MINUTES

OF THE ORDINARY MEETING OF COUNCIL
HELD ON
TUESDAY 21 MARCH 2017
AT 6.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.
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13. MEETING CLOSE
SEPARATE ATTACHMENTS:

Confidential Attachment BET 03A: Petition - Increased Traffic Complaint and Suggested Solutions - Saint Street West Castlemaine - 16 February 2017.


Confidential Attachment BET 05A: Petition for an Off Leash Dog Park in Mount Alexander Shire.


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 Bell, Tony Cordy, Christine Henderson, Bronwen Machin, John
Nieman, Robin Taylor and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Director Sustainable
Development (Jason Taylor), Acting Director Corporate Support (Bradley
Thomas), Acting Director Sustainable Communities (Rebecca Stockfeld)
and Manager Governance and Customer Service (Suellen Pepperell).

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST/CONFLICTS OF INTEREST

Nil.

4. MINUTES

4.1. ORDINARY AND SPECIAL MEETINGS OF COUNCIL – 21 FEBRUARY 2017

The unconfirmed minutes of the Ordinary Meeting of the Mount Alexander Shire Council
held at 6.30 pm on 21 February 2017 and the Special Meeting of the Mount Alexander
Shire Council held at 5.00 pm on 21 February 2017 at the Mount Alexander Shire Civic
Centre have been circulated to Councillors.

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held at 6.30 pm on 21
February 2017 and the Special Meeting of Council held at 5.00 pm on 21 February
2017 be confirmed.

MOVED COUNCILLOR TAYLOR

That the recommendation be adopted.

SECONDED COUNCILLOR MACHIN

CARRIED.
5. PUBLIC QUESTION TIME

MOVED COUNCILLOR HENDERSON
That standing orders be suspended at 6.34 pm.
SECONDED COUNCILLOR BELL
CARRIED.

a. Ms Christine Hooper, presenting a petition on behalf of Ms Grace McCaughey.

Ms Hooper advised that the petition relates to Planning Scheme Amendment C73 for the proposed supermarket development and would like the petition included in the Planning Panel hearing.
- The Mayor accepted the petition and asked the Director Sustainable Development if the matter could be considered by the Panel.
- The Director Development Services took the question on notice, advising that Planning Scheme Amendment C73 is currently with the Planning Panel and the petition would be considered, if possible. He noted that either way, the petition would be the subject of a report at the next Ordinary Meeting of Council.

b. Ms Colleen Garsed, partner at Vet’s All Natural and presenter of petition on off leash dog parks at the Ordinary Meeting of Council on 21 February 2017.

Ms Garsed advised that she was concerned with the response to the petition printed in the Council report. She stated that given the high number of pet registrations, little money was expended on the provision of any amenity for dogs and their owners.

She noted that there had been a number of reports over the past few years and that all other advice was that the park was being progressed. Ms Garsed noted that the Council report stating there is limited evidence for the off lead dog park was not correct, advising that the large number of petitioners was evidence there was strong support for the off lead dog park. She advised that after dogs attended puppy class, there was nowhere to socialise the dogs safely off lead. Ms Garsed stated it was her belief that if there were an off lead park that dogs could be exercised safely with fewer reports of dog aggression.
- The Mayor thanked Ms Garsed and asked the Director Sustainable Development if he wished to respond.
- The Director Sustainable Development noted that he could not add anything further than what had been provided in the officer report.

c. Mr Peter Rotteveel, speaking to Planning Permit Application PA267/2016, Item ECO 06 in the Agenda

Mr Rotteveel advised that he was speaking on behalf of his planning permit application. He stated that the Council report provided no support for Condition 1.1(a), noting that there is no reference to this requirement in the report and that the matter not been discussed with himself as applicant or his planner. He advised that he felt that the increased set back required by Condition 1.1(a) was not going to be in alignment with nearby properties, which all had varying setbacks. Mr Rotteveel noted that he was trying to achieve an aesthetic look by having varying set backs on the two lots and that there was no rationale for this assessment. He stated that his main concern was in relation to the proposed setback described in Condition 1.1(a).
• Councillor Machin queried the comment relating to the CFA and setbacks.
• Mr Rotteveel stated that the CFA had changed the BAL rating which impacted the setback to the rear of the block, which particularly impacted block 1.

MOVED COUNCILLOR CORDY

That standing orders be resumed at 6.47 pm.

SECONDED COUNCILLOR MACHIN

CARRIED.

6. PETITIONS AND JOINT LETTERS

Nil.

7. COMMITTEE REPORTS

Nil.
8. **ASSEMBLIES OF COUNCILLORS**

8.1. **ASSEMBLIES ON 14 FEBRUARY (3.00 PM AND 4.00 PM), 16 FEBRUARY (4.00 PM), 21 FEBRUARY (5.30 PM), 28 FEBRUARY (3.00 PM AND 4.10 PM) AND 7 MARCH 2017 (11.00 AM AND 3.00 PM).**

**RECOMMENDATION**

That the Records for the Assemblies of Councillors on 4 February (3.00 PM and 4.00 PM), 16 February (4.00 PM), 21 February (5.30 PM), 28 February (3.00 PM and 4.10 PM) and 7 March 2017 (11.00 AM and 3.00 PM) be entered into the record of this meeting (Attachments 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7 and 8.8).

**MOVED COUNCILLOR TAYLOR**

That the recommendation be adopted.

**SECONDED COUNCILLOR CORDY**

CARRIED.
ASSEMBLY OF COUNCILLORS RECORD
14 FEBRUARY 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 2
1. **PRESENT**

Councillors: Tony Bell, Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Robin Taylor and Sharon Telford

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.

<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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</thead>
<tbody>
<tr>
<td>Corporate Risk matrix</td>
<td>No</td>
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<td>Decision-making framework for investment in new capital works</td>
<td>No</td>
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<td>Application of the municipal charge</td>
<td>No</td>
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<td>Staffing matter</td>
<td>No</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 4.00 pm.
ASSEMBLY OF COUNCILLORS RECORD
14 FEBRUARY 2017
AT 4.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
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1. PRESENT

Councillors: Tony Bell, Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Robin Taylor and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Acting Director Corporate Support (Bradley Thomas), Acting Director Sustainable Communities (Rebecca Stockfeld), Director Sustainable Development (Jason Taylor), Community Partnerships Officer (Rebecca Smith, Item 6.1), Manager Healthy Environments (Ben Bowman, Items 6.5 and 6.6) and Climate Change / Natural Environment Officer (Melanie Marshall, Item 6.6).

Visitors:
Item 6.1 Martyn Shaddick, Manager, Castlemaine Community House.
Amy Atkinson, Coordinator, Maldon Neighbourhood Centre.
Item 6.2 Martin Paten, Festival Director, Castlemaine State Festival.

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.

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<th>Time Returned</th>
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</thead>
<tbody>
<tr>
<td>6.1 Deputation from Castlemaine Community House and Maldon Neighbourhood House</td>
<td>No</td>
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<tr>
<td>6.2 Deputation from Castlemaine State Festival</td>
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<td>6.3 Carbon Neutral Certification</td>
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<td>6.4 Land Management Rate Review</td>
<td>No</td>
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<td>6.5 Review of Draft Child Safe Policy</td>
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<td>6.6 Investigation into the Transparency of Local Government Decision Making</td>
<td>No</td>
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<tr>
<td>7.1 Council Plan workshop</td>
<td>No</td>
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<tr>
<td>7.2 Road Responsibility – Harmony Way</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 6.55 pm.
ASSEMBLY OF COUNCILLORS RECORD
16 FEBRUARY 2017
AT 4.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTELTON AND LLOYD STREETS, CASTLEMAIN.

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1. **PRESENT**

   Councillors: Tony Cordy, Christine Henderson, John Nieman, Robin Taylor and Sharon Telford.

   Officers: Chief Executive Officer (Darren Fuzzard), Director Sustainable Development (Jason Taylor), Acting Director Corporate Support (Bradley Thomas) and Acting Director Sustainable Communities (Rebecca Stockfeld).

2. **APOLOGIES**

   Councillor Tony Bell and Councillor Bronwen Machin

3. **PURPOSE OF THE MEETING**

   The purpose of the meeting was a scheduled meeting to discuss the development of the Council Plan 2017-2021.

<table>
<thead>
<tr>
<th>Matter Discussed</th>
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<th>Time Returned</th>
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</thead>
<tbody>
<tr>
<td>Council Plan 2017-2021</td>
<td>No</td>
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</tbody>
</table>

4. **RECORD OF CONFLICT OF INTEREST**

   Nil.

5. **MEETING CLOSE**

   Meeting closed at 7.15 pm.
ASSEMBLY OF COUNCILLORS RECORD
21 FEBRUARY 2017
AT 5.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
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1. PRESENT

Councillors: Tony Bell, Tony Cordy, Christine Henderson, Bronwen Machin, John Nieman, Robin Taylor and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Director Sustainable Development (Jason Taylor), Acting Director Corporate Support (Bradley Thomas), Acting Director Sustainable Communities (Rebecca Stockfield) and Manager Governance and Customer Service (Suellen Pepperell).

2. APOLOGIES

Nil.

3. PURPOSE OF THE MEETING

The purpose of the meeting was to brief Councillors on items that will be considered at the Ordinary Meeting of Council on 21 February 2017 and to discuss matters of interest which impact the Shire. The matters itemised below reflect those items that were on the Agenda that were discussed by Councillors during the briefing session.

<table>
<thead>
<tr>
<th>Matter Discussed</th>
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<th>Councillor Left Meeting?</th>
<th>Time Left</th>
<th>Time Returned</th>
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</thead>
<tbody>
<tr>
<td>BET 01 Response to Joint Letter From Residents of Wintringham Housing Units, 72 Lyttleton Avenue, Castlemaine about a Parking Matter</td>
<td>No</td>
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<tr>
<td>BET 02 Response to Petition from Residents Requesting Improved Pedestrian Safety in Barker Street at Barker Street Castlemaine</td>
<td>No</td>
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<tr>
<td>Eco 01 Consideration of Submissions – Planning Scheme Amendment C73 and PA07/2013 – Zoning of Land and Development of a Supermarket – 36 Forest Street, 2 Duke Street, and 2 &amp; 2A Urquhart Street, Castlemaine</td>
<td>No</td>
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<tr>
<td>ECO 02 Planning Permit Application PA248/2016 – Use and Development of a Dwelling on Each of Two Lots Created by Consolidating Four Existing Lots into Two Lots at Lot 1, 2, 4 and 5 PS504580U, Harmony Way, Elphinstone (PA288/2015)</td>
<td>No</td>
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<tr>
<td>ECO 03 Planning Permit Application 206/2016 – Use and Development of the Land for a Telecommunications Facility at Lot 5 TP549585a, 2 Golden Point Road, Chewton (PA206/2014)</td>
<td>No</td>
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</tbody>
</table>
4. RECORD OF CONFLICT OF INTEREST

Councillor Taylor advised that his son was an employee of the applicant for planning permit PA148/2016 which was the subject of report ECO 04. Councillor Taylor advised he did not have a conflict of interest or a conflicting personal interest in the matter.

Councillor Nieman advised that he was a customer of the applicant for planning permit PA210/2015 which was the subject of the report ECO 05. Councillor Nieman advised he did not have a conflict of interest or a conflicting personal interest in the matter.

* 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
28 FEBRUARY 2017
AT 3.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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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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<tr>
<td>Process During Leave of Absence</td>
<td>No</td>
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<td>Councillor Training Opportunities and MAV Fund</td>
<td>No</td>
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<td>Use of Councillor Emails</td>
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<td>Inter-council Meeting Opportunities at Macedon and Bendigo</td>
<td>No</td>
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<td>Appeal to Barringup Permit Application</td>
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<td>Strathbogia Broiler Farm Application at Central Goldfields</td>
<td>No</td>
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<td>Elty St Kindergarten – Traffic Study</td>
<td>No</td>
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<td>Plews Lane – Land Acquisition</td>
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<td>Landfill Report</td>
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<td>Rating Strategy</td>
<td>No</td>
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<td>Councillor Reimbursement Policy</td>
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<td>Subdivision Officer</td>
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<td>Director – Corporate &amp; Community Services</td>
<td>No</td>
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<td>Loddon Campaspe Regional Partnerships</td>
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<td>Submission to Building Better Regions Fund</td>
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<td>Process for Amending a Motion</td>
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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 4.10 pm.
ASSEMBLY OF COUNCILLORS RECORD
28 FEBRUARY 2017
AT 4.10 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
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Officers: Chief Executive Officer (Darren Fuzzard), Acting Director Corporate Support (Bradley Thomas), Acting Director Sustainable Communities (Rebecca Stockfeld), Director Sustainable Development (Jason Taylor), Manager Community Partnerships (Gaynor Atkin, Item 6.1 and 6.2), Youth Development Officer (Melissa Fowler, Item 6.2), Acting Manager Financial Services (Carolyn Ross, Item 6.5) and Civic Compliance Coordinator (Wayne O'Toole, Item 6.6).

Visitors:
Item 6.1 Chris Kelly, Chief Executive Officer, Goldfields Library Corporation
Fiona McMahon, Manager People and Performance, Goldfields Library Corporation.
Item 6.2 Owen Shooter, Youth Advisory Group Member
Item 6.3 Robyn Spicer, MASARG Inc.
Sue Harrison, MASARG Inc.
Bev Vines, MASARG Inc.

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>
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<th>Time left</th>
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<tbody>
<tr>
<td>6.1. Deputation - Goldfields Library Services</td>
<td>No</td>
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<tr>
<td>6.2. 2016 Mount Alexander Youth Forum Report</td>
<td>No</td>
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<td>6.3. Deputation - MASARG INC (Mount Alexander Shire Accommodation and Respite Group)</td>
<td>No</td>
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<td>6.4. Quarterly Annual Plan Report to 31 December 2016</td>
<td>No</td>
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<tr>
<td>6.5. Quarterly Financial Management Report to 31 December 2016</td>
<td>No</td>
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<tr>
<td>6.6. Off-Lead Dog Park Update</td>
<td>No</td>
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<tr>
<td>7.1. Building Better Regions Fund</td>
<td>No</td>
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<tr>
<td>7.2. Councillors ICT</td>
<td>No</td>
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<tr>
<td>7.3. Mayoral Ball</td>
<td>No</td>
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</tbody>
</table>
4. RECORD OF CONFLICT OF INTEREST

In relation to item 6.1, Councillor Nieman noted that his daughter is an employee of the Goldfields Library Corporation. No conflict was noted and Councillor Nieman remained in the Councillor Briefing Session.

* 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 7.05 pm.
ASSEMBLY OF COUNCILLORS RECORD
7 MARCH 2017
AT 11.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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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 Bell, Christine Henderson, Bronwen Machin, John Nieman, Robin Taylor and Sharon Telford

Officers: Chief Executive Officer (Darren Fuzzard), Acting Director Corporate Support (Bradley Thomas), Director Sustainable Development (Jason Taylor), Acting Director Sustainable Communities (Rebecca Stockfeld), Manager Financial Services (Carolyn Ross).

2. **APOLOGIES**

Councillor Tony Cordy

3. **PURPOSE OF THE MEETING**

The purpose of the meeting was a scheduled meeting to discuss the Budget 2017/2018.

<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>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Budget Processes And Timelines 2017/2018</td>
<td>No</td>
<td></td>
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<tr>
<td>4.2 Comparative Financial Data</td>
<td>No</td>
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<tr>
<td>4.3 Draft Long Term Financial Plan</td>
<td>No</td>
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<tr>
<td>4.4 Rating Strategy 2016-2021</td>
<td>No</td>
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<tr>
<td>4.5 Councillor Budget Request</td>
<td>No</td>
<td></td>
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<tr>
<td>4.6 Draft Operating Budget 2017-2018</td>
<td>No</td>
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</tbody>
</table>

4. **RECORD OF CONFLICT OF INTEREST**

No conflict of interests were noted.

- 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 2.35pm.
ASSEMBLY OF COUNCILLORS RECORD
7 MARCH 2017
AT 3.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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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 Bell, Christine Henderson, Bronwen Machin, John Nieman, Robin Taylor and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Acting Director Corporate Support (Bradley Thomas), Acting Director Sustainable Communities (Rebecca Stockfeld), Director Sustainable Development (Jason Taylor), Acting Manager Development Services (Dominique Trickey, Item 5.1), Manager Healthy Environments (Ben Bowman, Item 5.2), Waste and Recycling Coordinator (Michael Scott, Item 5.2), Manager Community Places and Spaces (Ben Grounds, Items 5.3 and 5.4).

2. **APOLOGIES**

Councillor Tony Cordy

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>
</tr>
</thead>
<tbody>
<tr>
<td>5.1. Planning Permit Application 223/2016 – Two Lot Subdivision at 14 Church Street, Chewton</td>
<td>No</td>
<td></td>
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<tr>
<td>5.2. Waste and Recycling Collection Contract Extension</td>
<td>No</td>
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<tr>
<td>5.3. Overview of Building and Recreation Assets Renewal and Service Challenges</td>
<td>No</td>
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<tr>
<td>5.4. Chewton Community Centre – Options for future of building</td>
<td>No</td>
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<tr>
<td>Loddon Middleton Services</td>
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<tr>
<td>Maldon – Castlemaine Rail Trail</td>
<td>No</td>
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<tr>
<td>VCAT Matters in Councillor Bulletin</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goldfields Library Corporation</td>
<td>No</td>
<td></td>
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</tr>
</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 5.45 pm.
9. OFFICER REPORTS

9.1. A VIBRANT HEALTHY COMMUNITY

VIB 01 CHILD SAFE POLICY

Responsible Director: Acting Director Sustainable Communities
Responsible Officer: Manager Community Partnerships
Original Document: DOC/17/902

1. Purpose

The purpose of this report is to present to Council the draft Child Safe Policy for Council adoption.

Refer to:
Attachment VIB 01A: Draft Child Safe Policy.

2. Background

On 17 April 2012, the Victorian Government initiated the Family and Community Development Committee's Inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust Inquiry).

The Betrayal of Trust report was tabled in Parliament on 13 November 2013 and made 15 recommendations including compulsory minimum standards for creating child-safe environments.


The Child Safe Standards will improve the way organisations that provide services for children prevent and respond to child abuse that may occur within their organisation.

This Policy reflects Council's legislative responsibility to meet the requirements of the Child Safe Standards and its aim to provide an environment where children feel safe and protected from abuse, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background.

3. Policy and Statutory Implications

Relevant policies, strategies and plans

The draft Policy meets Council’s commitment in its Municipal Public Health and Wellbeing Plan under Goal 1: Healthy, Safe and Inclusive Communities - 1.3 Promote safe and secure communities.

Statutory powers and implications

The draft Policy meets Council’s obligations under Standard 2 of the Child Safe Standards – ‘A child safe policy or statement of commitment to child safety’ and provides the opportunity for Council to improve their existing processes and
practices and enhance the culture of child safety for Mount Alexander Shire Council.

4. Issues

Under the Child Safe Standards, Council is identified as a Category 1 organisation that is likely to already meet, or partly meet, the standards due to existing service agreements, regulations or professional codes of conduct.

This Policy will provide a central reference to ensure that Council continues to have in place:

- Child safe policies and codes of conduct.
- Screening, supervision and training processes.
- Processes for responding to and reporting suspected child abuse.
- Strategies to identify reduce or remove risks of child abuse.
- Strategies to promote the participation and empowerment of children.
- Inclusive approaches for children with a disability, Aboriginal children and children from culturally and/or linguistically diverse backgrounds.

New legislation will also give the Commission for Children and Young People new regulatory powers to oversee and enforce compliance with the Child Safe Standards.

These new powers will take effect on 1 January 2017, giving the Commission the ability to request information and documents from organisations and inspect premises where services are provided for children, or where a child is engaged to provide services or facilities. To assist organisations to understand and meet their obligations, the Commission provide information, guidance, advice and support.

5. Financial and Resource Implications

Support for the implementation of the Policy will be delivered within existing resources. Any additional requirements identified may be supported through special projects funding or external funding opportunities.

6. Consultation

The development of the draft Policy was completed in consultation with the Manager Organisational Development and the Director Sustainable Communities.

The draft Policy is based on the templates provided by the Commission for Children and Young People and the Department of Health and Human Services for the development of the policy.

7. Conclusion

This Policy outlines Council’s commitment to child safety by maintaining child safe work standards that promotes the health and wellbeing of children in Mount Alexander Shire.

Council strives to be a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all employees, contractors, volunteers and councillors.
RECOMMENDATION

That Council adopt the Child Safe Policy.

MOVED COUNCILLOR MACHIN

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
Child Safe Policy

Attachment VIB 01A

Category: Risk Management
Adoption: Council Date: 21 March 2017
Review period: Every two (2) years
Responsible Manager: Acting Director Sustainable Communities
CEO Signature
Date: March 2017

1. Introduction

This Policy outlines Mount Alexander Shire Council’s commitment to child safety by maintaining child safe work standards that promotes the health and wellbeing of children in Mount Alexander Shire.

Mount Alexander Shire Council strives to be a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all employees, contractors and volunteers.

2. Definitions

Council means Mount Alexander Shire Council, being a body corporate constitute as a municipal Council under the Local Government Act 1989

Child means a person below the age of 18 years

Child abuse means all forms of physical abuse, emotional ill-treatment, sexual abuse and exploitation, neglect or negligent treatment, commercial (e.g. for financial gain) or other exploitation of a child and includes any actions that results in actual or potential harm to a child.

Child Safe Organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse

Reasonable grounds for belief is a belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

3. Scope

Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is a whole of organisation responsibility.
Child Safe Policy

This Policy applies to all employees including any person directly employed by Mount Alexander Shire Council or employed through an agency or on a contract basis and volunteers (incl. work experience/work placement students), irrespective of their involvement in child related duties.

4. Context

On 17 April 2012, the Victorian Government initiated the Family and Community Development Committee’s inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust Inquiry).

The Betrayal of Trust report was tabled in Parliament on 13 November 2013 and made 15 recommendations including compulsory minimum standards for creating child-safe environments.


The Child Safe Standards will improve the way organisations that provide services for children prevent and respond to child abuse that may occur within their organisation.

This Policy reflects Council’s legislative responsibility to meet the requirements of the Child Safe Standards and its aim to provide an environment where children feel safe and protected from abuse, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background.

5. Policy

The Policy meets Council’s obligations under Standard 2 of the Child Safe Standards – ‘A child safe policy or statement of commitment to child safety’ and provides the opportunity for Council to improve their existing processes and practices and enhance the culture of child safety for Mount Alexander Shire Council.

5.1 Commitment to Child Safety

Council has zero tolerance of child abuse and is committed to creating and maintaining a child safe and child friendly shire where all children are valued and protected from abuse.

Mount Alexander Shire Council is committed to creating and maintaining a child safe organisation where protecting children from abuse is embedded in the everyday thinking and practice of Council, all employees, contractors and volunteers.

5.2 Our Children

Mount Alexander Shire Council recognises children as active citizens and is committed to advocating for the rights of children as valued members of the community.

5.3 Diversity

Council values and celebrates diversity within the community and workforce, and actively encourages the safety, participation and empowerment of all children.

Mount Alexander Shire Council supports the health and wellbeing of all of children, and is committed to:

- Promoting the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds.
- Promoting the participation and empowerment of Aboriginal children and children from culturally and/or linguistically diverse backgrounds.
Child Safe Policy

- Providing a safe environment for children with a disability and will act to encourage their participation.

5.4 Legislative Requirements

Mount Alexander Shire Council has processes in place that will enable all employees, contractors and volunteers to be aware of the organisation’s responsibilities as well as their own, regarding legal obligations relating to child abuse and reporting to appropriate authorities. This includes:

- **Failure to disclose**: Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.

- **Any personnel who are mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

- **Grooming**: Grooming offence targets communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse. This offence targets predatory conduct undertaken to prepare a child for sexual abuse at a later time with the groomer (aged 18 years old or over) or another adult.

- **Failure to protect**: People of authority within the Council will commit an offence if they have the power or responsibility to reduce or remove a substantial risk, where a child under the age of 16 years may become the victim of sexual abuse committed by an adult associated with the organisation; but negligently fail to do so.

5.5 Risk Management

Council is responsible for effectively identifying and managing risk and for promoting a safe and healthy environment for employees, volunteers and the community.

In addition to general occupational health and safety strategies, Mount Alexander Shire Council will review and develop processes to ensure compliance with the Child Safe Standards.

5.6 Reporting and Responding to a Child Safety Concern

Council is committed to complying with all legal requirements regarding child safety concerns and where an alleged/suspected incident occurs, and provides structured reporting and responding processes that promotes the health and wellbeing of children.

Council takes all allegations of abuse seriously and will investigate all allegations fairly and appropriately.

5.7 Employees, Contractor and Volunteers

Mount Alexander Shire Council has processes in place to ensure employees, contractors and volunteers are aware of their responsibility to provide a child safe environment, and that they practice appropriate behaviour.

Mount Alexander Shire Council is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are accessible and understood by all employees, contractors and volunteers.
6. Privacy

Council is committed to protecting an individual’s right to privacy. In accordance with Council’s Privacy Policy, personal information considered or recorded during the process of a report or investigation will respect the privacy of all individuals involved.

7. Amendments

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

8. Review

The next biennial review of this policy is scheduled for completion by 31 December 2018.

9. Breaches

Breaches of this policy may lead to action in accordance with Council’s Disciplinary Code, which may include termination of employment and/or referral to Victorian Police.
9.2. BETTER COMMUNITY FACILITIES (BET)

BET 03 RECEIVE AND RESPOND TO PETITION - TRAFFIC COMPLAINT AND SUGGESTED SOLUTIONS IN SAINT STREET, CASTLEMAINE

Responsible Director: Director Sustainable Development
Responsible Officer: Team Leader Engineering
Original Document: DOC/17/10239

1. Purpose

The purpose of this report is to receive and provide a response to the petition submitted to Council on 16 February 2017. The petition requests action on increased traffic in Saint Street, Castlemaine and suggests a number of potential solutions.

Refer to:

Confidential Attachment BET 03A: Petition - Increased Traffic Complaint and Suggested Solutions - Saint Street West Castlemaine - 16 February 2017.

2. Background

A petition was received by Council on 16 February 2017 and has not yet been tabled at an Ordinary Meeting of Council. The petition raises issues with increased traffic along the western end of Saint Street, Castlemaine.

This portion of Saint Street is a residential street located between Wheeler Street and Barker Street (Midland Hwy). It is constructed from asphalt and spray seal with asphalt at depth at the intersection of Barker Street. The speed limit of this street is 50 kilometres per hour (km/hr).

A traffic count was conducted on this street in February 2017. The traffic count recorded the following:

<table>
<thead>
<tr>
<th>Traffic Count</th>
<th>Description</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>911</td>
<td>Average daily traffic</td>
<td></td>
</tr>
<tr>
<td>57.4 km/hr</td>
<td>85th Percentile Speed</td>
<td></td>
</tr>
<tr>
<td>88.40% (806 Vehicles per day)</td>
<td>Class 1-2 vehicle (car, ute, van with or without trailer)</td>
<td></td>
</tr>
<tr>
<td>11.60% (105 Vehicles per day)</td>
<td>Class 3-9 vehicle (from 2 axle to 6 axle truck)</td>
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</tbody>
</table>

The above results have now been compared to results from the previous traffic count conducted in May 2016. This showed an average daily traffic increased of 15% or 122 vehicles per day. The volume of Class 3-9 vehicles (from 2 axle to 6 axle truck) also increased by 59% or approximately 69 vehicles per day.

The Class 3-9 vehicle per day percentage is generally the same as in other residential streets in the nearby area.
3. **Policy and Statutory Implications**

Local Law No 1 of 2008 sets out how petitions are received by and responded by Council as follows:

1. **Petitions and Joint Letters**

   (1) A petition or joint letter presented to the Council may lie on the table until the next ordinary meeting of the Council. No motion other than to receive the petition or joint letter may be accepted by the Chairperson at the meeting at which it is presented.

   (2) The Council must receive a report on any petitions or joint letters at the next ordinary meeting of the Council or another meeting to be determined by the Council.

   (3) A copy of the text of the petition or joint letter must be included on the agenda for the next ordinary or available meeting (as the case may be).

   (4) A petition or joint letter may nominate a person to whom a reply may be sent, but if no person is nominated the Council may reply to the first or any person whose signature appears on the petition.

   (5) Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks and, except in cases of incapacity or sickness, by no one else, and the address of every petitioner or signatory must be clearly stated.

4. **Issues**

Traffic count data shows there has been an increase in both traffic volumes and heavy vehicle volumes in Saint Street. It is unknown why this has occurred. A contributing factor could be that large vehicles are entering Saint Street from Barker Street due to inadequate heavy vehicle route signs.

Saint Street has been a school bus route for several years and the bus traffic has only marginally changed between May 2016 and February 2017. Council officers have discussed this matter with Public Transport Victoria (PTV) and Castlemaine Bus Lines. It is unlikely that the route will change due to reduced sight distances when turning from Rowe Street (the alternate route) onto Barker Street.

Council is negotiating with VicRoads to upgrade the detour signs in Castlemaine. This includes a sign banning trucks from entering Saint Street from Barker Street. The works to update signs relating to the heavy vehicle routes in Castlemaine are due to be completed by the end of June 2017. Once the additional and upgraded signs are in place a further traffic count will be undertaken by Council.

Council will undertake an education campaign about the detour route once the new signs are in place.

The general amenity of the street including pavement and drainage is expected to be upgraded over time as future residential development occurs in the area.

A speed reduction in Saint Street is not supported as the current speed is consistent with requirements.
Speed humps are not supported as they may not reduce the amount of traffic and although they may have an impact on traffic speed they would increase general traffic noise.

5. **Financial and Resource Implications**

The heavy vehicle route sign upgrade works are fully funded by VicRoads with Council offering project management and design advice as required.

6. **Conclusion**

Council has received a petition about increased traffic on Saint Street, Castlemaine. The petition raises issues with increased traffic along the western end of Saint Street, Castlemaine and suggests a range of potential solutions.

Council has been working with VicRoads on heaving vehicle route signs. By the end of June 2017 new signs will be in place, including signs banning trucks in Saint Street. It is expected that this will reduce heavy vehicle volumes in Saint Street.

**RECOMMENDATION**

That Council formally receive the petition and respond to the first signatory on the petition advising that heavy vehicle detour signs, including signs to ban trucks from entering Saint Street from Barker Street will be in place by the end of June 2017.

**MOVED COUNCILLOR MACHIN**

That Council formally receive the petition and receive a report at the next Ordinary Meeting of Council.

**SECONDED COUNCILLOR HENDERSON**

**CARRIED.**
**BET 04 RESPONSE TO PETITION – REQUEST FOR IMPROVED PEDESTRIAN CROSSING ON HARMONY WAY, HARCOURT**

**Responsible Director:** Director Sustainable Development  
**Responsible Officer:** Team Leader Engineering  
**Original Document:** DOC/17/10413

1. **Purpose**

The purpose of this report is to provide a response to the petition received by Council on 21 February 2017. The petition requests that Council officers work with the Harcourt community and VicRoads to provide an improved pedestrian crossing on Harmony Way, Harcourt.

Refer to:


2. **Background**

At the Ordinary Meeting of Council on 21 February 2017, a petition was presented to Council requesting an improved pedestrian crossing on Harmony Way, Harcourt.

Harmony Way has three pedestrian crossing points. Two are standard median crossings with refuge islands. The third one (at the General Store) is non-standard as it has an inadequate centre median storage and no kerb outstands.

During early 2014, a marked zebra crossing was installed at one of the existing crossings. It was later reverted back to a standard crossing at the request of VicRoads as it did not meet the relevant criteria and the crossing was considered dangerous.

The Harcourt Progress Association believes a zebra crossing would result in improved pedestrian safety on Harmony Way.

3. **Policy and Statutory Implications**

Local Law No 1 of 2008 sets out how petitions are received by and responded by Council as follows:

1. **Petitions and Joint Letters**

   (1) A petition or joint letter presented to the Council may lie on the table until the next ordinary meeting of the Council. No motion other than to receive the petition or joint letter may be accepted by the Chairperson at the meeting at which it is presented.

   (2) The Council must receive a report on any petitions or joint letters at the next ordinary meeting of the Council or another meeting to be determined by the Council.

   (3) A copy of the text of the petition or joint letter must be included on the agenda for the next ordinary or available meeting (as the case may be).
(4) A petition or joint letter may nominate a person to whom a reply may be sent, but if no person is nominated the Council may reply to the first or any person whose signature appears on the petition.

(5) Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks and, except in cases of incapacity or sickness, by no one else, and the address of every petitioner or signatory must be clearly stated.

4. Issues

There are 11 full or part pages of signatures on this petition and the majority of signatories have Harcourt addresses.

The guidelines for a zebra crossing, with or without flashing lights, sourced from the Traffic Engineering Manual Volume 1 “Pedestrian Facilities” are as follows:

- Pedestrian volumes of more than 20 or more per hour
- Vehicle volumes of 200 or more in that same hour
- Speed Limit of 50km/h

Traffic Counts were conducted on Harmony Way in August 2016, and the data has been reviewed against the above guidelines. Results were as follows:

- Pedestrian volumes of less than 2 per hour
- Vehicle volumes of 185 in that same hour
- Speed Limit of 60km/h

A proposal for a zebra crossing does not meet the guideline requirements and would not be an appropriate treatment in this location.

However, the guidelines do recommend a standard median refuge island for pedestrian crossings. The pedestrian crossing near the General Store should be improved to meet the guidelines. The other two crossing points in Harmony Way are well formed crossings. The existence of three pedestrian crossings is not ideal and there should be some consolidation of crossings on Harmony Way.

Council officers are committed to progress this issue and continue to work with the Harcourt Progress Association and community to make improvements to pedestrian safety in Harcourt.

Changing the priority of Harmony Way from cars to pedestrians would involve a major change in driver behaviour. This would be difficult to achieve given the lack of pedestrian numbers and may decrease actual pedestrian safety.

The petition mentions the future playground at the northern end of Harmony Way. Whilst the playground may have some impact on pedestrian numbers it is expected that this could be addressed by an upgrade of the existing crossing to a standard median refuge island crossing.

5. Financial and Resource Implications

At this stage, no design works for the crossing upgrade have been completed. It is estimated that the cost of design would be $3,000 and the cost of construction would be $30,000, including footpath connections. A zebra crossing with flashing lights has an estimated construction cost of $150,000.
6. Conclusion

Council received a petition relating to pedestrian safety in Harmony Way, Harcourt at its Ordinary Meeting on 21 February 2017. The petition requests that Council officers work with the Harcourt community and VicRoads to provide an improved pedestrian crossing on Harmony Way, Harcourt.

A zebra crossing, with or without flashing lights, is not supported in this location. Council officers are working with the Harcourt community and the Harcourt Progress Association on this issue. It is acknowledged that the existing crossing near the General Store needs to be upgraded to the required standards. Consideration also needs to be given to consolidating the pedestrian crossings in Harmony Way.

RECOMMENDATION

That Council respond to the first signatory on the petition advising that Council will work with the Harcourt community and the Harcourt Progress Association to upgrade the existing crossing near the General Store to the required standard and to consolidate pedestrian crossings on Harmony Way, Harcourt.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR TAYLOR

CARRIED.
BET 05 RESPONSE TO PETITION - EXPRESSING INTEREST IN AN OFF LEASH DOG PARK

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/17/9592

1. Purpose

The purpose of this report is to provide a response to the petition received by Council at its Ordinary Meeting on 21 February 2017, expressing interest in an off leash dog park in Mount Alexander Shire. This report also enables Council to make a determination on the provision of dog friendly off lead areas.

Refer to:

Confidential Attachment BET 05A: Petition for an Off Leash Dog Park in Mount Alexander Shire.

2. Background

Council has received a petition containing signatures from approximately 465 residents expressing an interest in an off leash dog park in the Shire.

The petition states the signatories agree the park would:

- Encourage and support responsible dog ownership.
- Protect native areas and wildlife.
- Result in less dog aggression.

The Domestic Animal Management Plan was adopted by Council on 11 June 2013.

The Plan identified a need to ‘explore the viability of specific dog friendly “off lead” areas to meet the “free running” and safe needs of dogs.’

A survey of residents was conducted about whether they saw a need for an off lead facility and their preferred location. Of the 118 respondents, 94% indicated they supported a dog park and 63% indicated a site, at the Botanical Gardens, as their preferred location. The Sunken Oval was the second preference.

Dog ownership in the Shire correlates with the population spread, with Castlemaine having the highest number of dogs at 1,850, followed by Campbells Creek with 550, Maldon with 500, Elphinstone with 327, Harcourt 280 and Newstead 260.

Dog bag dispensers are currently installed in the Castlemaine Botanical Gardens, Maldon town centre, Chewton Soldiers Memorial Park and Baringhup Recreation Reserve.

All areas in the Shire are off lead for dogs with the exception of the Castlemaine and Maldon CBD areas. Both of these areas are signposted to this effect.

The Campbells Creek Recreation Reserve and an area on the Western Reserve have been considered as potential locations for the dog park. The Western Reserve site is too small. The trotting track at the Campbells Creek site presents...
an issue with the potential for dogs to chase after horses on the trotting track. It is unknown whether the community supports either location.

3. **Policy and Statutory Implications**

Local Law No 1 of 2008 sets out how petitions are received by and responded by Council as follows:

1. **Petitions and Joint Letters**

   (1) A petition or joint letter presented to the Council may lie on the table until the next ordinary meeting of the Council. No motion other than to receive the petition or joint letter may be accepted by the Chairperson at the meeting at which it is presented.

   (2) The Council must receive a report on any petitions or joint letters at the next ordinary meeting of the Council or another meeting to be determined by the Council.

   (3) A copy of the text of the petition or joint letter must be included on the agenda for the next ordinary or available meeting (as the case may be).

   (4) A petition or joint letter may nominate a person to whom a reply may be sent, but if no person is nominated the Council may reply to the first or any person whose signature appears on the petition.

   (5) Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks and, except in cases of incapacity or sickness, by no one else, and the address of every petitioner or signatory must be clearly stated.

The Council Plan 2013-2017 objective of ‘Better Community Facilities’ includes a possible action to implement a lead free dog park.

4. **Issues**

Council is now at a point in time where it is prudent to consider whether to proceed with a dog park in a new location or decide not to develop a dog park. In effect this means choosing to develop a dog park at a site not yet identified or not proceeding with the development of a dog park. If the latter was decided, additional effort could be put into informal off lead dog areas.

There is limited evidence that an off lead dog park is required or that it would be better than dispersed informal off lead dog areas. In the consultation for the new Council Plan, five people have highlighted the need for a dog park.

A number of informal dog walking areas have been established by communities in Castlemaine and Baringhup. The Baringhup group meet on Sunday mornings at the Baringhup Recreation Reserve which is fully fenced and safe for dogs. The group provides its own water and dog bags by donation and this arrangement has proven to be very successful. The Castlemaine group walk their dogs on the Mount Alexander Golf Course.

There has only been one formal query about the construction of the dog park in the last twelve months. Council officers are questioning the need for a formal park to be built. Given the spread of dog ownership across the Shire, one option could be
the provision of dog bags and a water fountain with a dog bowl attached in suitable sites in each of the five towns where the majority of the dogs are.

There are positive examples of where this has already occurred, such as in Chewton.

Council could increase its provision of dispersed dog walking opportunities for the community through the placement of additional dog bag dispensers and signs in a range of locations. This would negate the need for a purpose built dog park.

5. **Financial and Resource Implications**

The budget for the construction of the park is $32,000; approximately $18,700 has been spent on the assessment process for the Botanical Gardens site. The cost for additional bag dispensers and signs is approximately $5,000.

6. **Conclusion**

Council received a petition expressing an interest in an off leash dog park in Mount Alexander Shire.

Council identified the requirement for an off-lead dog park as part of the Domestic Animal Management Plan in 2013. A number of sites have been identified as possible locations for the dog park, however; each of them have been found to be inappropriate.

The community has established a number of informal dog walking groups and there appears to be a lack of community demand for a formal dog park.

Some of the remaining funds could be spent providing additional facilities across the municipality.

**RECOMMENDATION**

That Council:

1. Determine not to proceed with the establishment of a single purpose built off-lead dog park and instead provide additional dog bag facilities and signs to enable dog walking in a number of locations across the municipality; and

2. Respond to the first signatory on the petition advising it will not proceed with a single purpose built off-lead dog park and instead will provide additional dog bag facilities and signs to enable dog walking in a number of locations across the municipality.
MOVED COUNCILLOR MACHIN

That Council:

1. Determine not to proceed at this stage with the establishment of a single purpose built off-lead dog park, pending the identification of a suitable site in the future;

2. Provide additional dog bag facilities and signs to enable dog walking in a number of locations across the municipality; and

3. Respond to the first signatory on the petition advising it will not proceed with a single purpose built off-lead dog park at this stage and instead will provide additional dog bag facilities and signs to enable dog walking in a number of locations across the municipality.

SECONDED COUNCILLOR HENDERSON

CARRIED.
9.3. A THRIVING LOCAL ECONOMY (ECO)

ECO 06 PLANNING PERMIT APPLICATION PA267/2016 – TWO LOT SUBDIVISION AT 14 CHURCH STREET, CHEWTON

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/17/4408

1. Purpose

The purpose of this report is to enable Council to make a determination on an application for a 2 lot subdivision at Crown Allotment 49, Section F, Parish of Chewton, TP30025Y, 14 Church Street, Chewton. The application has been referred to Council as there is one outstanding objection and officers are recommending approval.

Refer to:
Attachment ECO 06A: Context and site aerial
Attachment ECO 06B: Final plans submitted with application
Attachment ECO 06C: Clause 56 assessment

2. Background

The application was lodged on 2 December 2016 and proposes a two lot subdivision of land in the Township Zone and Bushfire Management Overlay.

The subject land has a total area of 1072m² and is rectangular in shape. The site is located approximately 168 metres southeast of the Chewton Post Office. The site falls gradually to the north, and is a vacant lot within a predominantly mixed use residential area.

The site is located on the east side of Church Street, which is a Council maintained gravel road. Access to the site is via an unmade crossover onto Church Street. There is no existing vegetation on the site.

The site context includes:

- A single dwelling to the north, which is positioned at the centre of the lot.
- Vacant Crown land to the south.
- Vacant Crown land to the east.
- Vacant residential land opposite (west) that abuts land occupied by St Johns Church to its south.

The application proposes to subdivide the 1072.22 square metre lot into two lots of 525.40 square metres each. Both lots would require access to Church Street provided by individual crossovers.

The pattern of subdivision in proximity of the subject site varies significantly, with residential lots ranging from approximately 650 square metres to 1340 square metres in area.

The subdivided lots would be able to connect to the existing reticulated water, sewer, and electricity services available from Church Street.
3. 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 11.10-3 Planning for growth
The objective of this clause is to focus growth and development to maximise the strengths of existing settlements.

Clause 11.05 Regional Development
The objective of this clause is to promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.

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, diverse and sustainable neighbourhoods that are walking and cycling friendly.

Clause 16.01-5 Housing affordability
The objective of this clause is to deliver more affordable housing closer to jobs, transport and services.

Clause 19.03-2 Water supply, sewerage and drainage
The objective of this clause is to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.

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.
Clause 21.03-1 Urban Growth

The objective of this clause is to ensure that all existing and future forms of residential development is serviced with reticulated sewerage when available and practical, water, electricity and other services.

Zoning

Clause 32.02-4 Township Zone

The purpose of the Township Zone is to provide for residential development as well as commercial, industrial and other uses such as educational and community uses in small towns.

Under clause 32.05-4, a planning permit is required to subdivide land. An application to subdivide land into 2 lots requires that subdivisions comply with relevant objectives and standards of clause 56 of the planning scheme.

Overlays

Clause 44.06 Bushfire Management Overlay

The purpose of this clause is to ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

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

Particular and General provisions

Clause 52.47 Planning For Bushfire

This clause sets out the objectives and standards for the consideration for planning for bushfires.

The purpose of this clause is to ensure that development of land prioritises the protection of human life, and to ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

Clause 56 Residential Subdivision

This clause sets out the objectives and standards for the consideration of residential subdivision applications. The purpose of this clause includes achieving residential subdivision outcomes that appropriately respond to the site and its context within established residential areas, including regional towns.

Clause 65 Decision Guidelines

Before deciding on an application, the responsible authority must decide whether a proposal will produce acceptable outcomes. An application must be assessed against the relevant decision guidelines, which include consideration of the State and local planning policy frameworks. Decision guidelines specific to subdivision are included at clause 65.02.

4. Issues

Strategic justification for subdivision of the site

The site is located within the Township Zone, in an area which is predominantly residential, with the exception of the church.
State and local planning policies generally support and prioritise residential infill and consolidation within established areas ahead of development outside established areas, to make good use of existing infrastructure and services.

**Land Subdivision**

The application included an assessment against the relevant objectives and standards of clause 56. The proposal meets the requirements of the clause. The proposed 525.4 square metre area of each lot is of a sufficient size to accommodate a dwelling.

The proposed lot sizes are consistent with the pattern and character of the surrounding area, which comprises a range of lot sizes. The average lot size within the localised area varies greatly from approximately 800m² to approximately 1,400m². Due to the varied pattern of subdivision and development near the subject site, the proposed subdivision and future residential development of the lots is not expected to cause a significant detrimental impact on the amenity or character of the area.

**Bushfire Management Overlay**

The proposal is considered to comply with all the relevant objectives and standards under Clause 52.47.

The CFA has no objection to the proposal subject to standard CFA conditions.

**Public Open Space Contribution and Subdivision**

A requirement for public open space under section 18 of the Subdivision Act 1988 is not required as the proposal subdivides the land into two lots and it is considered unlikely that each lot will be further subdivided.

**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, and was not withdrawn. The objector’s concerns are summarised as follows:

*There has been never ending problems with drainage on the block, and flooding into neighbouring property.*

**Officers Response:**

The application was referred to the Infrastructure department, who did not object to the grant of a permit and provided conditions to mitigate any possible drainage issues on the proposed lots. It is noted that the property is not located near any flood-prone creeks or rivers.

*The density of the subdivision is not suitable for the local area.*

**Officer Response:**

The proposed 525.40 square metre lots can comfortably accommodate dwellings; and the lot size is generally consistent with the subdivision pattern of the surrounding area.
The site is not suitable to be built on.

Officer Response:

The site is within the Township Zone and in close proximity to the centre of Chewton Township. Infrastructure work which would be required by permit conditions would ensure that any drainage issues are addressed and that the site is capable of supporting residential dwelling if a permit is granted.

5. Financial and Resource Implications

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

6. 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

While Council officers called and discussed the application with all parties, no applicant-objector meeting was held as the objector did not feel it would be beneficial to have a meeting, and it was not considered that an outcome which satisfied both applicant and objectors could be reached.

External Referrals

- Country Fire Authority
  No objection, subject to conditions
- Department of Environment, Land, Water and Planning
  No objection, subject to conditions
- Coliban Region Water Corporation
  No objection, subject to conditions

Internal Referrals

- Council’s Infrastructure Unit
  No objection, subject to conditions

7. Conclusion

Council has received an application for a two lot subdivision, at 14 Church Street, Chewton. The site is located within the Township Zone and is subject to the Bushfire Management Overlay.

One objection has been received, which primarily relates to concerns about drainage of the site and neighbourhood character of the area.

The proposed subdivision meets the requirements of Clause 56 of the planning scheme and is supported by relevant policy. The proposed subdivision will provide an additional residential lot within the Township Zone and is generally consistent with the pattern of subdivision and development nearby.

The proposal should be approved.
RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for a Two Lot Subdivision at Crown Allotment 49, Section F, Parish of Chewton, 14 Church Street Chewton, subject to the following conditions:

1. AMENDED PLANS REQUIRED

1.1. Prior to certification, 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 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 (TP02 dated 01/12/2016) plans but modified to show:

   a) The building envelope for Lot 1 setback a minimum of 8.75m from the western (Church Street) boundary.

2. FORMAL PLAN OF SUBDIVISION

2.1. 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.

3. LAYOUT PLAN

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

4. CFA BUSHFIRE MANAGEMENT PLAN

4.1. Bushfire Management Plan

4.2. The Bushfire Management Plan (Figure 10 in the BMS Version B, dated 11/1/2017) must be endorsed to form part of the permit, be included as an annexure to the section 173 agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

5. CFA MANDATORY CONDITION

5.1. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

   • State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of the Mount Alexander Planning Scheme.

   • Incorporate the plan prepared in accordance with Clause 52.47-2.4 of this planning scheme and approved under this permit.

   • State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

   • The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.
6. PROVISION OF SERVICES

6.1. 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.

6.2. 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.

6.3. 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.

7. TELECOMMUNICATIONS

7.1. The owner of the land must enter into an agreement with:
   a) 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.
   b) Before the issue of a Statement of Compliance for any stage of the subdivision under 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.

8. COLIBAN WATER

8.1. The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision. Services are to be provided in accordance with our specifications.

8.2. All Coliban Water assets within the subdivision, existing and proposed, are to be protected by an easement in favour if Coliban Water Corporation

9. ENGINEERING PLANS

9.1. Prior to commencement of any construction works associated with the Subdivision, detailed access, 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.
10. DRAINAGE

10.1. The whole of the subject land, including landscaped and paved areas, must be 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 drainage system shall include provision of an underground 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. Provide cut off drains in both lots to protect adjoining properties from overland storm water flows. 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.

10.4. The Legal Point of Discharge to the subdivision is the creek located to the east of the subject land. Accordingly stormwater runoff from all buildings and paving areas must be drained and connected to the legal point of discharge.

11. VEHICLE CROSSOVERS

11.1. Vehicle crossovers to both lots are to be constructed in accordance with IDM standards to the satisfaction of the Council. No impeding or redirection of existing surface flows as a result of these works. A combined vehicle crossing is highly recommended where two crossings are proposed in close proximity to each other. Vehicle crossings must be positioned keeping a minimum clearance of 1 metre from the power poles and 3 metres from the Council street trees located at the property frontages.

12. PROPOSED EASEMENTS

12.1. All existing and proposed easements and sites for existing and required utility services 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.

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)

15. CONSENT FOR CONSTRUCTIONS

15.1. 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 issue of a statement of compliance for the subdivision, drainage and driveway works must be installed to satisfaction of council in accordance with the approved plans.
17. DEPARTMENT OF ENVIRONMENT LAND WATER AND PLANNING

17.1. Access and Encroachment

a) No access is permitted to the subject land via the Crown land.

b) 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.

c) No polluted and/or sediment laden run-off is to be discharged directly or indirectly onto Crown land. Overland flows must be maintained at the same rate post-development as on the undeveloped land.

17.2. Fencing

a) Prior to work commencing, the shared boundary with Crown land must be fenced to the satisfaction of the responsible authority and the Department of Environment, Land, Water & Planning in accordance with the Fences Act 1968 and at the applicant’s expense.

17.3. Fencing must be:

• erected on the boundaries of the land;
• at least 1.2 metres in height;
• stock and domestic pet proof;
• without gates or openings on to adjoining Crown land.

18. EXPIRY OF PERMIT SUBDIVISION

18.1. 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.
MOVED COUNCILLOR TAYLOR

That Council issue a Notice of Decision to Grant a Planning Permit for a Two Lot Subdivision at Crown Allotment 49, Section F, Parish of Chewton, 14 Church Street Chewton, 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. CFA BUSHFIRE MANAGEMENT PLAN

3.1. Bushfire Management Plan

3.2. The Bushfire Management Plan (Figure 10 in the BMS Version B, dated 11/1/2017) must be endorsed to form part of the permit, be included as an annexure to the section 173 agreement and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

4. CFA MANDATORY CONDITION

4.1. Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of the Mount Alexander Planning Scheme.
- Incorporate the plan prepared in accordance with Clause 52.47-2.4 of this planning scheme and approved under this permit.
- State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.
- The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

5. PROVISION OF SERVICES

5.1. 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.

5.2. 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.
5.3. 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.

6. TELECOMMUNICATIONS

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

a) 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.

b) Before the issue of a Statement of Compliance for any stage of the subdivision under 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.

7. COLIBAN WATER

7.1. The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision. Services are to be provided in accordance with our specifications.

7.2. All Coliban Water assets within the subdivision, existing and proposed, are to be protected by an easement in favour if Coliban Water Corporation

8. ENGINEERING PLANS

8.1. Prior to commencement of any construction works associated with the Subdivision, detailed access, 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.

9. DRAINAGE

9.1. The whole of the subject land, including landscaped and paved areas, must be 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.

9.2. The drainage system shall include provision of an underground 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).

9.3. Provide cut off drains in both lots to protect adjoining properties from overland storm water flows. 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.

9.4. The Legal Point of Discharge to the subdivision is the creek located to the east of the subject land. Accordingly stormwater runoff from all buildings and paving areas must be drained and connected to the legal point of discharge.

10. VEHICLE CROSSOVERS

10.1. Vehicle crossovers to both lots are to be constructed in accordance with IDM standards to the satisfaction of the Council. No impeding or redirection of existing surface flows as a result of these works. A combined vehicle crossing is highly recommended where two crossings are proposed in close proximity to each other. Vehicle crossings must be positioned keeping a minimum clearance of 1 metre from the power poles and 3 metres from the Council street trees located at the property frontages.

11. PROPOSED EASEMENTS

11.1. All existing and proposed easements and sites for existing and required utility services 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.

12. INFRASTRUCTURE STATUS

12.1. 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.

13. SEDIMENT POLLUTION CONTROL

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

14. CONSENT FOR CONSTRUCTIONS

14.1. 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.

15. STATEMENT OF COMPLIANCE

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

16. DEPARTMENT OF ENVIRONMENT LAND WATER AND PLANNING

16.1. Access and Encroachment

   a) No access is permitted to the subject land via the Crown land.
b) 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.

c) No polluted and/or sediment laden run-off is to be discharged directly or indirectly onto Crown land. Overland flows must be maintained at the same rate post-development as on the undeveloped land.

16.2. Fencing

a) Prior to work commencing, the shared boundary with Crown land must be fenced to the satisfaction of the responsible authority and the Department of Environment, Land, Water & Planning in accordance with the Fences Act 1968 and at the applicant’s expense.

16.3. Fencing must be:

- erected on the boundaries of the land;
- at least 1.2 metres in height;
- stock and domestic pet proof;
- without gates or openings on to adjoining Crown 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.

SECONDED COUNCILLOR BELL

CARRIED.
TP02: Planning Application: 14 Church Street, CHEWTON
Proposed Two(2) Lot Subdivision
14 Church Street, Chewton
Acol. 48 Sec F, TP 300025Y

P. Board

Legend

- Existing Sewer Main
- Existing Sewer Extension to Lot
- Existing Water Main
- Proposed Building Envelope
- Dwellings to be sited within envelope
- 3.5m wide Proposed driveway entry crossover
- Existing Dwelling at 4 Church St
- Existing Power pole

NOTE
Utility Services: Sewerage, water supply, stormwater, power and telecommunications to be provided to each lot in accordance with relevant service agencies.
### 56 Residential Subdivision

**Clause 56.03-5 Neighbourhood character (C6)**
- **Response:** Complies
  
  The proposed subdivision complies with the Standard. The surrounding area has a variety of lot sizes, and the proposed lots are of a suitable size, appropriate to the area.

**Clause 56.04-2 Lot area and building envelopes (C8)**
- **Response:** Does not Comply
  
  The proposed subdivision is for two (2) lots:
  - Lot 1 525.40 m²
  - Lot 2 525.40 m²

  The sitting and size of the proposed dwelling envelope enables adequate space for vehicle access, car parking and private open space to the east.

  The proposed building envelope for lot 1 does not comply with standard A3 of Clause 54 in relation to the adjoining lots.

  Lot 2 does comply with standard A3 of clause 54. Amended plans will be required to show lot 1 with a setback of 8.75m to comply with Standard A3.

**Clause 56.04-3 Solar orientation of lots (C9)**
- **Response:** Complies
  
  The building envelopes have an east-west orientation with the long side of proposed dwelling facing north.

  Private open space areas to the east of the proposed dwellings will have good solar access. The proposed subdivision will not affect solar access to the existing dwelling at 4 Church Street because it will be sited to its south.

**Clause 56.04-5 Common area (C11)**
- **Response:** Common property is not proposed as part of the subdivision

**Clause 56.06-8 (C21) – Lot access**
- **Response:** Complies
  
  The proposed subdivision complies with the Standard with access to each individual lot provided via Church Street. The road is currently unsurfaced.

**Clause 56.07-1(C22) drinking water supply**
- **Response:** Complies
  
  Extension and connection to the existing water main in Church Street road reserve can easily be made to both proposed lots. Water main extension and connections will be designed and constructed in accordance with requirements and to satisfaction of
<table>
<thead>
<tr>
<th>Clause 56.07-2 (C23) Reused and recycled water</th>
<th>relevant water authority.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 56.07-3 (C24) Waste Water Management</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The sewerage extension that has been provided to the existing lot will service proposed Lot 1. A similar extension can be provided to Lot 2. The location of existing sewer main is shown on Plan TP02. The application was referred to Coliban Water for clarification. The proposed waste water systems will be designed, constructed and managed in accordance with the requirements and to satisfaction of relevant water authority and Environment Protection Authority.</td>
</tr>
<tr>
<td>Clause 56.07-4 (C25) Urban run-off management</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Stormwater drainage will be discharged to a legal point of discharge as required and to satisfaction of Council. Stormwater drainage from dwellings and lots in the local neighbourhood is currently discharged to the road verges.</td>
</tr>
<tr>
<td>Clause 56.08-1 site management (C26)</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The proposed subdivision will not cause environmental degradation or nuisance prior to and during construction of subdivision works.</td>
</tr>
<tr>
<td>Clause 56.09-1 shared trenching (C27)</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Shared trenching will be used where possible as both proposed allotments have access to existing services.</td>
</tr>
<tr>
<td>Clause 56.09-2 (C28) Electricity, telecommunications and gas</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The siting of building envelopes provide opportunities for the installation of photovoltaic solar panels. Electricity supply and system will be designed in accordance with requirements of relevant electricity supply agency and be provided to lot boundaries to satisfaction of relevant electricity authority. Telecommunication system will be designed in accordance with requirements of relevant telecommunications servicing agency.</td>
</tr>
</tbody>
</table>
### 9.4. BUILDING SUSTAINABLE COMMUNITIES (COM)

**COM 06 QUARTERLY ANNUAL PLAN REPORT TO 31 DECEMBER 2016**

**Responsible Director:** Acting Director Corporate Support  
**Responsible Officer:** Business Solutions Analyst  
**Original Document:** DOC/17/3887

1. **Purpose**

   This report provides an update on the status of projects in the Annual Plan 2016/2017 for the period ended 31 December 2016.

   Refer to:


2. **Background**

   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.

   The Annual Plan 2016/2017 contains priority projects outlined in the proposed Budget 2016/2017 and a number of other actions and projects identified in the various strategies adopted by Council, such as the Health and Wellbeing Plan, Economic Development Strategy and Investing in Sport.

3. **Policy and Statutory Implications**

   Council has adopted a Council Plan for 2013-2017 and Budget 2016/2017 in accordance with the Local Government Act 1989 (the Act). The Council Plan sets out the aspirations of the Council and the strategies and objectives to achieve the Council's vision for the Shire. The Budget allocates resources to the activities and services that Councillors have identified as important to the achievement of Council's vision.

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

   The Plan is structured around the key priorities in the Council Plan, namely:

   - A Vibrant and Healthy Community
   - Better Community Facilities
   - A Thriving Local Economy
   - Building Sustainable Communities

4. **Issues**

   The majority of projects and programs in the Annual Plan 2016/2017 have commenced with a small number of projects scheduled to commence in quarter three and four.
5. **Financial and Resource Implications**

Projects and initiatives contained in the Annual Plan are fully funded in the Budget 2016/2017. 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.

6. **Consultation**

Individual projects within the Plan involve community consultation or consultation with relevant stakeholders.

7. **Conclusion**

At the time of preparing the Council Plan 2013-2017 and in considering the Budget for 2016/2017, Council consolidated key projects and initiatives into a comprehensive plan for the year. A report is presented each quarter setting out progress on the Annual Plan.

**RECOMMENDATION**

That Council note the Quarterly Annual Plan Report for the period ended 31 December 2016.

**MOVED COUNCILLOR MACHIN**

That the recommendation be adopted.

**SECONDED COUNCILLOR NIEMAN**

CARRIED.
1. **Purpose**

   The purpose of this report is to present the Financial Management Report for the period 1 July 2016 to 31 December 2016.

   Refer to:


2. **Background**

   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 Council at Briefings 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 Cash Flows
   - Statement of Capital Works in Progress
   - Investment Register

3. **Policy and Statutory Implications**

   *Section 138 of the Local Government Act 1989 requires the Chief Executive Officer to present to the Council at least every three months a statement comparing the budgeted income and expenditure with the actual income and expenditure.*

   The Corporate Plan under the theme ‘A Sustainable Organisation’ includes the objective to: *maintain financial sustainability to deliver the Council Plan and Council Services.*

   Council will promote and ensure responsible financial management by receiving and reviewing quarterly financial management reports, using agreed project management processes for large projects and conducting regular internal audits of Council activities.

4. **Issues**

   The current budget includes the adopted carry forwards budget for capital projects, special projects and operating items.
5. **Financial and Resource Implications**


6. **Consultation**

Explanations of major variances are provided by officers responsible for the services and are summarised in the Financial Management Report.

7. **Conclusion**

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 HENDERSON**

That the recommendation be adopted.

**SECONDED COUNCILLOR TAYLOR**

CARRIED.
1. **Purpose**

The purpose of this report is to commence the process to review the mayoral and councillor allowances for the period 1 July 2017 to 30 June 2021.

2. **Background**

Council is required to review and determine the level of the Councillor and Mayoral allowances within six months of a general municipal election or by 30 June the following year whichever is the later. Council’s general election was held on 22 October 2017 therefore the allowances must be set by 30 June 2017.

Councillor and Mayoral allowances are categorised and each Council is placed into a category based on its population and revenue. The range of allowances permitted in each category is determined by the Minister for Local Government.

The allowance levels are split into 3 categories, depending on the size of the Council, as per the table below.

<table>
<thead>
<tr>
<th>Category 1</th>
<th>Category 2</th>
<th>Category 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillors: up to $8,324 – $19,834 per annum</td>
<td>Councillors: $10,284 – $24,730 per annum</td>
<td>Councillors: $12,367 – $29,630 per annum</td>
</tr>
<tr>
<td>Mayors: up to $59,257 per annum</td>
<td>Mayors: up to $76,521 per annum</td>
<td>Mayors: up to $94,641 per annum</td>
</tr>
</tbody>
</table>

*Note: Mayoral and councillor allowances are also subject to the addition of the equivalent of the superannuation guarantee (currently 9.5%).*

Mount Alexander Shire Council has been categorised as a Category 1 Council. Category 1 Councils are typically small to medium regional and rural Councils such as Loddon, Hepburn, Central Goldfields and Pyrenees.

Council may retain allowances at current levels or can vary them within the range and limits applicable to Category 1. In statutory review following the 2012 Council elections, Council set the mayoral and councillor allowances at the maximum level for Category 1.

3. **Policy and Statutory Implications**

Section 74(1) of the Local Government Act (the Act) requires that Councils must review and determine the level of Mayoral and Councillors allowances within six months of a general election or by 30 June the following year, whichever is the later.

Under Section 74(4) of the Act any person has the right to make a submission under Section 223 of the Act to this review. Section 223 stipulates that Council must advertise its intention to set the allowances, invite submissions and allow 28
days for submissions. All submitters must be provided with the opportunity to speak to their submission at a meeting of Council before Council makes a final determination.

4. **Issues**

Council has historically set the allowances for Councillors and the Mayor at the maximum rate within the defined category. This is common compared to other Councils. It also is in recognition of the commitment required of Councillors, the time spent in undertaking Council responsibilities, the frequency of meetings and the extensive contact expected between Councillors and community members, both formally and informally, in the Shire.

5. **Financial and Resource Implications**

Councillor allowances are allocated within Council’s budget. The budget allocates the maximum level to Councillors and the Mayor, together with an amount equivalent to the Superannuation Guarantee, currently 9.5%.

6. **Consultation**

Council must seek public submissions on the review of allowances under Section 74 and 223 of the Local Government Act 1989. Submissions will be invited for a period no less than 28 days and referred to an Ordinary Meeting of Council to hear and consider any submissions.

A notice will be placed in the Midland Express newspaper and on Council’s website on 28 March 2017, advertising Council’s intention to set the councillor allowance at $19,834 per annum and the mayoral allowance at $59,257 per annum and inviting public submissions. The submissions period will close at 5pm on 26 April 2017.

Council will consider any submissions at the Ordinary Meeting of Council on meeting on 16 April 2017 and having considered submissions will determine on the matter at the Ordinary Meeting of Council on 20 June 2017.

7. **Conclusion**

The purpose of this report is to review the mayoral and councillor allowances and to set allowances for the period 1 July 2017 to 30 June 2021.

The level of allowance must be set within the period of 6 months after a general election or by the next 30 June, whichever is later.

It is proposed that the level of allowances for the mayor and councillors remain unchanged at the maximum level for Category 1 for the four year period 1 July 2017 to 30 June 2021 and that public submissions be invited in respect of the review in accordance with sections 74(4) and 223 of the Local Government Act 1989.
RECOMMENDATION

That Council:

1. Give notice that it intends to set the level Mayoral and Councillor Allowances at the maximum level for Category 1 for the four year period 1 July 2017 to 30 June 2021;

2. Invite public submissions under section 223 of the Local Government Act 1989 on the proposed level of allowances;

3. Consider any submissions on the proposal made in accordance with section 223 of the Local Government Act 1989 at the Ordinary Meeting of Council on 17 May 2017; and

4. Set the level of Mayoral and Councillor allowances at the Ordinary Meeting of Council on 20 June 2017.

MOVED COUNCILLOR NIEMAN

That the recommendation be adopted.

SECONDED COUNCILLOR MACHIN

CARRIED.
COM 09 WASTE AND RECYCLING COLLECTION CONTRACT EXTENSION

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Healthy Environments
Original Document: DOC/17/10905

1. Purpose

To seek authorisation for the Chief Executive Officer to sign the deed of extension for contract M794-2011 pertaining to the weekly kerbside collection of waste bins and public litter bins, and the fortnightly collection of kerbside recycling and diversion to a recyclables processor.

2. Background


Council’s contract with Wheelie Waste, as described in the contract annexure, was for five years ending 31 March 2017. The contract includes an option for Council to extend for two years.

A resolution of Council is necessary to extend the contract as the original resolution of 2011 did not delegate approval of the extension to the CEO.

3. Policy and Statutory Implications

Relevant policies, strategies and plans

The Council Plan 2013-2017 includes a strategy to ‘Consider innovative and sustainable waste management options for the community’.

The Environment Strategy 2015-2025 includes a long-term goal of ‘Towards zero waste’. The intermediate outcome is that ‘Council runs a range of programs and services to reduce waste to landfill, including the separation and diversion of organic waste’.

Statutory powers and implications

The Local Government Act 1989 S162 1(b) states that ‘a council may declare a service rate or annual service change for the collection and disposal of refuse.’

4. Issues

Wheelie Waste has delivered generally good results relating to the core business of bin collection. However, it has lagged in its response to issues such as the timely replacement and repair of bins. Council officers considered the relative merits of a contract extension or a new tender process. This included consideration of the long lead time in executing a new contract and assurances from Wheelie Waste that they will improve performance. Council is also in discussion with other councils in respect to the joint procurement of collection services from 1 October 2018. This extension enables joint procurement to be fully explored.
Council officers have commenced drafting a deed of extension for a period of eighteen months. This would mean the contract will continue in operation between 1 April 2017 and 30 September 2018 inclusive (the extended term).

5. **Financial and Resource Implications**

   The cost of the contract extension for the eighteen month period is approximately $1.4 million allowing for the average (1.5%) annual expected increase in the number of households receiving the collection service.

   In consideration of extending the contract with Wheelie Waste, Council officers undertook benchmarking of rates with neighbouring councils. When compared to Macedon Ranges Shire who also engages Wheelie Waste for kerbside bin services the rate was on par. In comparison to Swan Hill Rural City Council and Gannawarra Shire Council, both our rates for recycling and rubbish collection were less on a per tenement basis.

6. **Consultation**

   Consultation has been undertaken within Council with the financial services team, and externally with the Loddon Mallee Waste and Resource Recovery Group.

7. **Conclusion**

   Council has a five year contract with Wheelie Waste Pty Ltd for the provision of waste and litter bin collection and recyclables collection and diversion. The contract ends on 31 March 2017. The contract includes an option for extension by a resolution of Council. The original Council resolution of 2011 did not delegate approval of any contract extension to the Chief Executive Officer.

   An extension of 18 months is considered appropriate. The extension would ensure continuity of service to the community. The extension would also enable Council to fully explore opportunities for changes to the overall service, such as joint procurement of waste services, from October 2018.

**RECOMMENDATION**

That Council authorise the Chief Executive Officer to sign the deed of extension for contract M794-2011 for the provision of Waste and Litter Bin Collection and Recyclables Collection and Diversion with Wheelie Waste Pty Ltd (Wheelie Waste) for a period of 18 months from 1 April 2017 to 30 September 2018 inclusive (the extended term).

**MOVED COUNCILLOR MACHIN**

That the recommendation be adopted.

**SECONDED COUNCILLOR TAYLOR**

CARRIED.
10. **DELEGATES REPORTS**

The Chief Executive Officer tabled meetings attended by himself and the Mayor for the period 21 February to 20 March 2017 (Attachment 10.1)
## Meetings Attended by CEO and Mayor - 21 February to 20 March 2017

<table>
<thead>
<tr>
<th>Meeting</th>
<th>CEO</th>
<th>Mayor</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAV Workshop: Critical Success Factors for your Council.</td>
<td></td>
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</tr>
<tr>
<td>Meeting with Education Minister, Maree Edwards MP and Mary McPherson,</td>
<td></td>
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</tr>
<tr>
<td>CSC Principal, to discuss The Campus.</td>
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<tr>
<td>Interview with Bruce Lees, Central Gold Victoria radio station – 3 of 3.</td>
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<tr>
<td>Meeting with Victorian Planning Authority to discuss Harcourt Structure Plan.</td>
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<td></td>
</tr>
<tr>
<td>LGPro 2017 Awards for Excellence.</td>
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<td></td>
</tr>
<tr>
<td>Meeting with Stan Liacos, Regional Development Victoria regarding various projects and opportunities in Mount Alexander Shire.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting with Genevieve Barlow, Chairperson, and Adam Balzan, New Branch Manager, at Maldon Community Bank regarding Maldon Streetscaping project.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MaineFM interview 1 of 2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victorian Goldfields Railway launch of new guidebook with Maree Edwards, MP.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CWA Group Conference and Annual General Meeting.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting with Jacqueline Brodie-Hanns and Cr Cordy regarding an update on the Stanley Park irrigation project and other opportunities to work with the Progress Association in Harcourt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting with Powercor project manager to discuss scope for Maldon streetscaping project.</td>
<td></td>
<td></td>
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<tr>
<td>Mount Alexander Community Advisory Group meeting.</td>
<td></td>
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</tr>
<tr>
<td>Celebration of the DELWP acquisition of the Monster Meeting site, Chewton and its incorporation into the Castlemaine Diggings National Heritage Park.</td>
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<td></td>
</tr>
<tr>
<td>Clean Up Australia Day community event in Maldon</td>
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<td></td>
</tr>
<tr>
<td>Meeting with MaineFM committee members regarding opportunities to work together.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting</td>
<td>CEO</td>
<td>Mayor</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Meeting with Winters Flat Primary School student representative council.</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>International Women’s Day Celebration in Victory Park.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>University of Technology Sydney &amp; Institute Public Policy and Governance. NDIS Research Project – Focus group discussion.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with Jane Crawley, Director Arts Investment, Creative Victoria to discuss the State Government’s Regional Centre for Culture 2018 project.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting and tour of Castlemaine waste facility with Chief Executive Officer of the EPA, Nial Finegan, and Regional Manager, Scott Pigdon.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Official opening speech at Harcourt Applefest</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Chairing of the election process at MaineFM Annual General Meeting.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Networking dinner with Councillors from Macedon and Hepburn Shires.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Introduction to new members of Mount Alexander Youth Advisory Group at Mondo Lounge.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>MaineFM interview 2 of 2.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with Chris Meadows Taylor to discuss world heritage listing.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Official opening of the Maldon Art Walk.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Introduction to group of local tradespeople with David Leathem, Manager Economic Development.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Opening Night of the State Festival – Castlemaine Railway Station and Goods Shed.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Official launch of Castlemaine to Maldon Rail Trail.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Welcoming speech at Rural Australians for Refugees (RAR) community picnic.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Official opening of new kitchen at Bill Woodful Recreation Reserve, Maldon.</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
11. NOTICE OF MOTION

Nil.

12. URGENT SPECIAL BUSINESS

Nil.

13. MEETING CLOSE

Meeting closed at 7.43 pm.