the satisfaction of the Responsible Authority, and when endorsed, must then be implemented on site prior to the issue of a Statement of Compliance.

9. ENGINEERING PLANS

9.1. Prior to commencement of any construction works associated with the development and certification of the plan of subdivision, detailed access and drainage construction plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. All works constructed or carried out must be in accordance with those endorsed plans.

The plans to include:

a) Vehicle crossing works as required by the conditions of this permit.

b) Drainage works as required by the conditions of this permit.

c) Landscaping works as required by the conditions of this permit.

10. DRAINAGE WORKS

10.1. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the council as the responsible
drainage authority so as to prevent the discharge of water from the subject land across any road or onto any adjoining land.

10.2. The site stormwater discharge is not to be increased by the proposed developments. The drainage system shall include provision of storm water retention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a 5 year annual recurrence interval (IDM Design standards - Section 19.3 Requirements)

10.3. On completion of the works, certification must be submitted to the Responsible Authority certifying that works have been completed in accordance with the Approved Engineering Plans.

10.4. Provide cut off drains or similar to protect adjoining properties from overland storm water flow. Provision is to be made to divert major rainfall (1 in 100 year) storm events away from the building envelopes of lots within this and adjoining subdivisions.

10.5. In designing this drainage system the applicant may also consider incorporating aspects from Guidelines for Water Sensitive Urban Design (WSUD).

10.6. The legal point of discharge to the development is to the existing open drain in Langslow street. Clean out and form the open drain as required.

11. COMMON PROPERTY ACCESS

11.1. Access Road construction is to comply with the requirements of the Infrastructure Design Manual for an Access Place. The plans must include details in relation to pavement and formation width, pavement depth, pavement type and surfacing, drainage details, intersection treatments etc. Council’s minimum standards are

- With Asphalt or Concrete
- Provision is to made for the turning circle/court Bowl at the road end for emergency service vehicles
- Provision of a 1.5 metre wide footpath along the frontage of Lots 1 to 13, linking to footpath in Langslow Street (at Elizabeth Street intersection).
- Street/accessway lighting shall be provided to the requirements and satisfaction of both Powercor and the Responsible Authority.

12. VEHICLE CROSSOVER WORKS

12.1. Proposed vehicle crossovers are to be constructed to the levels/requirements of council. No impending or redirection of existing surface flow is allows to occur as a result of these works. Where two crossovers are in close proximity, pipes are to be extended through to create one wide crossover servicing both properties.

13. EASEMENTS

13.1. All existing and proposed easements and sites for existing and required utility services and drainage must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.
14. INFRASTRUCTURE STATUS

14.1. All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance.

15. SEDIMENT POLLUTION CONTROL

15.1. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991)

16. CONSENT FOR CONSTRUCTIONS

16.1. Council is to be paid a fee of 0.75% of the total construction costs for these works for the approval of said plans plus 2.5% for supervision of construction. Said fees to be paid prior to commencement of any road/drainage works.

16.2. Prior to the commencement of any works on the road reserve the owner/applicant must submit a Minor Works in a Road Reserve application and obtain a permit to occupy the road for works.

16.3. All existing road reserve assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of statement of compliance.

17. STATEMENT OF COMPLIANCE

17.1. Prior to the issue of a statement of compliance for the subdivision, the drainage and vehicle crossing works must be installed to satisfaction of council in accordance with the approved Engineering plans.

18. REMOVAL OR TRIMMING OF ROAD RESERVE TREES

18.1. If the applicant / property owner requires removing or trimming of trees in council road reserves as part of the development or as part of future works, all the cost of such removal must be borne by the applicant / property owner. The applicant / property owner must obtain consent and necessary work permits from the council for such future tree trimmings / removals prior to commencement of tree removal works.

19. TELECOMMUNICATIONS

19.1. The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

19.2. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
• a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and

• a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

20. VICTRACK CONDITIONS

20.1. Prior to the issue of a Statement of Compliance, the permit holder must install a 1.8 metre high treated pine paling fence along the boundary abutting the rail reserve for the entire length of the site to the satisfaction of Vic Track at the full cost to the permit holder.

20.2. The permit holder must not, at any time:

a) allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or

b) store or deposit any waste, soil or other materials on the railway land.

21. COLIBAN WATER CONDITIONS

21.1. The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets. Services are to be provided in accordance with our specifications.

21.2. All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.

22. DOWNER UTILITIES / AUSNET SERVICES GAS CONDITIONS

22.1. The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with Section 8 of the Subdivision Act 1988.

23. POWERCOR CONDITIONS

23.1. The Plan of Subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.

23.2. The applicant shall:

• Provide an electricity supply to all lots in the subdivision in accordance with Powercor’s requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by Powercor.

• Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor and provide to Powercor
Australia Ltd a completed Electrical Safety Certificate in accordance with Electricity Safe Victoria’s Electrical Safety System.

- The applicant shall provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.
- Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
- Any construction work must comply with Energy Safe Victoria’s “No Go Zone” rules.

24. NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY (NCCMA)

24.1. Unless otherwise agreed in writing with the Responsible Authority and the North Central CMA, allotment 1 must be filled to at least 300 millimetres above the applicable 1% AEP flood level(s). Prior to issuing a statement of compliance a certified survey plan of the finished surface levels prepared by a licensed surveyor must be submitted to the Responsible Authority for its approval.

24.2. Unless otherwise agreed in writing with the Responsible Authority and the North Central CMA, the proposed development must not reduce the available flood storage on the site. A balance of cut and fill must be achieved on the site. Any proposed cut must be self-draining. Prior to the commencement of works detailed plans and computations demonstrating how this condition will be achieved must be provided to the North Central CMA for approval.

25. GOULBURN MURRAY WATER (GMW) CONDITIONS

25.1. All works within the subdivision must be done in accordance with EPA Publication 960 “Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites”, September 2004.

25.2. The Plan of subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

25.3. The building envelopes must be identified on any plan of subdivision submitted for certification.

25.4. Prior to the Certification of the Plan of Subdivision, Goulburn Murray Water requires a Stormwater Management Plan be prepared to the satisfaction of the Responsible Authority and Goulburn Murray Water. The Plan must be prepared in accordance with the principles outlined in Urban Stormwater: Best Practice Environmental Management Guidelines’ (Victorian Stormwater Committee, 1999). The Stormwater Management Plan must show through the application of MUSIC modelling or similar that the development can meet post construction objectives for environmental management of stormwater, as specified in Table 2.1 of the ‘Urban Stormwater: Best Practice Environmental Management Guidelines’ (Victorian Stormwater Committee, 1999).

25.5. Each lot must be provided with connection to the reticulated sewerage system.

26. WASTE COLLECTION

26.1. A private waste collection shall be required to service the development. It is the responsibility of the developer to prepare a waste management strategy, to the satisfaction of the Responsible Authority, which demonstrates:
• Collection arrangement details
• Collection from individual lots rather than creating a bin storage area
• Maximum waste collection vehicle dimension
• Adequacy and safety of the access roads
• Compliance with Environment Protection Authority noise standards

Prior to the issue of a Statement of Compliance, the developer must enter into a Section 173 Agreement with the Responsible Authority, under Section 173 and 174 of the Planning and Environment Act, which requires a private waste collection to be arranged and maintained by the owners at their cost in accordance with the approved waste management strategy.

The developer and the Responsible Authority shall agree to do all things necessary to register a memorandum of this Agreement on the titles of the land pursuant to Section 181 of the Planning and Environment Act 1987.

The developer must pay all of the reasonable costs and expenses including lawyers checking fees incurred by the Responsible Authority in relation to the preparation, execution, registration, enforcement and cancellation of this Agreement. This shall include costs for obtaining the necessary consents if required by the Land Titles Office before registration of this Agreement.

27. FIRE HYDRANTS

27.1. Fire hydrants must be supplied to the satisfaction of the Country Fire Authority. The hydrants must be located within 120 metres of every building envelope with the spacing between hydrants being a maximum of 200 metres.

27.2. Fire hydrants must be clearly identified in accordance with the Fire Service Guideline – Identification of Street Hydrants for Fire Fighting Purposes.

28. PUBLIC OPEN SPACE CONTRIBUTIONS

28.1. Prior to the issue of the Statement of Compliance, a monetary contribution of an amount equal to 5% of the current value of all the land within the subdivision shall be paid to the Responsible Authority. If the land is subdivided in stages, the contribution may be paid proportionally to the area of the lots being created.

29. VALUATION EXPENSES

29.1. The applicant or owner must pay on demand to Council, the Council's reasonable costs and expenses to provide valuation for payment in lieu of open space.

30. CONSTRUCTION MANAGEMENT PLAN

30.1. Prior to the commencement of works, a Construction Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must detail:
   a) Hours of construction to accord with Local Laws
   b) Management of Langslow Street and Elizabeth Street to ensure that they are not blocked by parked or standing vehicles or any other obstruction, including building materials, equipment, etc. to maintain free vehicle passage to benefitting properties at all times, unless with the written consent of the Responsible Authority
c) Methods to contain dust, dirt and mud within the site and the method and frequency of clean up procedures, including the management of on-site storage waste construction bins and vehicle washing.

d) No parking of vehicles in the rail reserve and Maldon rail trail area.

e) Management of parking of construction machinery and workers vehicles to prevent adverse impact on nearby properties, including the rail reserve and Maldon rail trail.

f) Management of staging of heavy vehicles, site deliveries and unloading and lifting points with expected frequency, and traffic management in the vicinity, ensure routes to and from the site minimise disruption to residential properties.

g) Minimising disruption to pedestrian access along footpaths including the Maldon rail trail.

h) Measures to minimise noise and other amenity impacts from mechanical equipment, including idling trucks, and demolition/construction activities, especially outside of daytime hours.

i) The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.

j) A liaison officer for contact by the public and the Responsible Authority in the event of relevant queries or problems experienced.

All works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

31. PERMIT EXPIRY - SUBDIVISION

31.1. The plan of subdivision must be certified within two (2) years of the date of issue of this Permit unless the Responsible Authority grants an extension of the Permit upon application in writing by the permit holder within six (6) months of the prescribed expiry date. Once the plan of subdivision is certified, the Permit will expire five years from the date of certification of the plan of subdivision.

32. PERMIT EXPIRY - DEVELOPMENT

32.1. This permit will expire if the permitted development is not started within four years of the date of this permit, or is not completed within six years of that date.

The responsible authority may extend these periods if a request is made in writing before the permit expires, or:

a) Within six months afterwards if the development has not been started.

b) Within twelve months afterwards if the development started lawfully before the permit expired.

PERMIT NOTES

Permit Expiry Note

The starting of a subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under Section 6 of the Subdivision Act 1988. Completion is regarded as registration of the subdivision.
NCCMA Permit Notes

Flood levels for the 1% AEP (100 year ARI) flood event have been determined for this area under provisions of the Water Act 1989. The determined 1% AEP flood level for the location described above is 271.5 metres AHD.

Advice to Applicant / Council:

North Central CMA advises that in the event of a 1% AEP flood event it is possible that the property may be subject to inundation from Campbells Creek. However it is recommended that a licensed surveyor be engaged to determine the exact effect of the applicable flood level on the property.

MOVED COUNCILLOR PETRUSMA

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
Context

The purpose of this report is to enable Council to make a determination on an application for a proposed re-subdivision of fifteen (15) lots into fourteen (14) lots, construction of a dwelling/fence (Lots 1 and 2), and alteration of existing easement at 45 and 71 Elizabeth Street, Castlemaine. The application has been referred to Council for a decision because there are two outstanding objections.

Refer to:

Attachment ECO 04A: PA214/2017 - Context and site aerial.
Attachment ECO 04B: PA214/2017 - Final plans submitted with application.
Attachment ECO 04C: PA214/2017 - Clause 56 Assessment.
Attachment ECO 04D: PA214/2017 – Cross Section elevation diagrams.

The current application was lodged on 19 September 2016 for a proposed twelve (12) lot subdivision, construction of a dwelling/fence (Lots 1 and 2), and alteration to an existing easement. In a further information request forwarded to the applicant on 7 October 2016, Council officers raised various concerns in relation to flooding issues, access, lot layout, and other matters. The North Central Catchment Management Authority also raised flooding concerns with the initial layout.

The application was later subsequently amended by the applicant on 4 April 2017 to include land at 71 Elizabeth Street in the subdivision area, increase the number of lots to fourteen (14), alter the subdivision lot layout to address flooding issues and to provide access via Elizabeth Street rather than the flood prone area of Langslow Street to ensure permanent access.

The subject site has two street frontages, one is to the flood prone east side of Langslow Street, and the other, which will provide access, is to Elizabeth Street. It is currently vacant and comprises fifteen (15) titles containing a total area of approximately 14,597 square metres or 1.45 Hectares. The Castlemaine-Maldon railway reserve passes directly adjacent the site to the South.

Land in the surrounding area is predominantly residential in nature, with dwellings on modest lots of various sizes. The proposed lots vary between 749 and 830 square metres in size, with the exception of the small lot 14 of 412 square metres, and the large lot 13 of 1702 square metres with a long stretch of land alongside the railway track.

The proposed layout of the lots would locate any dwellings built on the site away from the waterway while still providing minor setbacks to side property boundaries. Lots 1 & 2 would be subject to a proposed fill pad to raise the foundations and floor levels of any dwelling to be built on these two sites and a balance of cut and fill across the site to satisfy NCCMA requirements.

The proposed subdivision responds to the primary physical constraint (ie. the flooding risks of Campbells Creek and appropriately aligns access and lot boundaries to address this feature.

Council records do not show any previous planning permit applications on this site in recent history.
Policy and Statutory Implications

State Planning Policy Framework (SPPF)

Clause 11.02-1 Supply of urban land
The objective of this clause is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.07 Regional Victoria
The objective of this clause is to develop settlements which have a strong identity, are prosperous and are environmentally sustainable.

Clause 11.14 Loddon Mallee South
The objective of this clause is to focus growth and development into a network of settlements identified in the Loddon Mallee South Regional Growth Plan.

Clause 13.02-1 Floodplain Management
The objective of this clause is to assist the protection of life, property and community infrastructure from flood hazard. Planning should avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Clause 13.05 Bushfire Planning
This clause requires the consideration of bushfire risks for subdivisions of more than 10 lots even where there is no Bushfire Management Overlay but the site is located within the Bushfire Prone Area, which consists of almost all of rural Victoria.

Clause 14.02-1 Catchment Planning and Management
The objective of this clause is to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Clause 14.02-2 Water Quality
The objective of this clause is to protect water quality.

Clause 15.01 Urban environment
Policy in this clause offers broad guidelines for the design of urban areas, subdivisions and buildings. Relevant policy aims to ensure development responds to the local context and provides energy efficient development through design and location close to services and transport. Urban environments should be functional and provide a sense of place and cultural identity.

Clause 19.03-2 Water Supply, Sewerage and Drainage
The protection of water supply from uses that may cause possible contamination must be considered in permit applications.

Appropriate on-site waste disposal methods in areas not connected to a reticulated sewerage system must be provided to all lots created through subdivision.
Clause 19.03 Development infrastructure
Objectives and strategies outlined within this clause have the purpose of ensuring appropriate physical infrastructure is provided during the development of land and that infrastructure meets recognised standards.

Local Planning Policy Framework (LPPF)

Clause 21.02 Municipal Vision and Framework Plan
The land use planning and development vision for Mount Alexander Shire will be achieved by increasing housing choice and consolidation of urban growth to maximise infrastructure and reduce environmental impacts.

Under the heading of Township role and identity at Clause 21.02-3, Campbells Creek is classed as a local community centre and identified as a satellite of Castlemaine due to its location, with key features including tree-lined entrances along the Midland Highway and gold mining era development patterns.

Clause 21.05-2 Floodplains
The objectives of this clause are to identify and manage land that is subject to flooding, and to protect life, property and community infrastructure from the risk of flooding.

Clause 21.06-3 Water
This clause aims to protect and improve water quality and quantity in the Shire. The policy recognises the poor condition of water catchments, including open potable water catchment areas, which cover much of the Shire and outline strategies to address identified issues.

Clause 21.11 Infrastructure
This clause gives an overview of the Shire’s significant infrastructure assets and also issues arising due to lack of infrastructure in some areas. Key issues include preventing unplanned residential development in rural area which can increase costs of infrastructure maintenance and provision.

Zoning

Clause 32.08 General Residential Zone (GRZ)
Pursuant to clause 32.08-3 a planning permit is required to subdivide land.

The purpose of the General Residential Zone includes:

- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To encourage development that respects the neighbourhood character of the area.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Overlays

Significant Landscape Overlay –Schedule 2
The entire site is within the Significant Landscape Overlay –Schedule 2 (SLO2).

This overlay refers to the ‘Castlemaine Landscape Significance Area’.
A permit is not triggered for subdivision under this overlay.

The proposal includes the proposed construction of a dwelling on lots 1 and 2, which does trigger a planning permit under the overlay.

In regards to the proposed dwellings and fencing on Lots 1 and 2, while no plans have been provided, it is considered that permit conditions could require that detailed amended plans are provided for these two lots demonstrating a design that is appropriate to the purpose and decision guidelines of the Significant Landscape Overlay Schedule 2 (SLO2) – Castlemaine Environs. These conditions will address matters of visual impact, landscaping, and avoiding the creation of any new drainage or erosion issues.

**Land Subject to Inundation Overlay**

Part of the site is subject to the Land Subject to Inundation Overlay (LSIO).

Pursuant to clause 44.04-2, a permit is required for subdivision within this overlay.

The proposal also includes the proposed construction of a dwelling and fencing on lots 1 and 2, which also triggers a planning permit under the overlay.

The purpose of this overlay includes:

- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

The subdivision in its current amended form has been designed to provide permanent access from Elizabeth Street rather than flood-prone Langslow Street.

The subdivision has been referred to the North Central CMA (NCCMA) as the relevant referral authority with expertise on flooding risks, who have reviewed the proposal and responded with no objection subject to conditions. These conditions will require flood prone Lot 1 to be raised with adequate fill, and detailed plans and computations to be provided to NCCMA showing a balance of cut and fill and adequate drainage across the subdivision.

The combination of the proposed layout and these conditions together is considered to satisfactorily address the purpose and decision guidelines of the overlay.

In regards to the proposed dwellings and fencing on Lots 1 and 2, it is considered that permit conditions could require that detailed amended plans are provided for these simply demonstrating that their development will not impact the site level and drainage considerations already addressed by the subdivision requirements, and this would suitably address the requirements of the overlay.

**Particular provisions**

**Clause 52.01 Public Open Space Contribution and Subdivision**

Where a subdivision will result in a need for more open space having regard to a variety of factors such as the impact of the proposal on population density, Council may require a Public Open Space contribution to be provided as a planning permit condition.
Clause 56 Residential Subdivision

This clause lays out various standards for subdivision proposals. A detailed assessment against the relevant sections of clause 56 has been included as an attachment to this report.

Clause 65 Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 66 Referral and Notice Provisions

This clause includes mandatory conditions requiring permits for subdivision to require the provision of telecommunications services, preferably fibre optic services, where available. The clause also includes standard conditions for the referral of simple two lot subdivisions to service authorities during the later subdivision certification process. These conditions would all be included in any permit to be issued.

Issues

General Residential Zone

A permit is required to subdivide land. While there is no specific minimum lot size in the General Residential Zone, any subdivision should respect the neighbourhood character of the area.

The proposal would create lots of between 412 square metres and 1702 square metres in size, having an average size of 818 square metres, that are all large enough for a dwelling and providing adequate setbacks. The proposal has also been assessed against clause 56 standards and is considered to be compliant.

The subject proposal would result in residential lots of similar size to those existing in the surrounding area, and is considered to be consistent with the purpose and decision guidelines of the General Residential Zone.

Water Quality Impacts and Aesthetic Impacts

The proposed lots have been setback from the existing waterway while still providing property boundary setbacks to address Rescode requirements.

The lots can connect to the existing reticulated water and sewer services and the lots can meet all the waterway setback requirements of the relevant water authorities.

The proposal has been referred to the relevant water authorities, who have no objection, and with the combination of their proposed permit conditions, the building envelopes, and the requirement for a fill pad to elevate the foundations of any dwelling built on lot 1, flooding risks are suitably addressed.

Footpath Provision and Pedestrian Access

The subdivision has been proposed without any provision of footpaths or other dedicated pedestrian access. While vehicle access will be via a shared access way in a common property reserve, the common property reserve will operate and function as a normal street and service 14 lots. Under the standards of clause 56 subdivision, it is expected to provide a footpath for streets serving more than 5 lots.

The site is location provides good pedestrian links with pedestrian trails into the centre of Castlemaine, along Campbells Creek, and the rail-trail to Maldon. These are a significant
Council asset and investment which should be linked to wherever possible for the benefit of the residents.

Therefore, proposed permit conditions include the creation of a footpath from lot 13 along the lot frontages to Langslow Street as an amended plans permit condition, creating a link to these trails and the open space along Campbells Creek.

**State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF)**

The SPPF and LPPF support infill development and increasing densities where appropriate within existing urban areas. Planning policy also recognises the need to address flooding risks and waterway impacts, which are considered to be suitably addressed.

**Alternative Options**

Council could refuse the application, however there are no grounds for refusal.

**Financial and Resource Implications**

Assessment of the application is made using operational budget.

There is the cost of potential appeal to the Victorian Civil and Administrative Tribunal. Should Council issue a Notice of Decision to Grant a Permit objectors could seek review of the decision at VCAT, as could the applicant against conditions. This cost of VCAT would be covered through operational budget in these circumstances.

**Consultation**

**Advertising**

Notice of the application was given in accordance with Sections 52(1)(a) and 52(1)(d) of the **Planning and Environment Act 1987** to owners and occupiers of adjoining land and a sign was also placed on-site.

Two objections were received and not withdrawn.

**Applicant Objector Meeting and Objections to the application:**

At the end of the advertising period the application had received two objections which included a wide range of concerns.

Council officers met the objectors during counter queries prior to the lodgement of the objections and discussed some of their concerns in person. Significant concerns remained so an on-site applicant objector meeting was facilitated.

The applicant objector meeting occurred at 10:30 am on 16 January 2018, and was attended by Councillors Bronwyn Machin and Dave Petrusma, Council Planner Tim Blackie, Council Engineers Suresh Saba and Richard Pulimoottil, applicant Doug Parsons, applicant’s consultant Damien Cranage, and the neighbouring objectors John and Margaret Lay.

During this meeting cross-section plans for the earthworks, retaining walls, and fencing were discussed with the objectors, and Council staff walked the length of the site to better understand the proposed works and the interface with neighbouring properties. The recently created cross-section plans were generally well received as a response to
the height difference along the shared boundary. Stormwater options and details and the subdivision process were also discussed.

While the meeting was generally positive, the objectors have not chosen to withdraw their written objections.

In summary, the combined grounds of objection can be summarised as:

The safety risks of allowing access arrangements via Elizabeth Street

The access arrangements to Elizabeth Street have been reviewed by both Council's infrastructure department and VicRoads, and both have consented to the proposal subject to appropriate permit conditions.

Access via Elizabeth Street rather than only Langslow Street is necessary to ensure all year round access for both residents and emergency vehicles, which cannot be ensured via Langslow Street during times of flooding amid heavy winter rains.

Lack of parking and loss of existing parking spaces

VicRoads requires the creation of no-parking areas around the access to the new subdivision to ensure the safety. Elizabeth Street as part of the Pyrenees Highway is a busy road, which, combined with the proximity to the Ray Street intersection, necessitates no-parking areas to ensure adequate safety.

Lots along Elizabeth Street are relatively large with space for on-site parking, while much on-street parking is also available slightly further down the street.

All proposed lots within the subdivision are large enough to easily allow for on-site car parking.

Inappropriate size and layout of lot 14

While at 412 square metres in size Lot 14 is smaller than other lots in the area, it is still significantly larger 300 square metres, which is the point at which a permit is required for subsequent development of the lot, and it can support a 10 metre x 15 metre building envelope in accordance with clause 56 subdivision standards.

Adding the property at 71 Elizabeth Street to the proposal allows the provision of an all-weather, all year round access to the subdivision, rather than leaving the proposal dependent upon flood-prone access to Langslow Street.

While smaller than other lots in the area, it is large enough to be practical, and does offer some lot diversity and a more affordable small lot for those who desire such property.

Lack of footpath provision

This is a valid concern, as a footpath would usually be expected of a subdivision of this size, and the proposal is in an area with significant existing trails to the centre of town, along Campbells Creek, and along the rail trail to Maldon. It is appropriate to require a footpath, which can be required by a proposed amended plans permit condition.

Visual amenity impact of bin enclosures

The applicant has agreed to private waste disposal. Proposed permit conditions would require the creation of a waste management plan, with waste to be collected by a private contractor from each of the individual lots, and the creation of a section 173 agreement on title requiring landowners to continue to maintain these arrangements.
This should allow for the suitable handling of waste collection without requiring any large bin collection area as described by the objection.

The potential for overlooking neighbouring properties

The proposed new lots are all to the south of the common property reserve which is 8 metres wide, and future dwellings would be required to be built with adequate setbacks of at least several metres in accordance with Rescode. Therefore any new dwelling would achieve compliance in regards to overlooking and privacy to existing neighbouring properties.

The applicant has also provided elevations demonstrating how proposed lowering of the land within the road reserve will address overlooking impacts in accordance with Rescode standards. Proposed permit conditions would make an amended version of this plan with minor changes a part of the endorsed plans required to be implemented on site.

Disregard for the location of a sewer easement

The alteration of these existing easements is an explicit part of the permit application, with drainage and sewer services intended to still be provided within the area which will become the main stretch of the shared accessway common property reserve area. The proposal has been referred to both Council infrastructure and Coliban Water engineers, who have raised no objection to these changes. The final easement layout will be considered in greater detail during the certification process.

Concerns there may be too much cut and fill, and a need for retaining walls

As per the proposed condition 1 requirement for amended plans, and proposed NCCMA permit conditions, further detailed plans will be required to show flood prone Lot 1 to be raised with adequate fill, a balance of cut and fill and adequate drainage across the subdivision, retaining walls where needed, and other features.

Referrals

The application was referred externally to Goulburn Murray Water, Powercor Australia, North Central Catchment Management Authority, Coliban Water Authority, Downer/Ausnet Utilities (Gas), VicRoads, VicTrack, and internally to Council’s Parks and Gardens, and Infrastructure Units.

Both Council officers and the North Central Catchment Management Authority (NCCMA) raised various concerns with the original plans. In response the applicant amended their plans to change the layout and provide access via Elizabeth Street.

The CFA raised concerns with use of a dead end court bowl design for emergency access. It is now understood that there will be through access to Langslow Street, and suitable permit conditions will require amended plans demonstrating suitable dimensions for the turning emergency vehicles.

After receiving the amended (current) plans with these changes the NCCMA responded with consent subject to conditions.

All other parties responded with no objection subject to various permit conditions which would be included in any permit to be issued.
### Clause 56 Residential Subdivision Assessment

<table>
<thead>
<tr>
<th>Clause/standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 56.03-5 Neighbourhood character (C6)</td>
<td>It is considered that the proposal respects the predominant size, layout, and character of the area, with mostly large suburban lots of a similar size to those existing in the area.</td>
</tr>
<tr>
<td>Clause 56.04-1 Lot diversity and distribution (C7)</td>
<td></td>
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</tbody>
</table>
| Clause 56.04-2 Lot area and building envelopes (C8) | Complies. Each proposed lot except lot 14 is greater than 500m² and contain sufficient area to easily accommodate a 10x15m rectangle and provide for private open space.  
Lot 14 provides some lot size diversity and can accommodate a 10x15m rectangle and provide for private open space. |
| Clause 56.04-3 Solar orientation of lots (C9)        | Complies.  
The long axis of every proposed lot is within the preferred range of 20° north west - 30° north east.  
The relatively large lots have relatively good access to northern sunlight.                                                                 |
| Clause 56.04-4 Street Orientation Objective         | Complies. All lots face the common property shared driveway street access while positioning private open space to the rear.                                                                                   |
| Clause 56.04-5 Common area (C11)                    | Complies. The common property is a simple shared driveway necessary for access to each lot.                                                                                                          |
| Clause 56.05-1 Integrated urban landscape objectives | Not Applicable The subdivision does not create                                                                                                                                                           |
| Clause 56.06-2 Walking and cycling network objectives | Complies, subject to conditions.  
The subdivision as proposed does not create any new walking or cycling routes.  
However, given the proximity of various good quality walking tracks, and size of the subdivision, a footpath linking to these trails will be required as an amended plans condition. |
|---|---|
| 56.06-4 Neighbourhood street network objective | Complies.  
The proposal complies with the Roads corporation’s requirements, provides access via a new common property shared driveway well separated and delineated from the arterial road, provides for emergency and service vehicle access. |
| 56.06-5 Walking and cycling network detail objectives | Complies, subject to conditions.  
With a footpath link to Langslow Street required by amended plan permit conditions, the development will link to a number of pedestrian routes. |
| Clause 56.06-7 (20) - Neighbourhood street network detail objective | Complies.  
The common property shared driveway area will provide a suitable low speed environment. |
| Clause 56.06-8 (C21) – Lot access | Complies.  
Access to lots will be provided via the new common property shared driveway with a 6 metre wide formation, and a 8 metre wide reservation in most areas. |
<p>| Clause 56.07-1(C22) drinking water supply | Complies. |</p>
<table>
<thead>
<tr>
<th>Clause 56.07-2 (C23) Reused and recycled water</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reticulated water supply can be extended to the development from existing water mains in Elizabeth and/or Langslow Streets.</td>
<td>A recycled water supply is not currently available in the area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 56.07-3 (C24) Waste Water Management</th>
<th>Complies.</th>
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<tbody>
<tr>
<td>Reticulated water and sewer services will be provided as per referral authority proposed permit conditions.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 56.07-4 (C25) Urban run-off management</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater from the lots will be appropriately managed by an on-site drainage system to Council’s satisfaction.</td>
<td></td>
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</tbody>
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<tr>
<th>Clause 56.08-1 site management (C26)</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The level of construction activity resulting from the proposed subdivision will be moderate, and regulated by some proposed permit conditions. Thus there will be a minimal effect on the neighbourhood in terms of erosion, dust, run-off, litter, etc.</td>
<td></td>
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</tbody>
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<table>
<thead>
<tr>
<th>Clause 56.09-1 shared trenching (C27)</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shared trenching will be used to supply reticulated services to the lots where possible. The common property provides a good opportunity for shared services.</td>
<td></td>
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</tbody>
</table>

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<thead>
<tr>
<th>Clause 56.09-2 (C28) Electricity, telecommunications and gas</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>These services will be supplied to the lots in accordance with the providers' requirements.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 56.09-3 Fire Hydrants</th>
<th>Complies.</th>
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</thead>
<tbody>
<tr>
<td>Fire hydrants will be provided in</td>
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</table>
accordance with the CFA’s requirements. The maximum spacing between hydrants will be 200m. The maximum distance between a hydrant and the rear of any lot will be 120m.

<table>
<thead>
<tr>
<th>Clause 56.09-4 Public Lighting</th>
<th>Complies, subject to conditions.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject to conditions, public lighting will be provided in accordance with the relevant Australian Standards.</td>
<td></td>
</tr>
</tbody>
</table>
COMMON PROPERTY
TYPICAL CROSS SECTION A
(NOT TO SCALE)

OVERLOOKING NOTES:
1. Overlooking distance to existing secluded private open space & habitable room windows estimated in accordance with the Mount Alexander Shire Planning Scheme (MAPS) Clause 54.04-6, overlapping distances shown for illustrative purposes only (i.e. Clause 54.05-6 does not apply to this application for a planning permit).
2. Overlooking from proposed dwellings: eye height = 1.70m, horizontal distance = 9.0m (MAPS Clause 54.04-6).
3. Overlooking from pedestrians: eye height = 1.60m, horizontal distance = 9.0m.
4. Overlooking from vehicles: eye height = 1.10m (refer to Austroads Guide to Road Design Part B, Table 5.1).
ECO 05 EVENTS GRANT PROGRAM

Responsible Director: Chief Executive Officer
Responsible Officer: Events Officer
Original Document: DOC/18/4809

Executive Summary

The purpose of this report is to seek Council's adoption of Events Grant Program Guidelines to streamline and better manage the support provided to events in the Shire.

RECOMMENDATION

That Council adopts the Events Grant Program Guidelines and notes that a post implementation review will be undertaken and presented to Council by 30 June 2019.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR PETRUSMA

CARRIED.
**Context**

The annual calendar of events in Mount Alexander Shire offers up to 90 community and commercial events showcasing a diverse range of interests including rod and custom culture, sports, arts and culture, sustainability, social outcomes and food and wine. There is a strong social and economic benefit derived from these events which attract a local, regional and, in some cases, interstate and international audience.

Council has a strong history of providing support to events in the Shire, including in-kind services as well as financial support.

Council officers from the following units are required to assist with approvals and permitting for events: Marketing and Tourism, Infrastructure, Local Laws, Parks and Gardens, Works, Recreation, Risk and Safety, Governance, Customer Service, Corporate Support, Building, Planning and Healthy Environments.

The Events Officer coordinates Council’s event management process and acts as the key liaison point with external event organisers. This position also provides a high level of customer service, regulatory guidance and information to event organisers. The Events Officer ensures that procedures and processes are executed smoothly and efficiently.

In December 2017, the Events Officer presented Councillors with a draft Events Grant Program Guidelines and application form. Councillors requested the Events Officer to prepare a Council Report to adopt the Events Grant Program Guidelines at a future Ordinary Meeting of Council.

The proposed application process, assessment process and timeline proposal for the Events Grant Program is as follows:

**Application process**

All applicants will be required to lodge their interest to apply for a grant with the Events Officer via a phone call or email. The Events Officer will advise them of their eligibility to apply for a grant.

The application form will be available in the following formats:

- ‘Smarty Grants’ online system
- Writable PDF
- Hard copy

**Assessment process**

Applications will be assessed by members from the internal events stakeholder group, which includes Council officers from across the organisation.

The assessments will be made against the criteria outlined in the program guidelines. Applications will be ranked from highest to lowest score and those with the highest scores will be awarded funds until the total pool is exhausted. As partial funding is included in the program, the assessment panel will recommend an amount to be awarded to each successful applicant.

Councillors will be presented with a list of all applications in the round, along with recommended grants and/or in-kind contributions from the assessment panel, before a final list is considered at an ordinary Council meeting.
Timelines

Proposed timelines for round one of the grant program are as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 February 2018</td>
<td>Council meeting to adopt Events Grant Program.</td>
</tr>
<tr>
<td>February/March 2018</td>
<td>Consultation with Event Organisers to include trial run with two events</td>
</tr>
<tr>
<td>April 2018</td>
<td>Advertise program</td>
</tr>
<tr>
<td>1 May 2018</td>
<td>Applications open</td>
</tr>
<tr>
<td>30 May 2018</td>
<td>Applications close</td>
</tr>
<tr>
<td>Early June 2018</td>
<td>Applications assessed</td>
</tr>
<tr>
<td>End June 2018</td>
<td>Recommendations to Council at Councillor briefing</td>
</tr>
<tr>
<td>July 2018</td>
<td>Grant recipients announced</td>
</tr>
</tbody>
</table>

Refer to:


Policy and Statutory Implications

Relevant policies, strategies and plans

The following Council plans, strategies and policies encompass goals and guidelines which are directly related to the provision of support for events:
Council Plan

The three pillars of the Council Plan 2017-2021, Our People, Our Place, Our Economy are all supported by working with community groups, businesses and organisations to help deliver safe, inclusive, economically and environmentally sustainable events. A specific priority in the Council Plan is to ‘Support events that promote the shire as a great place to visit.’

Economic Development Strategy

Objective 3.6 outlines the goal to ‘support volunteer committees involved in arts and cultural events to develop the necessary skills and resources to ensure events are viable and sustainable’.

Other Council policies and guidelines which provide for and align with Council’s support for events include:

- Event Guide and Application Kit;
- In-kind Provision of Venues Guidelines;
- Community Grants Policy;
- Fee Waiver Policy;
- Access and Equity Policy;
- Community Support Policy;
- Public Health and Wellbeing Plan; and
- Waste Management Strategy.

Statutory powers and implications

Council requires events to comply with a number of statutory and legislative requirements as outlined in the following Acts:

- The Disability Discrimination Act (DDA), 1992
- Victorian Equal Opportunities Act, 2010
- The Food Act, 1984
- Dangerous Goods Act, 1985
- Liquor Control Reform Act, 1998
- Building Act 1993
- State Environment Protection Policy (Control of Music Noise from Public Premises), 1999
- Building Regulations, 2006
- Mount Alexander Planning Scheme, 1999

Issues

Council does not have an adopted procedure to provide support to events. The introduction of the Events Grant Program Guidelines will formalise Council’s role and objectives regarding support for events in Mount Alexander Shire.

Council’s Events Kit is currently the only tool available for event organisers to utilise when planning an event in the Shire. The Events Kit provides essential procedural and regulatory information about how to plan an event. The kit includes information about Council support on offer; however it is not detailed and does not allow for a sufficiently fair and transparent process. Nor are there any procedures in place to ensure that Council receives acknowledgement for the support provided. The adoption of the Events Grant Program addresses these issues, while providing clarity for event organisers.
**Council Support for Events**

The current spread of support provided to events and organisers requires review. Council currently provides the following support to events:

- Provision of Events Officer to coordinate necessary Council involvement;
- Community grants, special grants and contributions;
- Fee waivers – including provision of Council managed venues free of charge;
- Traffic Management Plan – provision and implementation of plans;
- Rubbish and recycling – provision of additional bins and waste removal;
- Toilets – additional servicing of existing Council toilets; and
- Wash Against Waste Trailer – cost of trailer hire and delivery.

The implementation of the Events Grant Program will enable all event organisers to understand the support available. They will be able to apply for financial and/or in-kind contributions for the items which are relevant to their event up to a nominated value.

**Risk analysis**

The Events Officer has undertaken a risk analysis for the implementation of the Events Grant Program. The following risks have been identified:

- **Council’s reputation**
  
  Low – Consultation will be undertaken with all current event organisers to ensure they fully understand the program prior to the program commencing. The Events Officer will clearly outline the benefits of the program to all event organisers. The grant acquittal form allows for event organisers to provide feedback on the program, which will be taken into consideration when reviewing the program after the first 12 months.

- **Social impacts, including community impact and possible community response**
  
  Medium – Many local events are run by volunteers. They have limited time and financial resources. There is the possibility that community organisations will initially find the application process challenging. Council’s Events Officer will provide support throughout the application process to ensure that a) all event organisers are aware of and understand the process and b) submit an application to ensure they have an opportunity to receive support for their event from Council.

- **Impact upon operations**
  
  Medium – It is proposed to run two Events Grant rounds per year. This will have an impact on officer time during the assessment periods. However it is anticipated that the busy periods will be balanced out by quieter months, due to all events being required to submit their permit applications along with their funding submissions. This will help to streamline the internal event permitting process.
Options

The options outlined below were presented to Council at the 4 October 2017 briefing and Councillors informally supported Option 1 being progressed.

Option 1

Council researches an events sponsorship/grants program to be implemented in 2018. Benefits to Council of the proposed program include:

- Ability to roll all Council event support funds into one program;
- Set event specific criteria to suit current event sector needs;
- Implement monetary value on all Council in-kind support to events;
- Transparency and promotion to the community about the level of support provided by Council;
- Removal of Council assistance for waste and traffic management support unless specifically applied for via the program;
- Implement event feedback questionnaires as part of the acquittal process enabling data collection of economic and social benefits for each event;
- Increased recognition of Council’s support for events through the use of Council logos on all event publications.

Option 2

Council places a cap on the Traffic Management Plan and waste collection subsidies, with a review after 12 months. The immediate benefits of implementing a cap would be to limit Council’s expenditure in these areas. This would potentially create a resource gap for some events impacting their ability to proceed and/or deliver a quality event.

Option 3

Council removes all subsidies for events. This would potentially create a resource gap for some events impacting their ability to proceed.

Financial and Resource Implications

Council’s budget includes a provision for event support. This amount is intended to cover the development and implementation of Traffic Management Plans, provision of bins and waste collection and Wash Against Waste Trailer subsidies. As illustrated in the table below, actual cost has exceeded the budget over the past 4 years and this has proven difficult to contain due to the lack of decision making policy that the Events Grant Program now proposes to establish.

<table>
<thead>
<tr>
<th>Year</th>
<th>Budget</th>
<th>Actual cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/2014</td>
<td>$28,100</td>
<td>$52,044</td>
</tr>
<tr>
<td>2014/2015</td>
<td>$33,100</td>
<td>$57,191</td>
</tr>
<tr>
<td>2015/2016</td>
<td>$42,600</td>
<td>$60,093</td>
</tr>
<tr>
<td>2016/2017</td>
<td>$40,830</td>
<td>$64,344</td>
</tr>
</tbody>
</table>
Council’s Community Grants scheme includes a funding stream for events. The following table outlines the grants allocated to events over the past 4 years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013/2014</td>
<td>$16,616</td>
</tr>
<tr>
<td>2014/2015</td>
<td>$15,942</td>
</tr>
<tr>
<td>2015/2016</td>
<td>$16,575</td>
</tr>
<tr>
<td>2016/2017</td>
<td>$16,090</td>
</tr>
</tbody>
</table>

During development of the draft Events Grant Program Guidelines, consideration was given to the maximum dollar value of support to be offered to events. One of the main objectives is to ensure that Council maintains the current level of support provided to events in the majority of circumstances. The draft guidelines propose a maximum amount of $3,000.

The proposed document permits event organisers seeking a greater investment than the nominated maximum amount to contact the Events Officer and discuss partnership opportunities on a case by case basis. Events potentially eligible for these partnerships include:

- Events that attract attendance greater than 10,000 with a national or international profile.
- Events that occur more than once per calendar year (including markets).

The Events Grant Program Guidelines propose that Council may award partial funding. This will enable officers to ensure that Council is able to provide support to as many events that meet the criteria as possible.

The implementation of the program will likely open Council to requests for support from commercial events. Historically, Council’s support for commercial events has been limited and fee waiver requests have not been available; despite the economic and social benefits they provide to the community. Under the proposal, submissions from commercial events will be assessed utilising the same criteria as all community events, ensuring the process is fair and transparent.

It is proposed that implementation of the Events Grant Program Guidelines will be funded by the combined operating budget for Events Support and the Community Grants ‘events stream’. A budget submission will be made annually for the Events Grant Program with the aim to reflect the current requirement for event support in the Shire.

There are no significant resourcing implications, as current officer time will cover the implementation and ongoing maintenance of the program.
Consultation

The draft Events Grant Program Guidelines and application form have been informed by consultation with relevant Council officers, including Council’s Executive Team. Research was undertaken of good practice examples by other councils, notably Macedon Ranges Shire, Hepburn Shire and City of Greater Bendigo.

The implementation of changes to event support and adoption of the Events Grant Program Guidelines by Council will be supported by a communication and engagement process with event organisers and the community.
Events Grant Program Guidelines
Draft – 28 November 2017
Contents

1. What is the Events Grant Program? 2
2. Objectives of the Program 2
3. Timeline 2
4. What grants are available in this program? 3
5. Definitions 4
6. Who can apply? 5
7. What will not be funded by the program? 5
8. How are applications assessed? 6
9. Budget 6
10. Conditions 7
11. Privacy 7
12. Contact information 7
13. Preparing your application 8
1. **What is the Events Grant Program?**

The Mount Alexander Shire community benefits from the diverse range of events that take place across the municipality throughout the year. Mount Alexander Shire Council values these events and the work undertaken by event organisers to bring these events to the local residents whilst attracting visitors to our region.

The Events Grant Program provides a transparent and equitable process for groups and organisations within the Shire to seek funding and/or in-kind support from Council. The program has been designed to enable all events to apply depending on size, focus and complexity.

Grant applications are accepted and assessed in two rounds each year, however Council can assist with a range of services all year such as advice on permits, promotional opportunities, grant funding, legislation or general event coordination advice.

2. **Objectives of the Program**

In accordance with Council’s Vision: innovated, creative, connected; the Events Grants Program aims to:

1. Support and encourage the development and sustainability of events that:
   - Foster community development and/or economic benefit to Mount Alexander Shire
   - Reinforce civic pride and community connectedness
   - Contribute to the health and wellbeing of the community
   - Consider impacts on the environment and surrounding community
   - Address community needs and are accessible, inclusive and welcoming of everyone
   - Are successful and financially self-sustaining
   - Are safe and compliant

2. Ensure that the assessment of applications and awarding of grants are:
   - Fair
   - Transparent
   - Accountable

3. **Timelines**

<table>
<thead>
<tr>
<th>Program advertised</th>
<th>Round One</th>
<th>Round Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications open</td>
<td>April</td>
<td>October</td>
</tr>
<tr>
<td>Applications close</td>
<td>1 May</td>
<td>1 November</td>
</tr>
<tr>
<td>Applications assessed by panel</td>
<td>31 May</td>
<td>30 November</td>
</tr>
<tr>
<td>Recommendations to Council</td>
<td>June</td>
<td>December</td>
</tr>
<tr>
<td>Grant recipients announced</td>
<td>June</td>
<td>December</td>
</tr>
<tr>
<td>Grants acquitted</td>
<td>1 July</td>
<td>8 January</td>
</tr>
<tr>
<td></td>
<td>within 8 weeks of event completion</td>
<td></td>
</tr>
</tbody>
</table>

*Events Grant Program 2018/2019*
4. **What grants are available in this program?**

Council recognises the significant costs involved in establishing and running an event as well as the economic benefits that events bring to the Shire. Up to $3000 in funding and/or in-kind support may be applied for to support:

- Established and new events
- One-off and recurring events
- Not for profit and commercial events
- Start-up events

Event organisers seeking a greater investment than $3000 from Council are encouraged to contact the Events Officer who will discuss partnership opportunities on a case by case basis. These events include:

- Events that attract attendance greater than 10,000 with a national or international profile.
- Events that recur more than once per calendar year (including markets).

**In-kind support from Council**

In-kind support allows for events to access the following services that would normally come at a cost:

- Permits for: road closure or road use, camping, temporary signage, parking, works on a Council road, occupancy permit, sitting permit, fundraising permit
- Additional cleaning of public toilets
- Hire fees for Council managed venues

Where in-kind support is sought, an Events Grant Program application must be submitted. If an application is not submitted, the event organisers may be required to pay a fee for these services. (Please refer to the Grants Kit for the cost of these services.)

Applications for retrospective (after the event) funding or in-kind support will not be considered.
### Definitions

<table>
<thead>
<tr>
<th>Event</th>
<th>An event is an organised activity which is open to the public, being held on public or private land, where an open area, facility, venue, road or temporary structure is being used by more people than are usually found in that location.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not for profit</td>
<td>A not for profit organisation is an organisation that is not operating for the profit or gain of its individual members, whether these gains would have been direct or indirect. This applies both while the organisation is operating and when they cease.</td>
</tr>
</tbody>
</table>
| Incorporated association | An incorporated association is a legal identity and can:  
- enter into and enforce contracts, including the ability to hold, acquire and deal with property  
- sue or be sued  
- continue regardless of changes to membership. |
| Auspice | To take responsibility for managing funds on behalf of another |
| Grant | The provision of financial or in-kind assistance which is:  
- public money to be paid to a recipient other than Council  
- intended to assist the recipient achieve its goals  
- intended to promote one or more of Council's policy objectives/strategies  
- provided subject to terms and conditions as specified in an agreement. |
| Charity | To be a charity an organisation must:  
- be registered with the Australian Charities and NFP Commission  
- have only charitable purposes that are for the public benefit  
- not be an individual, a political party or a government agency. |
6. Who can apply?

Council will consider applications for events held in the Mount Alexander Shire. Applicants must:

- Be compatible with the objectives outlined earlier in this document
- Be incorporated* community groups, community services organisation or a commercial entity
- Have an Australian Business Number (ABN) or provide a Statement by a Supplier form from the Australian Tax Office (ATO);
- Not be in debt or in dispute with Council;
- Submit only one application per event per financial year.

*Note: If your group is not incorporated, you can still apply for a grant if you have an auspicing body.

Any existing funding agreements or partnerships with Council will be taken into consideration during the assessment process.

7. What will not be funded by the program?

The following will not be funded:

- Events that are not taking place within the Mount Alexander Shire municipal boundary
- Events that have not acquitted for previous grants within 8 weeks of the event date
- Projects or activities which:
  - are religious or political
  - are discriminatory, sexist or disrespectful
  - have the sole purpose of fundraising (ie provide no other social or economic benefit to the community)
  - are the responsibility of other government departments or agencies
- Maintenance on community and Council-owned buildings
- Capital expenditure (the purchase of land, buildings, vehicles or building on privately owned land)
- Recreational excursions—camps, holidays, tours
- Catering
- Debits
- Competitions, gifts and prizes
- Ongoing operational costs (core business) such as:
  - salaries (except for contract work)
  - rent
  - annual general meetings
  - insurance
  - utility costs.
- A private event that is not broadly accessible to the local community
8. How are applications assessed?

All applications are assessed by a cross-organisational panel against the criteria listed below. Applications will be ranked from highest to lowest score and those with the highest scores will be awarded funds until the total pool is exhausted. This is subject to a formal Council process.

Your application will be assessed against the following criteria, depending on the category applied for:

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Economic benefit</strong></td>
<td></td>
</tr>
<tr>
<td>1 Estimated total number of attendees</td>
<td>10%</td>
</tr>
<tr>
<td>2 Estimated number of visitors to the Mount Alexander Shire</td>
<td>15%</td>
</tr>
<tr>
<td><strong>Contribution to Event</strong></td>
<td></td>
</tr>
<tr>
<td>3 Cash contribution from applicant and other non-Council sources</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Community involvement</strong></td>
<td></td>
</tr>
<tr>
<td>4 Community/Social benefit</td>
<td>15%</td>
</tr>
<tr>
<td>5 Partnership with community and/or volunteer participation</td>
<td>10%</td>
</tr>
<tr>
<td>6 Planned initiatives to make the event accessible and inclusive to everyone</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Event potential &amp; sustainability</strong></td>
<td></td>
</tr>
<tr>
<td>7 Demonstrated plan to grow event or improve financial sustainability and independence. (Please note one-off events will automatically receive 5%)</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Environment</strong></td>
<td></td>
</tr>
<tr>
<td>8 Demonstration of plan to minimize impacts on the environment.</td>
<td>20%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>100%</td>
</tr>
</tbody>
</table>

Please refer to the Events Grant application form for details on all supporting documentation requirements.

9. Budget

The budget should include all income and expenditure related to the event for which you are requesting support.

Applications from organisations not registered for GST will be assessed exclusive of GST. For information about GST and ABNs contact the Australian Taxation Office.
10. Conditions

Funding agreement

Successful applicants will be asked to abide by the terms and conditions of the funding agreement. A copy of the funding agreement can be found in the Grants Kit.

Reporting and Acquittal

Upon completion of the event, applicants must submit appropriate documentation and evidence to Council indicating that grant funds were expended based on the funding agreement. Applicants will be required to complete an Evaluation/Grant Acquittal form, within eight weeks of the event completion date.

Applicants will not be eligible to receive further funding from Council until the project has been acquitted. If the event has not taken place by the time applications open for the following year, an application for a subsequent event may still be submitted.

If an application is successful, the grant will not be paid until the acquittal for the first event is received.

Incomplete event and unspent funds

Applicants must return funds to Council if:

- an event can no longer be completed
- not all funds have been spent

If an event is cancelled due to unforeseen circumstances please inform the Events officer.

11. Privacy

The collection and handling of personal information is in accordance with Council's Privacy Policy which is available on Council's website and available for inspection at, or collection from Council's Customer Service Centres.

12. Contact information

Events Officer
Email: events@mountalexander.vic.gov.au
Tel: 5471 1700

Council's Events Officer can assist with a range of services all year such as advice on permits, promotional opportunities, grant funding, legislation or general event coordination advice.
13. Preparing your application

To apply for a grant, please download the Event Grant Application form (insert Smarty Grants link).

Please note the following guidance before submitting your application:

- This is a competitive program therefore no application can be guaranteed funding. When determining the amount you are applying for, please ensure that it is realistic, justifiable and supported with the appropriate documentation. In order to achieve equitable support for events, Council reserves the right to partially fund applications.

- If your event takes place in Mount Alexander Shire and another municipality, please focus only on the benefits delivered to the Mount Alexander Shire when responding.

- All successful applicants will be required to acknowledge Council support as outlined in the funding agreement.
ECO 06 QUARTERLY FINANCIAL MANAGEMENT REPORT TO 31 DECEMBER 2017

Responsible Director: Director Corporate and Community Services
Responsible Officer: Executive Manager Business Performance
Original Document: DOC/18/3774

Executive Summary

The Financial Management Report is presented to Council outlining Council’s financial position and its achievement to date against the adopted budget.

RECOMMENDATION


MOVED COUNCILLOR NIEMAN

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
Context

Regular review of financial performance and reporting of Council activities provides an overview as to how different programs and projects are being delivered. This reporting assists in monitoring Council’s achievement of objectives in the Strategic Resource Plan and Annual Budget whilst ensuring that Council is financially sustainable in the long term.


The Financial Management Report is presented to Councillors at Briefing Sessions and at an Ordinary Meeting of Council on a quarterly basis.

The Financial Management Report presented includes the following information:

- Income Statements.
- Balance Sheet.
- Statement of Capital Works in Progress; and
- Investment Register.

Policy and Statutory Implications

Section 138 of the Local Government Act (1989) requires the Chief Executive Officer to present to the Councillors at least every three months a statement comparing the budgeted income and expenditure with the actual income and expenditure.

The Council Plan 2017-2021 includes a strategic objective of ‘an innovative and sustainable organisation’ and strategy of ‘maintaining financial sustainability to deliver the Council Plan’.

Councillors will promote and ensure responsible financial management by receiving and reviewing quarterly financial reports, using agreed project management processes for large projects and conducting regular internal audits of Council activities.

Issues

The Financial Management Report prepares a snapshot of the year to date financial performance for the 2017/2018 financial year, and the current budget includes the adopted carry forwards budgeted for capital projects, special projects and operating items.

Alternate Options

Nil

Financial and Resource Implications


Consultation

Explanations of major variances are provided by officers responsible for the services and are summarised in the Financial Management Report.
ECO 07 ASSET VALUATION AND REVALUATION POLICY

Responsible Director: Director Corporate and Community Services
Responsible Officer: Executive Manager Business Performance
Original Document: DOC/18/478

Executive Summary

The purpose of this report is to present to Council the Asset Valuation and Revaluation Policy. There is currently no adopted policy addressing the valuation and revaluation of fixed assets.

RECOMMENDATION

That Council adopts the Asset Valuation and Revaluation Policy.

MOVED COUNCILLOR PETRUSMA

That the recommendation be adopted.

SECONDED COUNCILLOR HENDERSON

CARRIED.
Context

The Asset Valuation and Revaluation Policy is a new policy that explains our core asset management practice. The need for this policy arose from an external audit recommendation to have an adopted Asset Valuation and Revaluation Policy.

The adoption of the policies will have limited changes on operations within Council as the development has been based on current practices. The format and content has been based on templates used by other Councils in the Loddon-Mallee group of Councils.

Refer to:

Attachment ECO 07A: Draft Asset Valuation and Revaluation Policy.

Policy and Statutory Implications

The policy is consistent with the principles contained in Council’s approved Asset Management policy (2014). The objective of that policy ‘is to ensure that assets used to support the services delivered by Council are sustainable, continue to function at a level of service determined by Council, and accepted by the broader community.’

Issues

The purpose of this policy is to:

- Provide the framework and guidance in order for Council to satisfy its obligations regarding the financial valuation of non-current assets, in accordance with relevant Australian Accounting Standards and State Government requirements; and
- Assist Council to sustainably manage its financial commitment to non-current assets

The adoption of this policy will commit Council to:

- Reevaluating assets using “greenfield rates”, using fair-value accounting measures (required practice).
- Reviewing the valuation of each asset class on an annual basis to ensure it has not materially moved in value.
- Conduct full revaluation (value and condition) on a rolling five year basis if no material changes occur to values within this period.

Alternate Options

There are limited alternate options, as the policy will ensure compliance with relevant Australian Accounting Standards.

Financial and Resource Implications

There are no financial or resource implications as a result of this policy.

Consultation

The draft Policy has been reviewed by Council’s Audit and Risk Advisory Committee. The Committee endorsed the policy being presented to Council for approval.
Asset Valuation and Revaluation Policy

Attachment ECO 07A

Note: The ‘draft’ stamp can only be removed by Governance upon approval by CEO or Council.

Category: Asset Management

Adoption: Council

Review period: Five years, or as required

Responsible Manager: Executive Manager Business Performance

CEO Signature

Date

Purpose / Objective:

The Purpose of this Policy is to:

- Provide the framework and guidance in order for Council to satisfy its obligations regarding the financial valuation of non-current assets, in accordance with relevant Australian Accounting Standards and State Government requirements; and
- Assist Council to sustainably manage its financial commitment to non-current assets.

Scope of this Policy:

The policy covers the financial valuation of non-current assets subsequent to initial recognition (initial recognition is stipulated in Non-current Asset Recognition Policy), including:

- The frequency of valuation
- The method of valuation
- Roles and responsibilities of Council Officers.

This policy excludes:

- Valuations for insurance purposes
- Valuations of assets held for sale.

Background / reasons for Policy:

Knowledge of current values of fixed assets is essential for the efficient and effective management of assets and assists managers in making decisions regarding the allocation of resources to those assets.

Application of this policy will ensure consistent processes to produce comparable valuations from year to year for both financial reporting and asset management.

For non-current assets, indexed historical cost will generally not provide a reliable measurement of fair value. Typically, only relatively short life or low value assets such as plant and equipment,
office furniture and vehicles will continue to be carried at historical cost, as this is expected to provide a reasonable approximation of fair value for these short lived assets.

All other asset classes will typically be recognised at fair value. The fair value basis of recognition ensures that the consumption of non-current assets (depreciation expense) approximates the expected long term average costs to renew or replace those assets. This depreciation expense is accounted for via Council’s comprehensive income statement.

“For the purposes of this discussion, Greenfield assets are those which are new and unoccupied, and Brownfield assets are those which are located on or near existing infrastructure assets.”

For infrastructure assets there is a requirement to revalue assets using “greenfield” rates, as opposed to “brownfield” rates, for financial statement reporting. Greenfield rates do not include costs such as asset destruction, asset disposal, traffic management and site restoration costs. As such, unit rates used for financial valuation may understate the actual costs to renew or replace assets. As greenfield rates vary from brownfield rates, financial valuation information is generally not optimal for use in renewal modelling to determine needs based cash flow forecasts. This policy does not cover Council’s renewal requirements, which are reflected in Council’s cash flow statement and various Asset Management Plans.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Greenfield</th>
<th>Brownfield</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction (excluding formation and earthworks)</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Contract payments</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Council direct costs, wages, salaries, plant hire, materials</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Demolition costs</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Disposal costs</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Formation and earthworks</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Overheads</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Professional fees</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Project management</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Project scoping and investigation, valuation reports and planning approvals</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Site preparation</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Site restoration</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Strategic planning reports</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Supervision</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Survey and design</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Traffic management</td>
<td>Y</td>
<td>Y</td>
</tr>
<tr>
<td>Transport, installation, assembly and testing</td>
<td>N</td>
<td>Y</td>
</tr>
</tbody>
</table>

The relevant current accounting standards include:
- AASB13 Fair Value Measurement
- AASB116 Property, Plant and Equipment
- AASB136 Impairment of Assets
- AASB1051 Land Under Roads
Asset Valuation and Revaluation Policy

Policy content:

This policy directs those Council officers who are charged with recording and accounting for Council’s assets.

Frequency of valuation

In implementing this policy Council will:

- Review the financial valuation of Council owned or controlled non-current asset classes, as at 30 June each year, including an assessment of impairment
- Conduct revaluations in accordance with this policy, ensuring that each infrastructure asset class is revalued once every five years. A sample of 20 assets from each class of infrastructure assets will be inspected to assess whether their condition has materially changed
- Land and building assets will be revalued every two years.

Method of valuation

In implementing this policy Council will:

- Apply the adopted valuation method and frequency for each asset class, as per Table 1
- Ensure that condition assessments for each asset class are conducted in accordance with Table 1
- Ensure that corporate systems record current values for reporting in audited financial statements within the Annual Report
- Engage a professionally qualified valuer or internal specialist to conduct or review valuations.

Accounting for non-current asset valuation and revaluation

Australian Accounting Standards Board (AASB) publishes various standards for Council to comply with regarding non-current asset valuation and revaluation.

Accounting Standard AASB 116, Property, Plant & Equipment, prescribes the accounting treatment for property, plant and equipment and provides for assets initially recognised at cost to be subsequently measured at either fair value or cost. Whichever valuation basis is selected, Council shall apply that approach to an entire asset class. AASB 116, also outlines the application of the fair value approach to valuation, prescribes the method of accounting for revaluation increments and decrements and specifies rules relating to the frequency of revaluation.

Accounting Standard AASB 1049, Whole of Government and General Government Sector Financial Reporting (October 2007) limits the choice by requiring all non-current physical assets to be measured using the revaluation model. Note that for some asset classes, this direction outlines reasonable approximations that can be used as a proxy for fair value, where the entity can demonstrate that there is no evidence that a reliable market-based fair value exists for these assets, or gives a significantly different value.

Accounting Standard AASB 13 Fair Value Measurement sets out a single framework for determining fair value and requires disclosures about fair value measurements. It also requires Council to classify fair value measurements into three levels (fair value hierarchy) based upon the lowest level of inputs used.
Asset Valuation and Revaluation Policy

Accounting Standard AASB 136 Impairment of Assets, explains that an asset is impaired when its carrying amount exceeds its recoverable amount. Where assets are carried at revalued fair value amounts under the revaluation model, Council is required to assess those assets for impairment. For assets where an active market does not exist, such as Council's infrastructure assets, the recoverable amount is determined as the higher of fair value less costs to sell and value in use, which requires discounting of expected future cash flows. Where the assets are not held for its ability to generate cash inflows and where it will be replaced if deprived of that asset, the depreciated replacement cost is used to determine the value in use.

**Fair Value**

The fair value of an asset is the amount for which an asset could be exchanged, or liability settled, between knowledgeable, willing parties in an arms-length transaction. Therefore, it is the best estimate of the price reasonably obtainable in the market at the date of valuation. The fair value of an asset is determined by reference to its highest and best use and, as such, results in the highest value.

There are three levels in the fair value hierarchy:

| Level 1 inputs | quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date e.g. shares |
| Level 2 inputs | inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly e.g. land and buildings |
| Level 3 inputs | unobservable inputs for the asset or liability e.g. roads and bridges |

Many infrastructure assets in the local government sector have few or no alternative uses as they are extremely specialised and exist solely to meet community needs for economic or social facilities. If the fair value of an asset cannot be reliably determined using market based evidence, its fair value is measured at its market buying price of either depreciated replacement cost (DRC) or net present value (NPV). Current market prices can usually be observed for land and non-specialised buildings.

**Depreciated Replacement Cost (DRC)**

DRC is the current cost of replacement (CRC) of an asset less deductions for accumulated depreciation, physical deterioration and all relevant forms of obsolescence. CRC is the minimum that it would cost to replace the existing asset with a technologically modern equivalent new asset with the same economic benefits/service potential.

**Responsibilities:**

| Council | Stewardship of community assets |
| CEO | Policy approval |
| Asset Management Steering Committee | Oversight and monitoring of policy and procedure implementation |
| Executive Manager Business Performance | Reporting asset values in the financial statements, Keeping information in the corporate finance system current |
| Financial Accountant | Processes all general ledger entries with regard to assets, Performs all reconciliations with regard to assets |
Asset Valuation and Revaluation Policy

Asset Management Coordinator

- Coordinating the collection of inventory, valuation and condition data
- Processes all information in the asset management system
- Assessment of asset impairments

Related Policies:

- Asset Management Policy
- Non-current Asset Recognition Policy
- Risk Management Policy

Relevant Legislation:

- Local Government Act 1989
- Australian Accounting Standards
<table>
<thead>
<tr>
<th>CATEGORY NAME</th>
<th>ASSET FINANCIAL CLASS</th>
<th>ASSET CLASS</th>
<th>COMPONENT NAME</th>
<th>RECOGNISE</th>
<th>VALUATION METHOD</th>
<th>DRC - AGE OR CONDITION</th>
<th>CONDITION ASSESSMENT</th>
<th>FREQUENCY (YEARS)</th>
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# Asset Valuation and Revaluation Policy

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Asset Valuation and Revaluation Policy

DEFINITIONS:
DRC – Depreciated Replacement Cost
GRC – Gross Replacement Cost
HC – Historical Cost
MV – Market Value
NPV – Net Present Value
11. **DELEGATES REPORTS**

**Meetings Attended by Chief Executive Officer and Mayor**

The Chief Executive Officer tabled meetings attended by the CEO and the Acting CEO and the Mayor for the period 20 December 2017 to 20 February 2018.

The following were particularly noted:

- The Minister’s visit to the Wesley Hill and the announcement of further funding for female-friendly change rooms.
- A very successful “Show Me The Money” event which was well received by the business community and attracted a number of people from outside the Shire.
- The Regional Centre for Culture has ended with more than half the events money and more than half the grants going to people and events within the Shire.
- Councillors had met with Taradale residents following the storms, and expressed gratitude for the work of Council staff.

### MEETINGS ATTENDED BY CEO AND MAYOR

**FROM 20 DECEMBER 2017 TO 20 FEBRUARY 2018**

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<th>Meeting</th>
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<tr>
<td>Castlemaine Secondary College Annual Awards Evening</td>
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<td>Taradale Community Meeting</td>
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<td>Meeting with DCCS, Castlemaine Health and Castlemaine &amp; District Community Health Representatives</td>
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<td>VEC - Candidate Information Session</td>
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<td>Meeting with Regional Director Loddon Mallee, DELWP</td>
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<tr>
<td>Meeting with Maree Edwards MP, Castlemaine Health and Castlemaine &amp; District Community Health Representatives</td>
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<td>Meeting with Castlemaine Health and Castlemaine &amp; District Community Health</td>
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<td>Applicant/Objector Meeting regarding Planning Permit</td>
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<td>Media Opportunity – Henry Lawson Centenary</td>
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<tr>
<td>Victorian Red Tape Project Discussion with Matthew Butlin (Commissioner) and Jason Knight (Dept of Treasury &amp; Finance) including DCCS, ADSD &amp; EMBP</td>
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<td>Meeting with CEO, Castlemaine Health and CEO, Castlemaine &amp; District</td>
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<td>Community Health</td>
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<td>Meeting with Dept of Education &amp; Training and MASC Staff regarding</td>
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<td>Minister Eren’s Onsite Announcement (Female Friendly Change Rooms at</td>
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<td>Wesley Hill)</td>
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<td>Harcourt Mountain Bike Trail Path/New Footpath, Harcourt – onsite photo</td>
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<td>opportunity with Maree Edwards MP, DELWP representatives and Harcourt</td>
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<td>Australia Day Awards Celebration and Citizenship Ceremony</td>
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<td>Onsite meeting with property owner regarding potential development – ADSD</td>
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<td>and MEC</td>
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<td>Meeting with ADSD and resident regarding parking associated with Wesley Hill</td>
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<td>Meeting with Loddon Mallee Local Government CEOs and new Secretary of</td>
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<td>DELWP, Mr John Bradley</td>
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<tr>
<td>Onsite visit to Harcourt Mountain Bike Park with DELWP Secretary Mr John</td>
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12. **URGENT SPECIAL BUSINESS**

Nil.

13. **MEETING CLOSE**

Meeting closed at 8.18 pm.