MINUTES

FOR THE ORDINARY MEETING OF COUNCIL
HELD ON
TUESDAY 13 SEPTEMBER 2016
COMMENCING AT 7.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.
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SUBDIVISION, USE OF LAND FOR 20 SINGLE DWELLINGS ON
EXISTING LOTS, REMOVAL OF NATIVE VEGETATION AT CA 20
SEC 6 AND CA21 SEC 6 PARISH OF CASTLEMAINE LOT 1-36
TP811093F, CA 24 SEC F1 TP368044M AND CA3A SEC 6 TP64616G,
55 DIAMOND GULLY ROAD, CAMPBELLS CREEK, 65 DIAMOND
GULLY ROAD, CAMPBELLS CREEK, AND 70 DIAMOND GULLY
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SEPARATE ATTACHMENTS:
Separate Attachment VIB 14A: Castlemaine Cultural Precinct Plan.
Separate Attachment BET 13A: Local Recreation Reserves Strategy 2016 – 2026
Separate Attachment COM 57A Draft Annual Financial Statements 2015/2016
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, Chris Cole, Tony Cordy, Christine Henderson, Bronwen
Machin, Michael Redden and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate Support
(Lucy Roffey), Acting Director Sustainable Communities (Ben Grounds)
and Director Sustainable Development (Jason Taylor).

2. APOLOGIES

Nil.

3. DECLARATIONS OF INTEREST/CONFLICTS OF INTEREST

Councillor Cordy declared a direct conflict of interest by close association with item
ECO 59, due to a relative owning the property that is the subject of the planning permit
application.

4. MINUTES

4.1. ORDINARY MEETING OF COUNCIL – 23 AUGUST 2016

The unconfirmed minutes of the Ordinary Meeting of the Mount Alexander Shire Council
held at 7.30 pm on 23 August 2016 at the Campbells Creek Community Centre have
been circulated to Councillors.

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Mount Alexander Shire Council
held on 23 August 2016 be confirmed.

MOVED COUNCILLOR MACHIN

That the recommendation be adopted, with a correction to the division called for
item ECO 55 on page 34 to minute Councillor Henderson as voting in favour of the
lost motion.

SECONDED COUNCILLOR TELFORD

CARRIED.
5. PUBLIC QUESTION TIME

MOVED COUNCILLOR REDDEN

That standing orders be suspended at 7.35 pm.

SECONDED COUNCILLOR CORDY

CARRIED (7.35 pm).

a. Mr Greg Waddell

Mr Waddell thanked Council for advocating for bikes on trains and for attending the meeting with Victrak on changes to car parking in the train station precinct. Mr Waddell noted that no facility for bike access is included in the plans.

Mr Waddell stated that the Walking and Cycling framework review said there would be a task list that would be reported on regularly and that this had not occurred. He also queried if the formation of the bicycle advisory group has taken place, as defined to in the report to occur in 2014.

- The Director Sustainable Development responded that the infrastructure team have been working with Victrak on developing plans in the precinct. Noting that the site is constrained and the main improvement has been to pedestrian safety and access. The Director suggested that bike riders could dismount at the wombat crossing and walk to the station using the pedestrian access.
- The Director Sustainable Development advised that a report has gone to Council on prioritising the Walking and Cycling task list, however the status of the tasks is due to be reported to Council.
- The CEO responded that he would meet with Mr Waddell to discuss the matters he raised further.

MOVED COUNCILLOR CORDY

That standing orders be resumed at 7.43 pm.

SECONDED COUNCILLOR REDDEN

CARRIED (7.43 pm)

6. PETITIONS AND JOINT LETTERS

Nil.
7. COMMITTEE REPORTS

7.1. HERITAGE ADVISORY COMMITTEE MINUTES

The unconfirmed Minutes of the Heritage Advisory Committee meeting held on 17 August 2016 are at Attachment 7.1A.

7.2. GOLDFIELDS LIBRARY CORPORATION

The approved Minutes of the Goldfields Library Corporation meeting held on 27 May 2016 are at Attachment 7.2A.

RECOMMENDATION

That the unconfirmed Minutes of the Heritage Advisory Committee and the approved Minutes of the Goldfields Library Corporation meetings be noted.

MOVED COUNCILLOR REDDEN

As per the recommendation.

SECONDED COUNCILLOR TELFORD

CARRIED.
HERITAGE ADVISORY COMMITTEE MEETING
MINUTES
17 AUGUST 2016
5.30 PM
Multi-purpose meeting room, Town Hall Castlemaine

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7. NEXT MEETING WEDNESDAY 14 SEPTEMBER, 2016 3
8. MEETING CLOSED AT 6.45 PM 3
1. PRESENT

Committee Members: Jan Warracke, Graeme Ford, Kay Thorne, Cr Sharon Telford

Officers: Heritage Officer (Sera-Jane Peters)

2. APOLOGIES:

Donna Fearne, Rebecca Stockfeld

3. DECLARATIONS / CONFLICTS OF INTEREST

Nil

4. ACCEPTANCE OF MINUTES

Moved Jan Warracke, Seconded Graeme Ford

5. MATTERS ARISING FROM MINUTES

Community member noted that at 15 June meeting there had been a discussion about recruitment to the committee that was not noted in the minutes.

6. AGENDA ITEMS

6.1. PLANNING FOR A NEW HERITAGE STRATEGY

Heritage Officer briefed the committee on planning for the new Heritage Strategy. A project plan for the strategy and a community engagement plan are to be approved by Council’s leadership, the new CEO and Council. The proposed plan is to have several months of engagement to provide data and community input to the strategy prior to the workshops of priorities and actions.

In order to assist the process of writing the strategy, the proposal is to create a Reference Group made up of the current advisory committee members and invited members from the community and Council. The Reference Group would meet at regular intervals to discuss progress and participate in workshops to formulate priorities and action plans.

The proposal to be put to the committee, leadership and council is that the Heritage Advisory Committee would be dissolved during this time, and the members invited into the Reference Group. This would facilitate the input of the committee and the input of other community members at the same time and reduce the amount of consultation. The consultation for the new strategy would then inform the form and new terms of reference for a new Committee.

This proposal will be sent to Council’s leadership group and then to Council to be approved at the same time as the project plan for the new Heritage Strategy.

6.2. WORKSHOP/TALK EVENTS FOR 2016/2017

Two proposals were discussed for public talks - the Heritage Officer will contact Dr Leo Martin and see if he would like to present a talk on the Castlemaine Market Building, during the Heritage Festival in April next year. Cr Telford will contact Brian Cuffley to see
6.3. GENERAL BUSINESS

- Community member asked whether Council will be applying for a Living Heritage Grant for Maldon Museum. Council is working on prioritising the list of eligible buildings and works.

- Cr Telford raised the issue of the NBN installation in Maldon and its potential impact on the historic streetscape. A briefing was done at Council and Lisa Chesters has made contact with Council in regard to supporting a proposal to reduce the impacts on the streetscape by installing fibre to the home rather than fibre to node. Council continues to work on this with other parties.

- Committee member raised the issue of gas in Maldon and if planning was still underway to have gas installed. As far as Council knows, the installation is still in the planning stages.

7. NEXT MEETING WEDNESDAY 14 SEPTEMBER 2016 (TO BE HELD ONE WEEK EARLY BEFORE CARETAKER MODE BEGINS)

8. MEETING CLOSED AT 6.45 PM
Ordinary Library Board Meeting  
Friday 27th May at 3.00pm  
Council Chambers – Civic Centre Building, Castlemaine  

-Minutes-

1. PRESENT

City of Greater Bendigo  
Cr Rod Fyffe

Loddon Shire Council  
Cr Cheryl McKinnon (Chair)  
Marg Allan

Macedon Ranges Shire Council  
Cr John Connor

Mount Alexander Shire  
Cr Michael Redden  
Vicky Mason

Chief Executive Officer  
Chris Kelly

Also in attendance:  
Fiona McMahon (Goldfields Library Corporation)  
Mark Hands (Goldfields Library Corporation)  
Jessie Mackin (Goldfields Library Corporation)

2. APOLOGIES

Kerryn Ellis (City of Greater Bendigo)  
Karen Stevens (Macedon Ranges Shire Council)

3. CONFIRMATION OF MINUTES OF MEETINGS: Ordinary Meeting 24th March 2016

Moved: John Connor  
Seconded: Marg Allan  
carried ✓
4. MATTERS ARISING FROM PREVIOUS MINUTES

No matters arising.

5. ITEMS FOR DECISION

5.1 Financial Statements for the period 1st July 2015 to the 30th April 2016.

Budget is tracking well and in line with the forecast. There has been some funds that have been reallocated from areas with saving to enable the purchase of much needed furniture replacement in Kyneton, Kangaroo Flat and Gisborne. The CEO has requested additional notes on page 8 to provide information regarding the minor equipment and children’s programs budgets as the over expenditure relates to additional income that has been received.

Marg Allan noted the additional income in relation to room bookings and the Board congratulated the finance department for revenue received on investments.

Motion: The Board adopt the Financial Statements for the period 1st July 2015 to 30th April 2016

Moved: Michael Redden
Seconded: John Connor

5.2 Mobile Library Petitions

Two petitions have been received in relation to the decommissioning of the mobile service and the introduction of the Library Agencies. Both petitions were started prior to the dissemination of the media release and the Library Services for Rural Communities: A New Era Bulletin which were distributed on the 15th of April. The letters both acknowledge that the new model, library Agencies, could potentially provide service improvements.

A thank you letter will be sent to both petitioners thanking them for their feedback and for their support of library services and encouraging them to stay informed via the bulletins.

The next bulletin will include an interview with a current Pyramid Hill user and information on what the agencies will look like.

Motion: That the Board notes the petitions and recommends letter to acknowledge concerns and advise that they have been taken into consideration.

Moved: Rod Pyffe
Seconded: John Connor

5.3 Library Budget 2016/17 Submissions & Approval

No Budget submissions were received.
Motion: the Board notes the petitions received regarding the mobile library service and adopts the Goldfields Library Corporation 2016/17 Budget without variations.

Moved: Marg Allan
Seconded: Vicky Mason

carried ✓

5.4 Finalise & Approve Library Plan 2016/17
The CEO thanked the Board for their input at the April Library Plan workshop. The goals and strategies in the Library Plan have been edited to be concise and clear. Workshop discussions have been taken into consideration and changes have been made. The CEO has not made significant structural changes to the plan as this would need to be developed in consultation with staff. The next major revision of the plan will focus on impacts of library services.

Motion: That the Board approves the 2016-17 Library Plan.
Moved: Michael Redden
Seconded: Rod Fyffe

carried ✓

6. ITEMS FOR DISCUSSION

6.1 Local Government Reporting Calculations – Pam Sheean
Report distributed to provide clarity to the Board and enable distribution to council staff.

The Board noted the report and it will be distributed to appropriate staff.

7. GENERAL BUSINESS

7.1 CEO Report
The corporation has been unable to develop or revise a number of corporate governance documents due to resourcing. An open discussion was held with the following being listed as priority documents:
- Whistle blower policy
- Privacy policy
- IT disaster plan

Motion: The CEO to prepare a proposal including accompanying costs over the next 1-2 years to provide to the Board for approval.
Moved: Vicky Mason
Seconded: John Connor

carried ✓
7.2 EBA Report
The EBA negotiations are progressing with discussions regarding the staff and ASU log of claims and
the GLC log of claims. The report was noted and the Board requested a progress report at the next
meeting.

7.3 Branch Reports January - March
The branch reports were noted and will be distributed to councils in word format to enable
distribution in councillor bulletins etc.

7.4 Confirmation of the July Board workshop
Moved to late August to allow information to feed into council plans. Reschedule to 26 August to
proceed the August Board meeting.

7.5 Additional Items
- The CEO advised the Board that the VAGO interim audit report has been received.
- Goldfields Library Corporation was one of three finalists in the Bendigo Business Council
  Awards for Social Enterprise of the year.
- Castlemaine Library hours review has been completed and the council briefing is scheduled
  for June

Motion: All reports noted by the Board
Moved: Vicky Mason
  Seconded: Marg Allan  carried

Meeting closed: 4:55 p.m.

NEXT MEETING DATE AND TIME:
26th August 2016 3:00pm, Bendigo Library. (to be preceded by board workshop)

Signed Chair

Date 26.8.16.
8. ASSEMBLIES OF COUNCILLORS

8.1. ASSEMBLIES ON 16, 23 AND 30 AUGUST 2016.

RECOMMENDATION

That the Records for the Assemblies of Councillors on 16, 23 and 30 August 2016 be entered into the record of this meeting (Attachments 8.1, 8.2 and 8.3).

MOVED COUNCILLOR COLE

As per the recommendation.

SECONDED COUNCILLOR MACHIN

CARRIED.
ASSEMBLY OF COUNCILLORS RECORD
16 AUGUST 2016
AT 2.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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1. **PRESENT**

Councillors: Tony Bell, Chris Cole, Tony Cordy, Christine Henderson, Bronwen Machin, Michael Redden and Sharon Teiford

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate Support (Lucy Roffay), Director Sustainable Communities (Vicky Mason), Director Sustainable Development (Jason Taylor), Manager Community Places and Spaces (Deon Grounds, Items 6.1 and 6.2), Economic Development Officer (Eva Parkin, Item 6.3), Managers Development Services (Rebecca Stockfeld and Wayne O'Toole, Items 6.4, 6.5, 6.6 and 6.7), Acting Senior Town Planner (Tim Blackie, Items 6.4, 6.5, 6.6 and 6.7)

Visitors:
Item 6.3 Graham Sawyer, Community Affairs Manager, NBNco.

2. **APOLOGIES**

Nil.

3. **PURPOSE OF THE MEETING**

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

<table>
<thead>
<tr>
<th>Matter Discussed</th>
<th>Councillor Conflict?</th>
<th>Councillor Name</th>
<th>Councillor left meeting?</th>
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<tbody>
<tr>
<td>5.1. Acting Mayor</td>
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<td>5.2. Maldon Twilight Festival</td>
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<td>5.3. Caravan Parks</td>
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<td>5.4. Golden Point Road, Faraday</td>
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<td>5.5. Newsstead Football Event</td>
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<td>5.6. Wesley Hill Facility Committee of Management</td>
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<td>5.7. Customer Request from Resident in Harcourt</td>
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<td>5.8. Disability Hot Spots</td>
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<td>5.9. Castlemaine District Community Health (CHIRP)</td>
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<td>5.10. Advocacy with the State and Federal Government</td>
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<td>5.11. Castlemaine Landfill</td>
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<td>5.12. Planning Matters</td>
<td>No</td>
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<td>6.1. Camp Reserve Master Plan Update</td>
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<td>6.2. Local Recreation Reserves Strategy</td>
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<td>Matter Discussed</td>
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<td>6.3. National Broadband Network Rollout Update</td>
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<tr>
<td>6.4. Planning Permit Application 156/2015 - Re-Subdivision of 4 Lots into 2 Lots and Use and Development of a Dwelling at CA 9 &amp; 11, Sec 3 Parish of Sandon and Lots 1 &amp; 2 TP23168P, 1031 Creswick-Newstead Road, Sandon</td>
<td>No</td>
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<td>6.5. Planning Permit Application 247/2014 - Use and Development of an Extension to an Existing Residence At Lot 1 TP200114K, 88 Byrnes Road, Sutton Gorge (PA247/2014)</td>
<td>No</td>
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<td>6.6. Planning Permit Application 063/2016 - Use and Development of a Dwelling at CA 10A Sec 5C Parish of Harcourt, 57 Pealers Road, Harcourt (PA063/2016)</td>
<td>No</td>
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<td>6.7. Planning Permit Application 305/2015 - Use of Land for a Place of Assembly - The Wild Things / Walmer Festival - On 23-25 September 2016 at Lots 1, 2, 3, 4, 5 and 6 on TP874651V, 488 Lewis Road Walmer and CA 3 on TP947232J, 181 Sinclair's Lane Walmer (PA305/2015)</td>
<td>Yes</td>
<td>Councillor Telford</td>
<td>Yes</td>
<td>5.00 pm</td>
<td>5.20 pm</td>
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<td>6.8. Presentation of the Draft Annual Plan 2016/2017</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 6.00 pm.
ASSEMBLY OF COUNCILLORS RECORD
TUESDAY 23 AUGUST 2016
COMMENCING AT 6.00 PM IN THE
CAMPBELLS CREEK COMMUNITY CENTRE
60 ELIZABETH STREET, CAMPBELLS CREEK.

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Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate Support (Lucy Roffey), Director Sustainable Development (Jason Taylor) and Director Sustainable Communities (Vicky Mason), Team Leader Engineering (Marcus

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 23 August 2016 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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<tbody>
<tr>
<td>VIB 12 Response to Joint Letter from Residents of Kennedy Street, Castlemaine, Regarding Carpark Upgrade at Castlemaine Railway Station</td>
<td>Nil</td>
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<tr>
<td>BET 11 Appointments to Special Committees of Council - John Powell Reserve and Newstead Community Centre</td>
<td>Nil</td>
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<tr>
<td>ECO 54 Planning Permit Application 156/2015 - Re-Subdivision of 4 Lots into 2 Lots and Use and Development of a Dwelling at CA 8 &amp; 11, SEC 3 Parish of Sandon and Lots 1 &amp; 2 TP22816IP, 1031 Crewick-Newstead Road, Sandon</td>
<td>Nil</td>
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<td>ECO 55 Planning Permit Application 247/2014 - Use and Development of an Extension to an Existing Residence at Lot 1 TP200114K, 89 Byrnes Road, Sutton Grange (PA247/2014)</td>
<td>Nil</td>
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<td>ECO 56 Planning Permit Application 003/2016 - Use and Development of a Dwelling At CA 10A SEC 8C Parish of Harcourt, 57 Peetells Road, Harcourt (PA003/2016)</td>
<td>Nil</td>
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<td>ECO 57 Planning Permit Application 30/9/2015 – Use of Land for a Place of Assembly – The Wild Things / Walmer Festival – On 23-25 September 2016 at Lots 1, 2, 3, 4, 5 and 6 on TPP946511, 488 Lewis Road Walmer and CA 3 on TPP947232, 161 Sinclair Lane Walmer (PA3193/2015)</td>
<td>Yes</td>
<td>Telford</td>
<td>Yes</td>
<td>6.40 pm</td>
<td>6.53 pm</td>
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<tr>
<td>COM 52 Memorandum of Understanding Between The Hub Foundation and Mount Alexander Shire Council</td>
<td>Nil</td>
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<td>COM 53 Adoption of the Annual Plan 2016/2017</td>
<td>Nil</td>
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<tr>
<td>COM 54 Request Minister for Planning to Rezone Land identified as Future Residential in the Diamond Gully Structure Plan 2016 to General Residential Zone</td>
<td>Nil</td>
<td></td>
<td></td>
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<tr>
<td>COM 55 Awarding of Contract M1264 2016 for Bridge Rehabilitation – Various Bridges</td>
<td>Nil</td>
<td></td>
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<tr>
<td>COM 56 Awarding of Contract M1267 2016 for Pavement Rehabilitation – Watchbox Road and Dies Road</td>
<td>Nil</td>
<td></td>
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<tr>
<td>Meetings attended by CEO and Mayor 9 August to 23 August 2016</td>
<td>Nil</td>
<td></td>
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<tr>
<td>Building our Regions Infrastructure Fund application criteria</td>
<td>Nil</td>
<td></td>
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<tr>
<td>Truck routes and signage</td>
<td>Nil</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 7.20 pm.
ASSEMBLY OF COUNCILLORS RECORD
30 AUGUST 2016
AT 2.00 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, Chris Cole, Tony Cordy, Christine Henderson, Bronwen Machin, Michael Redden and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate Support (Lucy Roffey), Director Sustainable Communities (Vicky Mason), Director Sustainable Development (Jason Taylor), Manager Community Partnerships (item 6.2) and Manager Governance and Customer Service (item 6.3).

Visitors:
Item 6.1 CDCH representatives: Jan Savage Chair, Julie Cairns (Acting CEO) and Rebecca Edwards (Deputy Chair).
Item 6.4 CWA representatives: Renee Thompson (President and Treasurer), Linnet Good (Secretary), and Allison Nye (Member).

2. APOLOGIES

Nil.

3. PURPOSE OF THE MEETING

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

<table>
<thead>
<tr>
<th>Matter Discussed</th>
<th>Councillor Conflict?</th>
<th>Councillor Name</th>
<th>Councillor left meeting?</th>
<th>Time left</th>
<th>Time Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1. DELWP Climate Adaptation Plan directives paper</td>
<td>No</td>
<td></td>
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<tr>
<td>5.2. Affordable Housing</td>
<td>No</td>
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<td></td>
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<tr>
<td>5.3. Library Outreach</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.4. Weed Management and New Resident Information Pack</td>
<td>No</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>6.1. Castlemaine District Community Health Board of Directors</td>
<td>No</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>6.2. Section 86 committees of Council</td>
<td>No</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>6.3. Local Government Act Review:</td>
<td>No</td>
<td></td>
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<td></td>
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<tr>
<td>directives paper submission</td>
<td></td>
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<tr>
<td>6.4. Castlemaine CWA meeting with Councillors:</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 6.00 pm.
9. OFFICER REPORTS

9.1. A VIBRANT HEALTHY COMMUNITY (VIB)

VIB 13 MOUNT ALEXANDER – A HEALTHY SHIRE: COMMUNITY ADVISORY COMMITTEE APPOINTMENTS

Responsible Director: Director Sustainable Communities
Responsible Officer: Director Sustainable Communities
Original Document: DOC/16/32868

1. Purpose

The purpose of this report is for Council to appoint members to the Mount Alexander – A Healthy Shire: Community Advisory Committee.

Refer to:


2. Background

In July 2016 Council endorsed Terms of Reference (Attachment VIB 13A) for a new Community Advisory Committee (CAC) to provide advice on the development, review and implementation of the 2017 – 2021 Mount Alexander Shire Health and Wellbeing Plan.

3. Policy and Statutory Implications

The Public Health and Wellbeing Act 2008 (the Act) includes the requirement for local governments to initiate, support and manage public health planning processes at a local level, including the development of a strategic Municipal Public Health and Wellbeing Plan every four years.

In December 2013 Council endorsed the Mount Alexander Shire Public Health and Wellbeing Plan 2013-2017. The plan includes the following goals:

- Healthy safe and inclusive communities
- Culturally rich and engaged communities
- Dynamic and resilient local economies
- Sustainable built and natural environments

In developing a Municipal Public Health and Wellbeing Plan, the Act requires that Council “provide for involvement of people in the development, implementation and evaluation” of the plan. The formation of a Community Advisory Committee (CAC) will help facilitate this.

4. Issues

Expressions of interest for the CAC were sought through the Council column in the Midland Express and distributed through Council networks with applications.
closing on 12 August 2016. Applicants were asked to complete an application form that collected information on:

- Location
- Gender
- Cultural background
- Age
- Area of interest
- Networks

The Terms of Reference indicate that applicants were required to participate in one of the following working groups:

- Mount Alexander for All
- Active Mount Alexander
- Creative Mount Alexander

Seven completed applications were received. Confidential Attachment VIB 13B outlines their background, interests and networks.

The Terms of Reference endorsed by Council call for up to 16 members for the CAC. Analysis of the current applications indicates gaps in the following areas:

- Males
- Young people
- Aboriginal & Torres Strait Islanders
- Culture
- Sporting clubs
- Health services

In seeking to fill these gaps formal invitations will be sent to:

- Community Planning Groups
- Youth Advisory Group
- Indigenous Round Table
- Sports Focus – regional sports assembly
- Sport and Recreation Victoria – regional office
- Castlemaine Art Museum
- Castlemaine District Community Health
- Castlemaine Health

5. Financial and Resource Implications

Formation and support for the Community Advisory Committee will be undertaken within current operating budgets.

6. Consultation

Expressions of interest for the Community Advisory Committee were sought through the Council column in the Midland Express and distributed through Council networks.
7. Conclusion

Council has endorsed the formation of Mount Alexander – A Healthy Shire: Community Advisory Committee. Expressions of interest were sought through advertisements in the Council column and through Council networks. Seven applications were received from members of the community with diverse backgrounds, interests and networks. Council officers will seek to fill gaps on the committee through direct invitations to a number of community groups and organisations.

RECOMMENDATION

That Council:

1. Appoint the following persons to the Mount Alexander – A Healthy Shire: Community Advisory Committee; and

<table>
<thead>
<tr>
<th>Name</th>
<th>Expiry</th>
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<tbody>
<tr>
<td>Ros Hart</td>
<td>30 June 2020</td>
</tr>
<tr>
<td>Suzanne Kelly</td>
<td>30 June 2020</td>
</tr>
<tr>
<td>Helen McBurney</td>
<td>30 June 2020</td>
</tr>
<tr>
<td>Carly McGinniskin</td>
<td>30 June 2020</td>
</tr>
<tr>
<td>Joyce Sanders</td>
<td>30 June 2020</td>
</tr>
<tr>
<td>Cate Mercer</td>
<td>30 June 2020</td>
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<tr>
<td>Emma Shannon</td>
<td>30 June 2020</td>
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<tr>
<td>Liza Shaw</td>
<td>30 June 2020</td>
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<tr>
<td>Brad Turner</td>
<td>30 June 2020</td>
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<tr>
<td>Jenny Parker</td>
<td>30 June 2020</td>
</tr>
</tbody>
</table>

2. Formally invite a representative(s) from the following groups to participate on the Mount Alexander – A Healthy Shire: Community Advisory Committee:

- Community Planning Groups
- Youth Advisory Group
- Indigenous Round Table
- Sports Focus – regional sports assembly
- Sport and Recreation Victoria – Regional Representative
- Castlemaine Art Museum
• Castlemaine District Community Health
• Castlemaine Health.

MOVED COUNCILLOR MACHIN

As per the recommendation.

SECONDED COUNCILLOR TELFORD

CARRIED.
1. Background

The Mount Alexander Shire Council is committed to working towards “a vibrant healthy community”. We recognise that health is more than being free from disease. It is a state of physical, mental and social wellbeing that allows us to live our lives to their fullest.

The Local Government Charter states that the primary objective of Council is to achieve the best outcomes for the local community. Protecting, improving and promoting health and wellbeing is one of the most significant ways Council can achieve this.

The Public Health and Wellbeing Act 2008 outlines specific requirements for local governments in relation to health and wellbeing. These include:

- Creating supportive environments for health and strengthening capacity of the community and individuals to achieve better health;
- Initiating, supporting and managing public health planning processes at a local level, including the development of a strategic Municipal Public Health and Wellbeing Plan every four years;
- Developing and implementing local policies for health;
- Developing and enforcing up-to-date public health standards;
- Facilitating and supporting local agencies with an interest in public health;
- Coordinating and providing immunization services; and
- Maintaining the municipal district in a clean and sanitary condition.

2. Purpose:

To provide advice to Council on the development, review and implementation of the Mount Alexander Shire Health and Wellbeing Plan and associated Action Plans.

3. Objectives:


   b. Provide input to Council on new and emerging community issues likely to impact on community health and wellbeing.

   c. Assist Council in community engagement.

   d. Provide feedback to Council on proposed health and wellbeing actions and initiatives.

4. Committee Structure:

   Up to 16 members who live in the Shire with an interest and networks in one or more of the following areas / groups:

   - Children and families
   - Youth development
   - Active ageing
   - Aboriginal health
   - Disability access and inclusion
   - Recreation and sports development
   - Cultural development
   - Provision of health services
   - Health promotion and prevention
   - Supporting vulnerable communities
   - Community planning and development
The selection of committee members will consider overall composition of the committee including geographic representation, age, gender, cultural background and will strive to ensure there is representation from organisations and businesses as well as unaffiliated community members.

5. Council Members:
   - Mayor (Chair)
   - Director Sustainable Communities
   - Director Sustainable Development
   - Manager Community Planning & Partnerships
   - Other Council officers as co-opted.

6. Roles and relationships:

   Members of the Community Advisory Committee contribute specialist knowledge and expertise by providing community perspectives. Members should be active in the community, with strong community networks and sound understanding of local and regional issues.

   Members need to have the capacity to reflect on and present community issues, rather than focusing on personal concerns or individual issues only.

   The role of members will be to:
   a. Attend and participate in an induction workshop;
   b. Attend and participate in all meetings;
   c. Work cooperatively with other members in achieving the purpose of the committee;
   d. Contribute ideas and suggestions relating to items on the agenda; and
   e. Use existing networks to remain informed regarding the views and interests of the community.

   Members of the Community Advisory Committee will be expected to participate in one of three working groups that will meet bi-annually. These include:

<table>
<thead>
<tr>
<th>Working Group</th>
<th>Objective</th>
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<tbody>
<tr>
<td>Mount Alexander for All</td>
<td>To improve community access &amp; inclusion, safety, connection, learning</td>
</tr>
<tr>
<td></td>
<td>and development, and civic engagement.</td>
</tr>
<tr>
<td>Active Mount Alexander</td>
<td>To increase community participation in physical activity.</td>
</tr>
<tr>
<td>Creative Mount Alexander</td>
<td>To celebrate, promote, nurture and value arts and culture across the</td>
</tr>
<tr>
<td></td>
<td>Shire and its impact on the health and wellbeing of the community.</td>
</tr>
</tbody>
</table>

   Members would then provide a conduit between these working groups and the Community Advisory Committee.

   When a member is absent for two consecutive meetings without an apology, their position will be declared vacant.

   Members will be recruited through an external Expression of Interest.

7. Conflict of Interest:

   Members must be aware of and manage their own conflict (and potential conflict) of interest relating to matters discussed by the committee, bearing in mind that the committee is advisory in nature.

8. Term of Committee:

   Four years, expiring on 30 June 2020.

9. Review:

   The Terms of Reference will be reviewed annually.

10. Meeting frequency:

    Following an induction process the committee will meet quarterly in the first twelve months then bi-annually thereafter.
11. Reporting and circulation:

Agenda’s will be developed by the Mayor and Director Sustainable Communities with input from members. Minutes will be circulated to members within one month of the meeting and be tabled at the next available Council meeting.
1. **Purpose**

   The purpose of this report is to present the Castlemaine Cultural Precinct Plan to Council for adoption.

   Refer to:

   Separate Attachment VIB 14A: Castlemaine Cultural Precinct Plan

2. **Background**

   The creative sector of Mount Alexander Shire provides significant economic, social and cultural benefits to a wide variety of stakeholders across the Shire. The sector provides opportunities and activities that enhance social connection, attract visitors to the region, supports entrepreneurial activity and greatly enhances resident’s liveability.

   The creative sector underpins the local economy and a review by Rural Councils Victoria into the Creative Industries Economic Study found that the sector annually contributes $22 million to the Castlemaine economy and $32.5 million to the Shire overall.

   In 2015, Council identified that it was timely to develop a plan concerning the cultural facilities in central Castlemaine (defined as the area bounded by Kennedy, Forest, Hargraves and Templeton Streets) in order to support the following outcomes:

   - Enhance the profile and activity in public space;
   - Maximise the use and functionality of cultural facilities;
   - Activate the precinct by increasing programming and arts activities; and
   - Attract additional funding and resources into the Shire.

   The Castlemaine Cultural Precinct Plan was identified as an action in the Council Plan 2013 – 2017, under the goal of Better Community Facilities. Council appointed consultants Jan van Schaik (Minifie van Schaik Architects) and Vanessa Walker (Big Space) to undertake the project. Throughout the process of developing the plan a number of challenges were encountered and the project was only partially completed. Council’s Cultural Development Officers resumed management of the project in February 2016 and have worked through a process to develop the final plan.

3. **Policy and Statutory Implications**

   The Castlemaine Cultural Precinct Plan aligns strongly with the following Council priorities and actions:

   - **Council Plan 2013 - 2017** includes the objective to ‘Encourage a vibrant community that promotes participation in the arts and an appreciation of our cultural heritage’;
• The Public Health and Wellbeing Plan 2013 - 2017 (Objective 2.2) aims to support opportunities for people to create and participate in arts and culture;  
• Economic Development Strategy 2013 - 2017 (Objective 3.5) aims to Enhance business and enterprise development opportunities for local arts and culture organisations and individuals in order to attract new markets; and  
• Support volunteer committees involved in the arts and cultural events to develop the necessary skills and resources to ensure events are viable and sustainable;  
• The principles of Healthy Communities and Shire Character of the Public Open Space Strategy 2016 supports the activation of public spaces through arts and events activities, public art and the provision of appropriate amenity and infrastructure to support these activities.

4. Issues

The Castlemaine Cultural Precinct Plan provides an overarching framework to guide Council’s planning, management and development of cultural facilities within central Castlemaine. It provides both Council and its partners with big picture thinking around the future use and purpose of creative spaces in supporting a vibrant creative sector and growing visitor and resident populations.

The Plan includes guiding principles, themes and recommendations to support the planning, management and partnerships of public spaces, programming and infrastructure to enhance the liveability of the Shire and support sustained growth in the creative community and visitor economy.

The development of the Plan has included a review of current usage, relevant strategy and input from internal and external stakeholders. It provides long term aspirational recommendations, as well as short term actions that support the development and activation of the precinct.

The vision for the Castlemaine Cultural Precinct is: A diverse and engaging central area that reflects the vibrancy of our Shire, enhances liveability of our town and supports the sustained growth of our creative community and visitor economy.

The Plan supports this vision by providing recommendations under the following key themes:

• Creating vibrant public spaces;
• Providing quality cultural facilities;
• Activation of the Cultural Precinct; and
• Building and supporting effective partnerships.

The recommendations are categorised under short, medium and long term categories and provide current and future Councils with the flexibility to prioritise projects that align with external funding or new partnerships.

The Plan will be used to guide and support Council to attract resources and partnerships to support the future development of the precinct. The implementation and delivery of any future initiatives from the Plan will utilise Council's Engagement Framework to ensure relevance and the consideration of stakeholder needs.

5. Financial and Resource Implications

The Plan was funded in the 2014/2015 Council budget through a $29,000 allocation.
Longer term and major recommendations that are identified in the Plan will require the prioritisation of additional resources. These will be dependent on budget processes and leveraging external funding contributions.

The Plan encourages Council to develop and integrate existing programs and utilise existing resources to implement a range of initiatives particularly in the short term. The Plan encourages Council to develop and extend new partnerships to achieve long term recommendations and prioritise projects that align with external funding and partnerships in order to leverage available funding.

6. Consultation

Stakeholder and community consultation for the Cultural Precinct Plan was undertaken in 2015 and 2016.

Consultation included:

- A workshop for invited stakeholders (25 people).
- A communications board in the Phee Broadway Theatre Foyer to allow for ‘drop in’ style input from the general public.
- A survey distributed to the general public - online and paper (50 + responded).

The ‘Communications Board’ had large size printed maps of Castlemaine and people interacted with these maps by drawing and commenting on them. The boards were displayed in the Phee Broadway Foyer from 11 to 17 August during library opening hours, and the Cultural Development Officer was available during the display period to converse with interested parties and encourage engagement. The responses on the Communications Boards have been incorporated into the vision document.

A survey containing 14 questions around facility usage, cultural activities and fit for purpose ratings on various facilities was undertaken by over 50 members of the community. The responses have been analysed by the consultants and incorporated into the vision document.

Direct interviews were undertaken with representatives from key cultural organisations who were unable to attend the stakeholder workshop, including representatives from the Woollen Mills, the University Third Age, Senior Citizens Group and Goods Shed.

Cultural Development Officers ran an internal workshop in May to inform the final development of the Plan.

7. Conclusion

The Castlemaine Cultural Precinct Plan provides Council with a strategic direction to guide the activation, operations and future development of cultural facilities, public spaces, programs and streetscapes within central Castlemaine.

The Plan includes guiding principles, themes and recommendations to support the planning, management and partnerships of public spaces, programming and infrastructure to enhance the liveability of the Shire and support sustained growth in the creative community and visitor economy.

The Plan identifies a range of recommendations to support continued work and prioritisation of the precinct over the short, medium and long term. Future initiatives
within the plan will be subject to budget processes and will be implemented utilising Council’s Engagement Framework.

RECOMMENDATION

That Council adopt the Castlemaine Cultural Precinct Plan.

MOVED COUNCILLOR TELFORD

That Council defer the adoption of the Castlemaine Cultural Precinct Plan until 2017 to be considered in the development of the new Council Plan.

SECONDED COUNCILLOR BELL

CARRIED.

COUNCILLOR TELFORD CALLED FOR A DIVISION

Councillors who voted for the Motion:

- Councillors Bell, Cole, Cordy, Henderson and Telford.

Councillors who voted against the motion:

- Councillors Machin and Redden.
9.2. BETTER COMMUNITY FACILITIES (BET)

BET 12 APPOINTMENTS TO SPECIAL COMMITTEE OF COUNCIL (SECTION 86 COMMITTEE OF MANAGEMENT) – CAMPBELLS CREEK COMMUNITY CENTRE

Responsible Director: Director Corporate Support
Responsible Officer: Manager Governance and Customer Service
Original Document: DOC/16/34847

1. Purpose

The purpose of this report is to request Council appoint the membership of the special committee of Council, Campbells Creek Community Centre.

2. Background

This Committee was established by Council to exercise functions and powers and perform duties in relation to the management of Council facilities, being a community hall.

The Committee held its Annual General Meeting in November 2015, and did not accurately record in the minutes all of the members nominated.

The purpose of this report is to enable Council to exercise its power to appoint members to the Committee to correct the error.

3. Policy and Statutory Implications

Special committees of Council are formed under Section 86 of the Local Government Act 1989 (the Act). The purpose of this committee is to control and manage a Council facility and to act as a planning, promotion and co-ordinating body for the facility.

Committee powers and administration are governed by an Instrument of Delegation from Council.

Council is the only party able to appoint members to these committees. Appointment provides the basis of appropriate governance arrangements for the Committees in accordance with the Act.

All Instruments of Delegation allow for the Chief Executive Officer and his/her nominee, and the Ward Councillor to attend any meeting as ex-officio members of the Committees.

4. Issues

Campbells Creek Community Centre held their Annual General Meeting in November 2015. A Council officer and Councillor Machin were present at the Meeting. The nominations to the Committee at the Meeting were not correctly minuted. This error was noted by officers on receipt of the Minutes and the Committee was advised that they required correction.

There have been numerous attempts over the past eight months to have the Committee correct their Minutes to enable the members nominated at the Meeting to be appointed by Council. This advice has included officers supplying the text for
the Committee to include in their Minutes. None of these efforts have been successful.

The Committee is currently acting outside its Instrument of Delegation by enabling individuals not appointed as committee members to undertake functions only delegated to members of the Committee.

Council has the power to directly appoint and revoke appointments to special committees of Council and can exercise this power at any time, as provided under Section 86 of the Local Government Act 1989.

5. Financial and Resource Implications

Nil.

6. Consultation

As noted in this report, Council officers have been in regular contact with the Committee office bearers and with Councillors in relation to the incorrect nominations minuted by the Committee.

7. Conclusion

The Committee held its Annual General Meeting in November 2015, and did not accurately record in the minutes all of the members nominated. The purpose of this report is to enable Council to exercise its power to appoint members to the Committee to correct the error.

As set out in the Committee’s Instruments of Delegation, Council appointment of membership is required. The proposed appointments are consistent with the Committee’s Instruments of Delegation. Only Council can make these appointments.

RECOMMENDATION

That Council

1. Appoint Glen Sutherland, Kristie Laidler and Brooke Davidge to the Campbells Creek Community Centre committee of management for the term ending 22 November 2016; and

2. Write to the Committee advising them of the appointments and the requirement for their Minutes to accurately reflect the business undertaken at the Annual General Meeting.

MOVED COUNCILLOR COLE

As per the recommendation.

SECONDED COUNCILLOR BELL

CARRIED.
BET 13  LOCAL RECREATION RESERVES STRATEGY

Responsible Director: Manager, Sustainable Development
Responsible Officer: Manager Community Places and Spaces
Original Document: DOC/16/34346

1. Purpose

The purpose of this briefing paper is to seek Council’s endorsement of the Mount Alexander Shire Council Local Recreation Reserves Strategy following a period of consultation with the community.

Refer to:

Separate Attachment BET 13A: Local Recreation Reserves Strategy 2016 - 2026 [DOC/16/34380]

2. Background

On 15 March 2016, Councillors received a draft Local Recreation Reserves Strategy, developed in conjunction with Council and external consultants, at a Briefing Session.

Councillors requested the draft Strategy go on public exhibition for a two week period. The Strategy was available on Council’s website as well as being emailed to the eight local recreation reserve committees being:

1. Baringup Recreation Reserve (Special Committee of Council)
2. Elphinstone Recreation Reserve (Special Committee of Council)
3. Graces Flat Recreation Reserve (Crown Land managed by Council)
4. Guildford Recreation Reserve (Special Committee of Council)
5. John Powell Reserve (Special Committee of Council)
6. Metcalfe Recreation Reserve (Crown land managed by Council)
7. Muckleford North Recreation Reserve (leased to incorporated community group)
8. Norwood Hill Recreation Reserve (Crown Land managed by Council)
9. Taradale Recreation Reserve (Special Committee of Council)
10. Wattle Flat Reserve (Special Committee of Council)

Feedback from the community consultation has been received and incorporated, where appropriate, into the draft Strategy. This Strategy is now put to Council for consideration.

3. Policy and Statutory Implications

The Council Plan 2013 – 2017 includes the following goals that are consistent with the development of this strategy:

- A vibrant healthy community: We will have a healthy, resilient and involved community. We will develop activities that advance our heritage, sports, culture and the arts.
- Better community facilities: We will maintain and renew our facilities to provide better buildings, roads, footpaths, tracks and trails, parks and gardens, for our community.
- Building sustainable communities: We will demonstrate leadership in sustainability. We will foster the ongoing development of environmentally responsible, liveable communities across the Shire.
The Public Health and Wellbeing Plan 2013 – 2017 outlines priorities in the promotion of health and wellbeing for our community. Of particular relevance to this strategy is the objective to encourage healthy lifestyles and behaviours. The Victorian Population Health Survey 2011 found that 23% of our adult community don’t meet relevant guidelines for physical activity.

The Investing in Sport Strategy 2011 identifies that Council has an important role to play in promoting health and preventing illness to the whole community by providing and maintaining infrastructure like parks and reserves, swimming pools and sports grounds and facilities for organised sport and informal physical activity.

4. Issues

The public exhibition was for an initial two week period and some of the committees requested an additional two weeks for review which was provided, with the consultation period ending 26 April 2016. There was no feedback received from the general community during this time.

Feedback was received from the following reserve committees:
- Baringhup
- Elphinstone
- John Powell (Guildford)
- Muckleford North
- Taradale

Most committees raised specific issues with regard to their reserves, this feedback highlighted the need to develop reserve specific actions plans.

As a result of the findings from both the Strategy development and the committee consultation, Council officers have negotiated with Sports and Recreation Victoria to refocus $30,000 funding initially received for a Hard Surfaces Strategy to instead develop a Recreation Reserve Management and Infrastructure Action Plan.

5. Financial and Resource Implications

Renewal of fixed assets at the reserves is a significant funding challenge in coming years. The Recreation Reserve Management and Infrastructure Action Plan will develop a framework to prioritise capital renewal works at local recreation reserves.

6. Consultation

Over the four week public exhibition period, Council officers emailed a copy of the Draft Local Recreation Reserves Strategy to the seven Committees of Management (for reserves not managed by Council).

Council officers also attended meetings where requested to discuss the draft Strategy and were provided feedback and recommendations. These meetings highlighted the need for additional consultation with individual committees in developing action plans for each reserve.

There was no feedback received by the general public during the four week public exhibition period.
7. Conclusion

Council has developed a Local Recreation Reserves Strategy to guide Council decision making in relation to the resources it allocates to management, renewal and upgrade of its 10 local recreation reserves. This work adds to the work done in 2010 for the seven major recreation reserves.

Key themes emerging from the development of the Strategy include:

- Infrastructure is deteriorating and not fit for purpose;
- Usage is changing in many from formal sport to informal recreation or from multi-sport to single sport;
- There is a desire for Council to take a stronger leadership role in the management and renewal of reserves;
- Some Special Committees of Council have concerns regarding future sustainability and meeting their Instrument of Delegation obligations; and
- There is a need to strengthen consultation with existing committees to develop individual action plans for each reserve.

Recommendations from the Strategy focus on:

- Governance;
- Consolidation;
- Investments and Development; and
- Facility Management.

These recommendations will be progressed as part of the development of a Recreation Reserve Management and Infrastructure Action Plan. This plan will be developed in consultation with the community and Sports and Recreation Victoria.

RECOMMENDATION

That Council adopt the Local Recreation Reserves Strategy.

MOVED COUNCILLOR COLE

That Council adopt the Local Recreation Reserves Strategy ensuring that no rationalisation or prioritisation occurs before demonstrated consultation with the community groups.

SECONDED COUNCILLOR BELL

CARRIED.
1. Purpose

The purpose of this report is to enable Council to make a determination on Planning Permit Application 076/2016 for the use and development of a dwelling and group accommodation and construction of an agricultural building at Lot 1 PS502510D, 18 Harcourt-Sutton Grange Road, Harcourt North. The application has been referred to Council for a decision as there is one outstanding objection and officers are recommending approval.

Refer to:

Attachment ECO 58A: Context and site aerial
Attachment ECO 58B: Final plans submitted with application

2. Background

The application was lodged on 22 April 2016 and seeks approval for the use and development of a dwelling and group accommodation and construction of an agricultural building within the Farming Zone.

The subject site is located approximately 3.6 kilometres to the north-east of the Harcourt town centre, on the southern side of Harcourt-Sutton-Grange Road. The site consists of a single parcel of land with an area of approximately 2.8 hectares.

The site is relatively flat, displaying a very slight fall from the south down to the north. A watercourse traverses the northern section of the site in a west-east direction. The majority of the site is clear of vegetation except for established trees along the waterway. The Coliban rural pipeline is located along the northern boundary of the site. The site contains no buildings.

The surrounding area is predominantly used for horticultural production. A large apple orchard is located to the north over Harcourt-Sutton Grange Road and the adjacent land to the east contains a moderately sized olive grove. Land further to the south beyond a small pocket of grazing land contains more orchards. Residential dwellings are located to the west.

All proposed buildings are located within an area 58 metres from the southern boundary, 47 metres from the eastern boundary and 117 metres from the northern boundary.

The dwelling consists of a single, two bedroom building with centrally located living area and a service area to the west. The dwelling is designed to appear similar to an agricultural building with high pitched gable roof, colourbond cladding and sliding ‘barn’ doors.
The group accommodation is contained within a single building for the purpose of providing worker’s accommodation. The building measures 50 square metres, containing two bedrooms and other amenities. This building is also designed to present as an agricultural building with timber and colourbond cladding.

The agricultural building is a shed measuring 7.5 metres by 10.8 metres, located in proximity to the dwelling and group accommodation building.

The dwelling, group accommodation and agricultural shed are proposed to support a new market garden which is to be established on the site. The dwelling will accommodate the owner of the site while the group accommodation is proposed to accommodate seasonal farm workers.

The application includes a business plan outlining details of the proposed operation including management experience, intended market opportunities, methods of agriculture, 10 year crop rotations schedule and a schedule of works.

3. **Policy and Statutory Implications**

   **State Planning Policy Framework (SPPF) (In Style Report Heading 2)**

   **Clause 11.05-3 Rural productivity**

   The policy objective for rural productivity is to manage land use change and development in rural areas to promote agriculture and rural production. It includes strategies to prevent inappropriately dispersed urban activities in rural areas.

   **Clause 11.05-4 Regional planning strategies and principles**

   The objective of this clause is to develop regions with a strong identity, are prosperous and are environmentally sustainable. Strategies include to provide for the enhancement of environmental health and productivity of rural landscapes.

   **Clause 11.12 Loddon Mallee South regional growth**

   This clause contains specific policy to manage population growth and settlements within the Loddon Mallee South region. Strategies include to support non-urban areas through investment and diversification of their economies, to facilitate productivity in high value agriculture, and to facilitate new opportunities in agriculture that respond to impacts of climate change.

   **Clause 14.01-1 Protection of Agricultural Land**

   This clause aims to protect productive farmland which is of significance in the local or regional context and also protect unplanned loss of agricultural land due to permanent changes in land use.

   **Clause 14.01-2 Sustainable agricultural land use**

   Strategies within this clause aim to encourage sustainable agricultural land use which maintains the long-term sustainable use of resources and develops innovative approaches to sustainable practices.

   **Clause 14.02 Water**

   The primary objective of this clause is to protect and restore the health of catchments and to improve the quality and quantity of water within catchments.
Local Planning Policy Framework (LPPF)

Clause 21.02 Vision and framework plan
This clause contains some of the guiding policy linking the municipal vision, derived from Mount Alexander Shire Council Plan, to the land use and development planning vision for the Shire. This policy identifies the unique and identifiable character of the Shire’s townships and rural environs and the need to manage and sensitively develop the built and natural resources of the Shire in ways which are ecologically sustainable and secure an improved economic future, enhances lifestyle quality and maintains heritage character.

The policy states that cultural identity of Harcourt is derived from the town’s horticultural heritage. The Mount Alexander Strategic Framework Plan supports the productive agricultural use of land generally and specifically supports expansion of the Harcourt horticultural area.

Clause 21.06-1 Protection of agricultural land
Policy within this clause recognises the prominent role that agriculture plays in the Shire. Specifically, Harcourt is identified as one of Victoria’s significant fruit producing regions which also contains manufacturing that adds value to horticultural produce.

The subject site lies within the broader Harcourt area which contains some of the Shire’s highest quality agricultural land. The site is also located within the Harcourt irrigation area, the irrigation pipe running along the northern boundary of the property, which is one of two major areas within the Shire where significant quantities of water are available to improve agricultural potential of land.

Strategies to implement the objectives of this clause include:

- Promote agriculture and horticulture as the primary land uses in the Shire unless other land uses are strategically justified, and;
- Discourage development of dwellings in areas of moderate agricultural land unless they are directly linked and will benefit an agricultural use.

Clause 21.06-2 Sustainable agricultural land use
This clause recognises the pivotal role that a healthy environment has on the ongoing viability of agriculture. Key issues include the diversification of farming activities, assisting with adaptation to changing macro-economic conditions and climate change, and supporting emerging horticulture activities that are yet to reach industry scale.

Clause 21.06-3 Water
The significance and extent of open potable water supply catchment areas over the Shire are identified in this clause. Objectives aim to improve and maintain catchment health and ultimately water quality within the Shire.

Clause 22.04 Use and development of land in the Farming Zone and Rural Living Zone
Objectives included in this clause aim to ensure that use and development of land for a dwelling is required to support the rural use of land and to ensure dwellings do not adversely impact on agricultural activities on adjacent site.

Clause 22.05 Spray drift
The basis of this policy is to minimise amenity impacts between agricultural uses and sensitive uses, such as dwellings, resulting from drift of chemical spray.

**Zoning**

*Clause 35.07 Farming Zone*

As the land is less than 40 hectares, the use of land for a ‘dwelling’ is a section 2 use for which a permit is required under clause 35.07-1. Group accommodation is also a section 2 Use under the Farming Zone.

Building and works associated with a section 2 use also require a permit under clause 35.07-4 of the farming zone.

The agricultural shed requires a permit given it is within 100 metres of a waterway.

**4. Issues**

*Compliance with the purpose and decision guidelines of the Farming Zone and other state and local policy relating to agricultural production*

The purpose of the Farming Zone includes encouraging retention of employment in rural communities, retaining productive agricultural land and encouraging sustainable land management practices. State and local planning policy supports adaptation and diversification within the agricultural industry.

There is strong policy support which aims to ensure agricultural land is used for productive purposes and to ensure that the agricultural use of land is not jeopardised by inappropriate development. Generally speaking, the use of land for a dwelling which is not required to support an agricultural use of the land is inappropriate as this removes land from agricultural production.

The application has included a detailed management plan including business objectives, capital improvement schedules, labour inputs and ongoing management regimes. The operation also aims to achieve third party organic certification.

The proposed agricultural use provides a more intensive and efficient use of land, capitalising on the existing infrastructure and productive quality of the Harcourt irrigation area.

Overall, the proposed agricultural use, though not requiring planning permission, achieves a high level of compliance with planning policy at multiple levels and also demonstrates consistency with Mount Alexander Shire’s Council Plan and vision for the municipality.

The primary consideration, therefore, is whether a dwelling and group accommodation is required for the establishment and ongoing operation of the agricultural use and whether the accommodation will adversely affect the operation of adjoining agricultural uses.

The proposal includes a highly intensive agricultural use of the land. The horticultural production includes both annual and perennial crops, with annual crops being rotated through 10 beds over a 10-year crop rotation cycle. The proposed business operation also includes onsite propagation and packing of harvested produce.
The business plan submitted with the application indicates that after initial soil improvements, soil cultivation will be undertaken primarily by hand. Expected employment requirements have also been outlined in the business plan which indicates that by year 5, two full-time staff, one part-time staff and additional casual staff will be required.

Given the nature of the proposal, in particular the intensive use, it is considered that a dwelling is reasonably required for the initiation and ongoing management of the operation. Additionally, the group accommodation would be conceived as being reasonably required to accommodate seasonal workers of the property on a temporary basis similar to many other horticultural activities.

The second consideration is whether the dwelling and group accommodation will adversely affect the ongoing operation of adjoining agricultural uses or will, in turn, be adversely affected by adjoining agricultural uses. A large scale apple orchard is located to the north over Harcourt-Sutton Grange Road while a small-to-medium scale olive grove is located on the adjacent property to the east.

The proposed accommodation buildings are located centrally on the property, maximising the setback from adjoining properties on all sides and creating some degree of buffer distance.

The proposal is considered to be compatible in both scale and intensity with the adjoining property to the east. The primary activities of harvesting, pruning and understorey maintenance of the adjoining land to the east are not of a scale that would result in considerable amenity impacts to the proposed dwelling.

The location of the proposed accommodation will not impact on the orchard operation over Harcourt-Sutton Grange Road. The proposed dwelling is setback an equal distance from the orchard as dwellings on adjacent properties. The application was also advertised to the owner of the orchard who did not object to the application.

Use and development of the site for a dwelling and group accommodation is appropriate given the nature and intensity of the agricultural use and will support a more efficient and productive use of the site. The proposed use is also compatible with surrounding land uses and will not impact the ongoing operation of adjacent uses.

Protection of water quality

Protection and maintenance of water quality is a major policy consideration in the Mount Alexander Planning Scheme. Potential impact on water quality is a consideration, particularly as the site is in an unsewered area.

A land capability assessment (LCA) was submitted with the application which identified both limiting and mitigating factors for the site in relation to wastewater disposal. The LCA demonstrated how wastewater could be contained and treated on-site.

The application was referred to Council’s Environmental Health Unit, and it did not object to the permit and indicated wastewater could be treated on-site with an appropriate wastewater system.

No vegetation is proposed to be removed as part of the application.

Spray drift
Control of spray drift is legislated under the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992*. While the responsibility for controlling chemical spray is on the user, local planning policy recognises the potential risk of spray drift occurring and the importance of minimising risk for sensitive uses.

After good agricultural practice in applying chemical sprays, the introduction of buffer zones and vegetation barriers are methods for reducing potential impacts of spray drift.

The proposed dwelling is located within 200 metres of the orchard to the north. Policy within the planning scheme recommends a minimum separation distance of 300 metres between dwellings and agricultural land implementing spraying regimes unless environmental and topographical features warrant a reduction in this distance.

Existing established native trees to the north of the property provide some barrier to spray drift. However, this vegetation does not necessarily meet planting guidelines for effective vegetation barriers in filtering spray droplets.

Given the reduced setback distance proposed and also the proponent’s indication of applying for organic certification, an additional vegetation barrier should be introduced along the northern property boundary. This would further reduce the risk of spray drift affecting both the dwelling and crops.

**Farm Management Plan**

A detailed farm management plan has been provided, detailing the gradual development of the market garden farming activity to full production over a five year period. This plan details seasonal changes in crops, proposed staff numbers, the use of irrigation, soil rotation, intention to gain organic certification, and other details and works associated with the farming activity.

For applications for dwellings in the Farm Zone on lots less than 40 hectares Council often requires compliance with Farm Management Plans to be ensured with a section 173 agreement.

In this case, such an agreement is not considered necessary as the applicant has already provided a very detailed farm management plan which is considered satisfactory, and as this is a use permit compliance with the farm plan can be ensured with permit conditions which require the applicant to carry out the activity outlined in the farm plan for as long as the use of the land for a dwelling continues.

**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 not withdrawn. The objector did not want to meet with the applicant or be involved in a mediation session.

The objector’s concerns are summarised below with a comment from the assessing officer.

*The size of the site is insufficient to provide for screening and noise abatement to the agricultural use for the adjacent dwelling, work areas and vehicle access.*

The proposed agricultural use and any activities are not part of this assessment and are ‘as or right’ in the Farming Zone. Consideration of the agricultural activity...
proposed for the land is only applicable to whether the accommodation is reasonably required to support it. This application is for the use and development of a dwelling, group accommodation and development of an agricultural building due to its setback to waterways.

The horticultural use as a market garden is wholly compatible with the area, particularly given the scale and intensity of existing activities on surrounding properties.

There is insufficient area on the site to provide for car parking requirements of the proposed use.

Clause 52.06 and 52.07 of the planning scheme regulates car parking and loading facility requirements for different uses respectively. A permit is only required under clause 52.06 where the rates stipulated in table 1 to clause 52.06-5 are proposed to be reduced, waived or supplied on another site. If the rate of car parking can be supplied on site, no permit is required.

Under clause 52.06, the proposal to construct two two-bedroom dwellings (one being the principal dwelling and the other as the group accommodation building) requires provision of two car parking spaces. These two spaces can easily be accommodated on a property adjacent to the accommodation buildings.

As there is storage proposed on the site, a loading area measuring 7.6 metres by 3.6 metres should also be supplied. There is sufficient room on the property to provide for this loading area and a condition of approval will require an area to be nominated.

There is no requirement to provide visitor car parking. There is ample area on the property which is not taken up by buildings or garden beds which can accommodate occasional additional visitors to the property.

The use will generate additional noise, dust, and traffic from both supplies and staff and public visitations.

As outlined above, the application is for the use and development of the land for the accommodation and for the construction of an agricultural building. The objection relates to the agricultural activities of the land which are not within the ambit of discretion for this application.

However, the proposed use will not result in unreasonable amenity impacts for adjoining neighbours. Service, supply and delivery vehicles to the site would be no more than would be expected to a normal agricultural property and most likely of a smaller scale than those that attend larger operations such as that which exist over Harcourt-Sutton Grange Road.

The group accommodation is to provide for a maximum of two people on an intermittent basis. The level of traffic resulting from the residents of the property, one casual worker and two temporary ‘live in’ workers, would be no more than would be reasonable to any residential or rural property.

Floor plans supplied with the application do not provide sufficient information to understand the proposal.

The original plans supplied with the application did not contain sufficient detail in relation to the workers’ accommodation. Further information was requested from the applicant who subsequently provided more detailed floor plans and elevations.
The amended plans provided sufficient level of information for an assessment to be made. The application was subsequently re-advertised with this information.

It is also understood that the objector had some concerns regarding the main dwelling, specifically whether there was a second storey proposed and why there were few ground floor windows. The applicant has advised that the dwelling is proposed to be built with a tall open roof section as per the elevations, with no second storey and with the windows in the roof providing sunlight to the ground floor.

*Design of the dwelling on the supplied plans appears as a shed and may not be suitable for habitation.*

The appearance of a building has no connection to the use of that building. The current application is for a dwelling and group accommodation therefore the proposed buildings are being assessed as such. The structural integrity and suitability for human habitation are not part of the planning assessment, and would be assessed during the building permit process.

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.

One submission was received.

*External Referrals*

- North Central Catchment Management Authority
  
  No objection. No conditions.

*Internal Referrals*

- Infrastructure Unit
  
  Standard conditions are proposed

- Environmental Health
  
  No objection subject to conditions.

7. **Conclusion**

Council has received a planning permit application for use and development of a dwelling and group accommodation and construction of an agricultural building at Lot 1 PS502251D, 18 Harcourt Sutton-Grange Road, Harcourt North. The site is located within the Farming Zone and is not covered by any overlays.

The buildings would support an intensive agricultural use of the site and the application is supported by a detailed business plan.

The application has received one objection relating to car parking, loading, impact of addition activity on the land and potential detriment to surrounding land uses.
The application has demonstrated that the dwelling and workers accommodation would support the nature and intensity of the agricultural use proposed and will ensure an efficient and productive use of the site.

The proposed use is compatible with surrounding land uses and will not impact the ongoing operation of adjacent uses.

The proposal supports an intensive and productive agricultural use of the land and is consistent with a range of strategies in the planning scheme.

It is recommended that the application be approved subject to conditions.

RECOMMENDATION

That Council issue a Notice of Decision to Grant a Planning Permit for the Use and Development of a Dwelling and Group Accommodation and the Construction of an Agricultural Building at Lot 1 PS502251D, 18 Harcourt-Sutton Grange Road, Harcourt subject to the following conditions:

1 PLANS REQUIRED

1.1 Prior to the commencement of the development approved by this permit, amended plans must be supplied to the responsible authority. The plans must be generally in accordance with those supplied with the application but amended to show:

a) An amended site plan which includes the siting of the group accommodation building.

b) A plan which indicates an area to the north of the site where a vegetation barrier will be planted including the species and number of plants to be planted.

c) A complete set of floor plans and elevations of the group accommodation building drawn to scale including schedule of materials and colours.

d) A loading area nominated to meet the requirements of Clause 52.07 of the planning scheme.

2 NO LAYOUT ALTERATION

2.1 The use and/or development allowed by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

3 USE OF THE LAND

3.1 The farming initiatives stated in the approved Farm Management Plan must be demonstrably commenced prior to the initial occupation of the dwelling, and thereafter carried out on an on-going basis to the satisfaction of the Responsible Authority.

3.2 This permit will lapse if, for a period of greater than six months, the owner of the land can no longer demonstrably show that the land is being actively farmed pursuant to the Farm Management Plan as approved by the Responsible Authority or any subsequently amended farm management plan approved by the Responsible Authority.

3.3 The use of the group accommodation building is limited to two persons at any one time who are not normally resident at the property.
3.4 The building identified as being for group accommodation must only be used for the purpose of providing accommodation for persons away from their normal place of residence and must not be used as permanent accommodation.

4 INFRASTRUCTURE CONDITIONS

4.1 Drainage
The stormwater runoff from future buildings and paved areas must be directed to storage tanks and overflow dissipated as normal unconcentrated overland flow.

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

Vehicle crossovers appropriate to the development and existing site conditions are to be constructed to the levels/requirements of the Council. Council’s minimum standards are:

- 3.5 metres wide
- Appropriately sized reinforced concrete pipes 4.8 metres long centred on the crossover. Minimum size is 375 mm diameter.
- Low profile culvert end-walls to all culvert ends
- 100mm minimum compacted thickness of road base gravel from edge of pavement to property line
- No impeding or redirection of existing surface flows as a result of these works

5 REMOVAL OR TRIMMING OF ROAD RESERVE TREES

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

6 SEDIMENT CONTROL

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

7 CONSENT FOR CONSTRUCTIONS

7.1 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.

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

8 CONSTRUCTION OF A DWELLING

8.1 A certificate of occupancy must only be issued once all the requirements of this permit have been completed to the satisfaction of the relevant authority.
9 ENVIRONMENTAL HEALTH CONDITIONS

9.1 The applicant will be required to install an all-waste on-site waste water system. The system must be an Environment Protection Authority approved system installed, operated and maintained in accordance with the Environment Protection Authority’s current edition of the Code of Practice – Onsite wastewater management and the Australia New Zealand Standard AS/NZS 1547:2012 – On-site wastewater management.

9.2 The applicant shall be required to comply with the recommendation and strategies contained in the Land Capability Assessment prepared by James Maw of Ehpic Assessment dated September 2015.

9.3 Prior to any development the applicant shall apply for a Permit to Install a Septic Tank in accordance with Part IXB of the Environment Protection Act 1970.

10 GOULBURN-MURRAY WATER CONDITIONS

10.1 All wastewater from the proposed dwelling must be treated and disposed of using an EPA approved system, installed operated and maintained in compliance with the current EPA Code of Practice for Onsite Wastewater Management and Certificate of Approval.

10.2 All construction activities must follow sediment control principles outlined in “Construction Techniques for Sediment Pollution Control (EPA 1991).

10.3 The wastewater disposal areas must be kept free of stock, buildings, driveways, and service trenching and must be planted with appropriate vegetation to maximise its performance. Stormwater must be diverted away. A reserve wastewater field of equivalent size to the primary disposal field must be provided for use in the event that the primary field requires resting or has failed.

10.4 Where the following features are present in proximity to the subject land, the wastewater disposal area must be located:

- Above the 1 in 100 year flood level
- At least 60 metres from any dams: and
- At least 20 metres from any bores

11 PERMIT EXPIRY

11.1 The permit for the use and development of the land will expire if one of the following circumstances applies:

- The development is not completed within four years of the date of this permit;
- The use is not commenced within two years after the completion of the development;
- The use is discontinued for a period of two years.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).
MOVED COUNCILLOR COLE
That standing orders be suspended at 8.08 pm.
SECONDED COUNCILLOR MACHIN
CARRIED (8.08 pm).

a. Mr Ben Bowman, applicant

Mr Bowman stated that the application is to develop a productive market garden business. He noted his support of the Council report, including the permit conditions, and advised that the objector was satisfied that the conditions addressed their concerns.

MOVED COUNCILLOR REDDEN
That standing orders be resumed at 8.10 pm.
SECONDED COUNCILLOR BELL
CARRIED (8.10 pm).

MOVED COUNCILLOR CORDY
As per the recommendation.
SECONDED COUNCILLOR BELL
CARRIED.
Councillor Cordy left the Ordinary Meeting of Council at 8.12 pm, due to a declared direct conflict of interest by close association.


Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/16/30704

1. Purpose

The purpose of this report is to enable Council to make a determination on Planning Permit Application 116/2016 for the use and development of a dwelling and ancillary outbuilding at Lot 3 PS646384A Old Calder Highway, Harcourt North. The application has been referred to Council for decision as the subject land is within the Farming Zone.

Refer to:
Attachment ECO 59A: Context and site aerial
Attachment ECO 59B: Final plans submitted with application

2. Background

The application was lodged on 9 June 2016 and seeks approval for use and development of a dwelling and ancillary outbuilding within the Farming Zone.

The subject site comprises a single land parcel located on the Old Calder Highway at Harcourt North. The site is irregular in shape has an area of approximately 4.1 hectares. The site has a frontage to the Old Calder Highway along the northern boundary whilst the southern boundary abuts the Calder Freeway. The property is less than 100 metres wide at its widest. As it abuts the Road Zone Category 1 and/or the Public Acquisition Overlay on all sides it is not possible to meet the preferred building setbacks of 100 metres from these abuttals.

The land was previously part of a much larger agricultural land holding that extended to the south. The acquisition of a portion of the overall property for the construction of the Calder Freeway resulted in the subject land being excised from the main landholding as a balance lot. It is now physically isolated from the surrounding freehold land by the surrounding road network.

The site is covered by Schedule 5 to the Environmental Significance Overlay (ESO2), and schedule 1 of the Design and Development Overlay (DDO). The site is currently vacant with sporadic placement of native trees and some grassland. A minor waterway runs through the southern third of the site. Existing agricultural fencing and access tracks are the only infrastructure on the site.

The proposal is to construct a dwelling and ancillary outbuilding. The dwelling is situated in the centre of the site, setback 20 metres from the eastern and western boundaries, with access via Symes Road through an existing gateway.

The proposed dwelling will contain 4 bedrooms and a study, 2 bathrooms, an open plan kitchen-dining-living area, separate lounge, and a double car garage. The
dwelling will have a floor area of 174.68m². The proposed outbuilding will be 9metres by 12metres with a wall height of 2.7metres. The outbuilding will be located north of the proposed dwelling.

3. **Policy and Statutory Implications**

   **State Planning Policy Framework (SPPF)**

   **Clause 10.4 Integrated decision making**

   This policy aims to ensure that planning and responsible authorities endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

   **Clause 11.05-3 Rural Productivity**

   The policy objective for Rural Productivity is to manage land use change and development in rural areas to promote agriculture and rural production with a focus on non-agricultural uses being appropriately located. It includes strategies to prevent inappropriately dispersed urban activities in rural areas and limit new housing in rural areas, including discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.

   **Clause 13.03-2 Erosion and landslip**

   The objective of this clause is to protect areas prone to erosion, landslip or other land degradation processes.

   **Clause 14.01-1 Protection of agricultural land**

   The objective of this clause is to protect productive farmland which is of strategic significance in the local or regional context.

   **Clause 16.02 Housing form**

   The objective of this clause is to identify land suitable for rural living and rural residential development.

   **Clause 19.03-2 Water Supply, sewerage and drainage**

   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 Vision and framework plan**

   This clause contains guiding policy linking the municipal vision, derived from Mount Alexander Shire Council Plan, to the land use and development planning vision for the Shire. This policy identifies the unique and identifiable character of the Shire’s townships and rural environs and the need to manage and sensitively develop the built and natural resources of the Shire in ways which are ecologically sustainable and secure an improved economic future, enhances lifestyle quality and maintains heritage character.
Strategies include ensuring development is compatible with the Shire’s cultural heritage and landscapes and also supporting the productive agricultural use of rural land.

Clause 21.03-3 Rural Living

This clause identifies rural living as a key element of the Shire’s attraction for many new residents. Within the Shire, the only areas specifically designated for rural living are around Castlemaine. These areas are to the north of Castlemaine (Barkers Creek area), to the west of Castlemaine (towards Muckleford) and to the south of Castlemaine (Ross Drive area).

The prevalence of small lots throughout many areas of the municipality makes a substantial contribution to potential supply of rural living land and poses a significant land management issues and infrastructure provision costs, including road maintenance, waste management and community services.

Strategies to implement this policy include encouraging rural living within existing Rural Living Zone and discouraging rural living development outside of areas zoned Rural Living Zone.

Clause 21.04-3 Rural and landscape character

This policy recognises the importance and appeal to both residents and visitors of the rural appearance and character of the Shire. When deciding on an application for development of land in rural zones, Council should consider, where appropriate, issues such as the effect on views and the natural landscape, setbacks of nearby development and consideration of topographical features in the siting of the development.

Clause 21.06-1 Protection of agricultural land

Policy within this clause recognises the prominent role that agriculture plays in the Shire. Objectives aim to protect land and water resources relied upon by agriculture and to reduce the number of small lots in rural areas.

Clause 21.07-2 Sustainable environments

This clause recognises the higher community expectations that urban development will incorporate sustainable principles and that planning can influence these outcomes by ensuring development is environmentally and site responsive and encourages opportunities to incorporate sustainability measures. This policy also outlines how the type, location and form of housing has a major influence on sustainability outcomes in terms of energy use and other resources.

Clause 21.11 Infrastructure

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

Clause 22.04 Use and development of land in the Farming Zone and Rural Living Zone

The policy basis for this clause builds on other Municipal Strategic Statement objectives of:
• Clause 21.03 to provide for rural living development in identified areas.
• Clause 21.03 to ensure that rural living development is economically sustainable.
• Clause 21.06 to protect the land resources relied upon by agriculture.

Objectives include that use and development of land for a dwelling is required to support the rural use of land, ensure dwellings do not adversely impact on agricultural activities on adjacent site and that a proposed dwelling will not result in the loss or fragmentation of productive agricultural land.

Zoning

Clause 35.07 Farming Zone

Under Clause 35.07-4 a permit is required to construct a dwelling on a site which is less than 40 hectares in size.

Overlay

Clause 42.01 Environmental Significance Overlay Schedule 5 (ESO5)

Under clause 42.01-2 a permit is required to construct a building within the Environmental Significance Overlay Schedule 5.

Clause 43.02 Design and Development Overlay Schedule 1

Under clause 43.02-2 a permit is required to construct a building and carryout works in association to accommodation.

Any buildings and works in this overlay associated with accommodation should include noise attenuation measures to the satisfaction of the responsible authority following consultation with the Roads Corporation

4. Issues

Strategic justification for use and development of the site

There is a range of policy within the planning scheme which aims to protect and enhance productive agricultural land, particularly from the encroachment of incompatible land uses such as dwellings.

Although the site is located in an area of land with good soil quality, the site is uniquely physically isolated.

The proposal seeks to utilise and manage the redundant parcel of land, created by the implementation of the Calder Freeway. The site is less than 100 metres wide and the potential for agricultural use is very limited. The area is clearly demarcated by the physical boundaries of the road and freeway infrastructure on all boundaries. The site does not have the capability to function as a significant agricultural endeavour and cannot be consolidated into large scale adjoining properties due to its physical isolation.

Given the specific context of the subject site and its isolation from the surrounding farming lots, the proposal will not result in loss or fragmentation of productive agricultural land. There is no proposed vegetation removal, or any indication of land degradation from the development proposal.
The 4.1 hectare site can accommodate the dwelling, associated effluent envelopes, and all other necessary services, while the site’s potential agricultural use is limited. The proposed dwelling and ancillary outbuilding would be located in the centre portion of the lot, leaving the rest of the site vacant and available for small scale agricultural use. The proposal is not anticipated to have any noticeable impact on the existing agricultural use of surrounding properties.

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 facing. No objections have been received.

*External Referrals*

- VicRoads
  - No objection subject to conditions

*Internal Referrals*

- Environmental Health Unit
  - No objection subject to conditions

7. **Conclusion**

Council has received an application for the use and development of a dwelling and outbuilding at lot 3 PS646384A, Old Calder Highway, Harcourt North. The site is located within the Farming Zone and is covered by schedule 5 to the Environmental Significance Overlay.

The site is appropriately placed for the use and development of a dwelling and is considered to be consistent with orderly planning of the area.

The proposal has been assessed as being generally in accordance with relevant provisions of the planning scheme.

It is recommended that Council Grant a Permit subject to conditions.

**RECOMMENDATION**

That Council Grant a Planning Permit for the use and development of a dwelling and outbuilding (shed) at lot 3 PS646384A, Old Calder Highway, Harcourt North subject to the following conditions:

1. **LAYOUT NOT ALTERED**

1.1. The use and /or development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

2. **VICROADS CONDITIONS**

2.1. Direct vehicular access to the subject land from the Calder Freeway will not be permitted.
2.2. Prior to the commencement of any site-works on this development the following have to be completed:
   - An Acoustic Report prepared to VicRoads’ written satisfaction, by a suitably qualified acoustic engineer which, without limiting its generality, describes the manner in which noise attenuation measures required to comply with a noise level of 63 dB (A) L10 (18 hour) or less, as measured 1 metre out from the façade of any dwelling proposed within the subject land up to a period of at least 10 years of operation of the Calder Freeway.

2.3. Any identified noise attenuation measures by the above report must be designed and programmed for installation to the written satisfaction and at no cost to VicRoads.

2.4. VicRoads accepts no liability for any claims of sound interference from the adjacent Calder Freeway.

3. ENVIRONMENTAL HEALTH

3.1. The applicant will be required to install an all-waste on-site waste water system. The system must be an Environment Protection Authority approved system installed, operated and maintained in accordance with the Environment Protection Authority’s current edition of the Code of Practice – Onsite wastewater management and the Australia New Zealand Standard AS/NZS 1547:2012 – On-site wastewater management.

3.2. The applicant shall be required to comply with the recommendations and strategies contained in the Land Capability Assessment prepared by Larry White of Paladin White Pty Ltd dated April 2016.

3.3. Prior to any development the applicant shall apply for a Permit to Install a Septic Tank in accordance with Part IXB of the Environment Protection Act 1970.

4. DRAINAGE WORKS

4.1. Effluent or polluted drainage must not be allowed to discharge beyond the boundaries of the subject land or directly or indirectly into any watercourse at any time.

4.2. The stormwater runoff from future buildings and paved areas must be directed to storage tanks / reuse dams and any overflow dissipated as normal concentrated overland flow.

5. SEDIMENT CONTROL

5.1. The developer/applicant must restrict sediment discharges from any construction sites within the subject land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.

6. VEHICLE CROSSOVER

6.1. Vehicle crossovers appropriate to the development and existing site conditions are to be constructed to the levels/requirements of the Council’s Infrastructure Unit and be to the satisfaction of the Responsible Authority. Council’s minimum standards are: -
   - 3.5 metres wide
• Appropriately sized reinforced concrete pipes 4.8 metres long centred on the crossover. Minimum size is 375 mm diameter.
• Low profile culvert end-walls to all culvert ends
• 100mm minimum compacted thickness of road base gravel from edge of pavement to property line
• No impeding or redirection of existing surface flows as a result of these works
• Where two crossovers are in close proximity, pipes are to be extended through to create one wide crossover servicing both properties

7. WORKS WITHIN ROAD RESERVE

7.1. Prior to the commencement of any works on the road reserve as permitted by this planning permit (including the provision of any crossover or removal of any native vegetation), the owner/applicant must submit an application and be issued a permit to occupy the road for works.

8. CONSTRUCTION OF A DWELLING

8.1. A certificate of occupancy must only be issued once all the requirements of this permit have been completed to the satisfaction of the relevant authority.

9. USE AND DEVELOPMENT

9.1. The permit for the use and development of the land will expire if one of the following circumstances applies:

a) The development is not completed within two years of the date of this permit;

b) The use is not commenced within two years after the completion of the development;

c) The use is discontinued for a period of two years.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).

PERMIT NOTES:

The discharge of any concentrated drainage onto the Calder Highway road reserve is not permitted unless approved in writing by VicRoads.

MOVED COUNCILLOR MACHIN

As per the recommendation.

SECONDED COUNCILLOR TELORD

CARRIED.

Councillor Cordy returned to the meeting at 8.15 pm.
1. **Purpose**

The purpose of this report is to enable Council to make a determination on Planning Permit Application 96/2016 for the re-subdivision of four (4) lots to create two (2) lots, the development of a dwelling and an ancillary outbuilding (shed) on Lot 1, the use of a temporary dwelling on Lot 1 and the use and development of a dwelling on Lot 2 at CA 21, 24, 21A, Section 9, Parish of Walmer, and Lot 2 LP216617T, 159 White Gum Road, Barkers Creek.

The application has been referred to Council for decision as the subject land is within the farming zone.

Refer to:

Attachment ECO 60A: Context and site aerial
Attachment ECO 60B: Final plans submitted with application

2. **Background**

This application was lodged on 1 June 2016, and seeks approval for the re-subdivision of four lots into two lots, the development of a dwelling and an ancillary outbuilding (shed) and the use of a temporary dwelling on Lot 1 and the use and development of a dwelling on Lot 2 at 159 White Gum Road, Barkers Creek.

The subject site is located approximately 1.1 kilometres west of the Midland Highway and 1.3 kilometres west of the Calder Highway, approximately 4 kilometres southwest of Harcourt and 5 kilometres north of the Castlemaine township.

The site is irregular in shape with an overall area of approximately 51 hectares. It comprises of four allotments being:

- Crown Allotment 21, Section 9 Parish of Walmer measuring 4.2 hectares.
- Crown Allotment 24, Section 9 Parish of Walmer measuring 4.2 hectares.
- Crown Allotment 21A Section 9 Parish of Walmer measuring 32 hectares.
- Lot 2 LP216617T measuring 12.2 hectares.

The land is undulating with patches of native vegetation located mainly within the northern half of the site. The rest of the land is grassland/pasture. A seasonal creek traverses through the centre of the site that flows from the hillslopes into Barkers Creek. This runs into a large dam and three smaller dams on the property. The property is currently used for sheep grazing.

The site is located within the Farming Zone and is covered by the Erosion Management Overlay.
The surrounding area is characterised primarily by rural living allotments, with some land used for agriculture mainly in the form of grazing, and some heavily forested land.

The site is on the edge of a large area of Rural Living Zone land containing small allotments mostly with existing dwellings to the south which extends towards Barkers Creek. Surrounding land to the north is in the Farming Zone and comprises a mixture of open pasture, scattered dwellings, and heavily forested land.

The application proposes to create two lots from the existing four being:

- Lot 1 measuring 47.96 hectares, comprising of CA21A, CA 24, Lot 2 LP 216617T and a small part of CA 21.
  
  Lot 1 would be developed with a dwelling and an ancillary outbuilding in the form of a shed. As the land is to be more than 40 hectares in area, the only permit trigger for this development is the EMO.

  The dwelling is a four bedroom, single story building constructed of Colorbond wall cladding and iron roof. The dwelling is to be setback approximately 150 metres from White Gum Road. The Colorbond shed is to be located approximately 10-15 metres to the southwest of the dwelling and is to have a total floor area of 414.12 square metres. As part of the application, the temporary use of this shed as a dwelling is proposed while the dwelling is being constructed. This is to utilise approximately a third of the overall floor area of the shed and is to contain two bedrooms, a study, one bathroom and an open plan kitchen/dining/lounge area.

- Lot 2 measuring 3.7 hectares, comprising of the remainder of CA 21.
  
  The application proposes use and development of a dwelling on Lot 2. As the land area of Lot 2 would be 3.7 hectares (less than 40 hectares in area), the Farming Zone triggers a permit for a use and development of the dwelling.

  The Erosion Management Overlay (EMO) is also a permit trigger for the development.

  The dwelling on Lot 2 is a three bedroom, single story building constructed of vertical timber wall cladding and iron roof. The dwelling is proposed to be setback 57 metres from White Gum Road.

3. **Policy and Statutory Implications**

   **State Planning Policy Framework (SPPF)**

   **Clause 10.4 Integrated decision making**

   This policy aims to ensure that planning and responsible authorities endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

   **Clause 11.05-3 Rural Productivity**

   The policy objective for Rural Productivity is to manage land use change and development in rural areas to promote agriculture and rural production with a focus on non-agricultural uses being appropriately located. It includes strategies to prevent inappropriately dispersed urban activities in rural areas and limit new
housing in rural areas, including discouraging development of isolated small lots in the rural zones from use for single dwellings, rural living or other incompatible uses.

Clause 13.03-2 Erosion and landslip
The objective of this clause is to protect areas prone to erosion, landslip or other land degradation processes.

Clause 14.01-1 Protection of agricultural land
The objective of this clause is to protect productive farmland which is of strategic significance in the local or regional context.

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

Clause 14.02-2 Water quality
The objective of this clause is to assist the protection and, where possible, restoration of catchments, waterways, water bodies, groundwater, and the marine environment.

Clause 16.02 Housing form
The objective of this clause is to identify land suitable for rural living and rural residential development.

Clause 19.03-2 Water Supply, sewerage and drainage
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 Vision and framework plan
This clause contains guiding policy linking the municipal vision, derived from Mount Alexander Shire Council Plan, to the land use and development planning vision for the Shire. This policy identifies the unique and identifiable character of the Shire's townships and rural environs and the need to manage and sensitively develop the built and natural resources of the Shire in ways which are ecologically sustainable and secure an improved economic future, enhances lifestyle quality and maintains heritage character.

Strategies include ensuring development is compatible with the Shire’s cultural heritage and landscapes and also supporting the productive agricultural use of rural land.

Clause 21.03-3 Rural Living
This clause identifies rural living as a key element of the Shire's attraction for many new residents. Within the Shire, the only areas specifically designated for rural living are around Castlemaine. These areas are to the north of Castlemaine (Barkers Creek area), to the west of Castlemaine (towards Muckleford) and to the south of Castlemaine (Ross Drive area).
The prevalence of small lots throughout many areas of the municipality makes a substantial contribution to potential supply of rural living land and poses a significant land management issues and infrastructure provision costs, including road maintenance, waste management and community services.

Strategies to implement this policy include encouraging rural living within existing Rural Living Zone and discouraging rural living development outside of areas zoned Rural Living Zone.

Clause 21.04-3 Rural and landscape character
This policy recognises the importance and appeal to both residents and visitors of the rural appearance and character of the Shire. When deciding on an application for development of land in rural zones, Council should consider, where appropriate, issues such as the effect on views and the natural landscape, setbacks of nearby development and consideration of topographical features in the siting of the development.

Clause 21.05-3 Soil degradation
This clause recognises that many parts of the Shire are susceptible to erosion due to historic factors (gold mining) and land form. It is therefore necessary that development is restricted in these areas, or be carried out in such a way that reduces the risk of erosion.

Clause 21.06-1 Protection of agricultural land
Policy within this clause recognises the prominent role that agriculture plays in the Shire. Objectives aim to protect land and water resources relied upon by agriculture and to reduce the number of small lots in rural areas.

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

Clause 21.07-2 Sustainable environments
This clause recognises the higher community expectations that urban development will incorporate sustainable principles and that planning can influence these outcomes by ensuring development is environmentally and site responsive and encourages opportunities to incorporate sustainability measures. This policy also outlines how the type, location and form of housing has a major influence on sustainability outcomes in terms of energy use and other resources.

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

Clause 22.04 Use and development of land in the Farming Zone and Rural Living Zone
The policy basis for this clause builds on other Municipal Strategic Statement objectives of:
Clause 21.03 to provide for rural living development in identified areas.
Clause 21.03 to ensure that rural living development is economically sustainable.
Clause 21.06 to protect the land resources relied upon by agriculture.

Objectives include that use and development of land for a dwelling is required to support the rural use of land, ensure dwellings do not adversely impact on agricultural activities on adjacent site and that a proposed dwelling will not result in the loss or fragmentation of productive agricultural land.

Zoning

_Clause 35.07 Farming Zone (FZ)_

A permit is required to subdivide land within the Farming Zone under Clause 35.07-3. Each lot must be at least 40 hectares. The proposed Lot 2 is less than 40 hectares, however Clause 35.07-3 states that a permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The application meets the second criteria as it proposes to subdivide four existing lots into two lots.

As the proposed Lot 2 is less than 40 hectares, the use of land for a dwelling is a Section 2 Use for which a permit is required under Clause 35.07-1 of the Farming Zone.

Building and works associated with a Section 2 Use also require a permit under Clause 35.07-4 of the Farming Zone.

Overlays

_Clause 44.01 Erosion Management Overlay (EMO)_

A permit is required under the EMO to subdivide land and to construct a building or construct or carry out works. The purpose of this overlay is to protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

4. Issues

_Resubdivision of four lots into two lots_

The subdivision aspect of the application is considered to be generally consistent with the purpose and decision guidelines of the Farming Zone. In the case of Lot 1 for which the proposal includes the consolidation of small lots into larger parcels, this is generally accepted to be an improved outcome. It assists the productivity and economic viability of extensive (broad acre) agricultural activities. Consolidation of smaller rural lots is well supported by the planning scheme.

The submission provided with the application states that the farming enterprise on this lot is to include the grazing of Dorper ewes. At the time the application was
lodged, there were 45 ewes with 50 lambs due in mid-May, and three Alpacas providing protection of the lambs from foxes. Land management activities are also proposed, including the planting of indigenous species to provide soil stabilisation and habitat, as well as weed management.

The re-subdivision also proposes to create a smaller lot (Lot 2) that is to be less than 40 hectares. This is considered acceptable given its location within a predominately rural-residential area and adjoining land being located within the Rural Living Zone. This is discussed in more detail below.

**Use of land in the Farming Zone for a dwelling (Lot 2)**

The application includes the use and development of a small lot within the Farming Zone being the proposed Lot 2. The purpose and objectives of the Farming Zone and other relevant policy with the SPPF and LPPF aim to protect and enhance productive agricultural land. It is generally recognised that the intrusion of dwellings into legitimate, broad acre or intensive agricultural areas can limit the ongoing operation of existing activities.

While the subject site is located within the Farming Zone, the context of existing land use and development in the area is predominantly rural-residential in nature. The majority of lots within the area are relatively small and many contain existing dwellings in proximity to one another. A large area of land located to the south of the proposed Lot 2 is within the Rural Living Zone, and most of the surrounding area has largely lost its potential to be used as productive agricultural land or to support any significant commercial scale activity. The larger Lot 1 will also provide a suitable agricultural land buffer between Lot 2 and any larger Farming Zone lots to the north.

For these reasons use and development of the land for a dwelling on Lot 2 is an acceptable outcome which will not prejudice the ability of the land and surrounding land to be used for agricultural purposes.

**The temporary use of a shed as a dwelling (Lot 1)**

The applicant has advised that the proposed use of the shed as a dwelling is to be on a temporary basis while the dwelling is constructed. The construction of the shed is estimated to take approximately 12 weeks and will be required for a period of at least 18 months while the construction of the dwelling takes place.

Permit conditions would restrict the use of the shed as a dwelling for a period of up to two years after the permit is issued. The temporary dwelling would then need to be decommissioned by removing the kitchen facilities. This allows sufficient time for the dwelling to be constructed and will eliminate any potential for the shed to be used as a second dwelling on the land.

**Erosion Management Overlay**

A Land Capability Assessment (LCA) report was submitted with the application that addresses how wastewater should be managed on site through a wastewater treatment system. This involved assessing the site’s features and concluded that there is no evidence of sheet or rill erosion and no evidence of landslip. Subsequently the report found that the erosion hazard and landslip potential is low.

No vegetation is proposed to be removed as part of the application. A weed eradication and management program is proposed along either side of the creek corridor that travels through part of the proposed Lot 1. This is to involve
revegetation of local indigenous understorey grasses and tree species, which will help to minimise the potential for erosion.

Protection of water quality
An additional issue to consider is the potential impact on water quality as a result of the development.

As discussed, a LCA was submitted with the application that identified both limiting and mitigating factors for the proposed Lot 1 and Lot 2 in relation to wastewater disposal. The LCA demonstrated how wastewater could be contained and treated on both proposed lots.

The application was referred to Council’s Environmental Health Unit and Goulburn Murray Water, the relevant water supply authority for the special water supply catchment area being the Cairn Curran catchment.

Both the Environmental Health Unit and Goulburn Murray Water did not object to the permit and indicated wastewater could be treated on-site with appropriate wastewater systems; adequately mitigating any potential impacts on water quality.

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.

No objections have been received.

External Referrals
- Goulburn Murray Water
  No objection subject to conditions

Internal Referrals
- Infrastructure Unit
  No objection subject to conditions
- Environmental Health Unit
  No objection subject to conditions

7. Conclusion
Council has received a planning permit application for the resubdivision of four lots into two lots, the use and development a dwelling and an ancillary outbuilding and the use of a temporary dwelling on one lot and the use and development of a dwelling on the other lot at 159 White Gum Road, Barkers Creek. The site is located within the Farming Zone and is covered by the Erosion Management Overlay. No objections have been received.

The purpose of the Farming Zone is to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of the land for agriculture.
The subdivision aspect of the application is considered to be an acceptable outcome as it will allow for the consolidation of small lots into larger holdings. While the resubdivision will also allow for the development of a dwelling on a lot under 40 hectares in size, the use of a dwelling in this location would not undermine agricultural land uses in the immediate area given its predominantly rural residential character.

The application has been assessed as being generally in accordance with relevant planning scheme provisions.

It is recommended that this application be approved subject to conditions.

RECOMMENDATION

That Council Grant a Planning Permit for the resubdivision of four (4) lots to create two (2) lots, the development of a dwelling and an ancillary outbuilding (shed) on Lot 1, the use of a temporary dwelling on Lot 1, and the use and development of a dwelling on Lot 2, at CA21,24,21A, Section 9, Parish of Walmer, 159 White Gum Road Barkers Creek, subject to the following conditions:

1. AMENDED PLANS
   1.1. Prior to the plan of subdivision being certified and the use and/or development commencing, amended plans must be submitted to the responsible authority for endorsement. The amended plans must be generally in accordance with those submitted with the application but amended to show:
      - No driveway, water tanks or other buildings and works located within the government road, unless written evidence is provided to the responsible authority that demonstrates permission has been granted to use this road for such buildings/works by the Department of Environment, Land, Water and Planning.

2. NO LAYOUT ALTERATION
   2.1. The subdivision allowed by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.
   2.2. The use and/or development allowed by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.

3. RE-SUBDIVISION AND CONSOLIDATION OF LAND
   3.1. The development must not commence until the plan of subdivision is certified showing the re-subdivision of four (4) lots into two (2) lots, as per Drawing Number TP02 dated 24/05/2016. This is to include the consolidation of Lot 2 LP216617T, CA21A Section 9 Parish of Walmer, CA24 Section 9 Parish of Walmer and part of CA21 Section 9 Parish of Walmer.

4. INFRASTRUCTURE UNIT CONDITIONS
   4.1. ENGINEERING PLANS
      Prior to commencement of any construction works including building works associated with the subdivision, access and drainage 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.

5. DRAINAGE

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

5.2. 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).

5.3. Cut off drains must be provided in proposed 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.

5.4. The Legal Point of Discharge to the subdivision is to the natural water line running through the property.

5.5. An easement must be created covering the full flow path of the existing natural flow path running through the property, with a sufficient width allowing the water to pass through the property. Any alterations or modifications to this flow path will not be permitted and must not undertake any work which will obstruct or impede the natural flow path.

5.6. The property owner is responsible for maintaining the existing natural flow path running through the property.

6. DRIVEWAYS

6.1. The internal driveway access shall be constructed to appropriate engineering standards approved by council. Council’s minimum standards are:
   - 3.5 metres wide
   - 100mm minimum compacted thickness of road base gravel from edge of pavement to property line.
   - With appropriate cut off table drains and cross culverts matching the capacity of the natural water line running through the road reserve and through the subject land.

7. VEHICLE CROSSOVER

7.1. The vehicle crossover shall be appropriate to the development and existing conditions are to be upgraded to the levels/requirements of Council/ Council’s minimum standards are:
   - 3.5 metres wide
   - With appropriately sized reinforced concrete pipes 4.8metres long centred on the crossover matching the capacity of the open drain/ water line at the property frontage.
- Low profile driveable culvert end-walls to all culvert ends.
- 100mm minimum compacted thickness of road base gravel from edge of pavement to property line.
- No impeding or redirection of existing surface flows as a result of these works.
- New crossover for Lot 2 must be positioned keeping a minimum of 9 metres clearance away from the Hagues road intersection.
- Both proposed crossovers must be positioned away from the bridge culvert located at the property frontage ensuring safe sight lines.

8. PROPOSED EASEMENTS

8.1. 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.

9. INFRASTRUCTURE STATUS

9.1. 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

10. SEDIMENT POLLUTION CONTROL

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

11. CONSENT FOR CONSTRUCTIONS

11.1. 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.

12. STATEMENT OF COMPLIANCE

12.1. 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.

13. OCCUPANCY PERMIT

13.1. A certificate of occupancy must only be issued once all the requirements of this permit have been completed to the satisfaction of the relevant authority.

14. ENVIRONMENTAL HEALTH UNIT CONDITIONS

14.1. GOULBURN The applicant will be required to install an all-waste on-site waste water system. The system must be an Environment Protection Authority approved system installed, operated and maintained in accordance with the Environment Protection Authority’s current edition of the Code of Practice – Onsite wastewater management and the Australia New Zealand Standard AS/NZS 1547:2012 – On-site wastewater management.

14.2. The applicant shall be required to comply with the recommendations and strategies contained in the Land Capability Assessment prepared by Ehpic Assessments, dated 7 April 2016.
14.3. Prior to any development the applicant shall apply for a Permit to Install a Septic Tank in accordance with Part IXB of the Environment Protection Act 1970.

15. MURRAY WATER CONDITIONS
15.1. Any Plan of Subdivision lodged for certification must be referred to Goulburn Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act. Such Plan must show, either by a restriction on the plan of subdivision or by agreement with the responsible authority under Section 173 Agreement of the Planning and Environment Act 1987

a) wastewater disposal envelopes or wastewater disposal exclusion zones that prevent future wastewater disposal areas from being located within:
   - 100 metres of any waterway (or dam on a waterway)
   - 60 metres of any dam
   - 40 metres of any drainage line
   - 20 metres from any bores, and

b) building envelopes or building zones that prevent future buildings from being located within 30 metres of any waterways or on any drainage lines.

c) All construction and ongoing activities must be in accordance with sediment control principles outlined in ‘Construction Techniques for Sediment Pollution Control’ (EPA, 1991).

16. PERMIT EXPIRY
16.1. Subdivision

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.

16.2. Temporary Use

The temporary dwelling on Lot 1 must be decommissioned within two (2) years of the date of this permit, to the satisfaction of the Responsible Authority.

16.3. Use And Development

The permit for the use and development of the land will expire if one of the following circumstances applies:

a) The development is not completed within two years of the date of this permit;

b) The use is not commenced within two years after the completion of the development;

c) The use is discontinued for a period of two years.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards (for a request to extend the time to commence the development) or twelve
months after the permit expires (for a request to extend the time to complete the development).

PERMIT NOTES:

- This permit does not allow for use or access of the adjoining government road/unmade road reserve. Please contact the local Department of Environment, Land, Water and Planning (DELWP) office to apply for an unused road licence.
- The unmade road reserve is currently not formed and is not on the Council asset register. Landowners will be responsible for construction and maintenance and mowing of the road reserve and the new access way and which will be considered as a private driveway (subject to DELWP permission).
- Road reserves can be only used for access purposes. Private assets such as rain water tanks should not be placed on the council road reserves.

MOVED COUNCILLOR MACHIN

That standing orders be suspended at 8.18 pm.

SECONDED COUNCILLOR CORDY

CARRIED (8.18 pm).

a. Mr David Robb, Consultant on behalf of applicant

Mr Robb noted that younger families are moving to the Shire for lifestyle and affordability reasons. The proposal is for the restructure of the property to consolidate lots and will allow them to farm sheep. One lot is to be reduced and is adjacent to rural living lots. Waste water can be managed on both properties. The application meets the planning scheme requirement and Mr Robb therefore requested that a planning permit be issued.

b. Mr Blair McNeil applicant

Mr McNeil said that he and his wife were working towards raising a family in the area due to the excellent lifestyle options and community aspects of the area. He stated that they have improved the property significantly to make it productive for raising sheep. A temporary dwelling will allow the family to live on site while building a family home and that this is important given the age of the children and caring responsibilities.

MOVED COUNCILLOR CORDY

That standing orders be resumed at 8.25 pm.

SECONDED COUNCILLOR MACHIN

CARRIED (8.25 pm).
MOVED COUNCILLOR BELL

As per the recommendation.

SECONDED COUNCILLOR REDDEN

CARRIED.
Attachment ECO 60B

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/16/33153

1. Purpose

The purpose of this report is to enable Council to make a determination on an application for a 49 lot subdivision, use of land for 20 single dwellings on existing lots, and removal of native vegetation at 55 Diamond Gully Road, Campbells Creek, 65 Diamond Gully Road, Campbells Creek, and 70 Diamond Gully Road, McKenzie Hill. The application has been referred to Council as officers are recommending the application be refused.

Refer to:

Attachment ECO 61A: Context and site aerial
Attachment ECO 61B: Final plans submitted with application
Attachment ECO 61C: Zoning map
Attachment ECO 61D: Diamond Gully Structure Plan area subject to application

2. Background

The current application was lodged on 9 June 2016 and seeks to subdivide the land to create 49 lots, use 20 existing lots for single dwellings, and remove native vegetation. The site consists of three properties and multiple lots at 70 Diamond Gully Road, McKenzie Hill, 65 Diamond Gully Road, Muckleford, and 55 Diamond Gully Road, Campbells Creek. The lots range in size from between 980 square metres and 3.234 hectares.

Access to the proposed lots would be via three internal roads with the main access from Diamond Gully Road to the north, Sluicers Road to the east and Ranters Gully Road to the south.

The proposed native vegetation removal includes both the clearing of some unmade road reserves and extensive clearing of areas in the west as part of the subject land. This would enable development of lots with the necessary cleared areas for dwellings, effluent fields, defendable space, driveways, and other works.

The site is located approximately 3 kilometres southwest from the centre of Castlemaine and approximately 1 kilometre west from the existing urban area of Castlemaine. The site is accessed by Diamond Gully Road to the north, Sluicers Road to the east and Ranters Gully Road to the south. The site has an irregular shape, and is comprised of 35 allotments with a total area of approximately 47 hectares.

The site generally falls to the north east adjacent to McKenzie Way. The subject land contains cleared areas and areas remnant native vegetation.
The subject site contains a mixture of Industrial 1 Zone, Rural Living Zone, and Township Zone land and is covered by the Bushfire Management Overlay and Heritage Overlay (HO1082).

The site forms part of its land identified for residential development in the Diamond Gully Structure Plan (DGSP).

3. **Policy and Statutory Implications**

   **State Planning Policy Framework (SPPF)** (In Style Report Heading 2)

   **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 12.01-2 Native vegetation management**

   The objective of this clause is to ensure that permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria’s biodiversity.

   **Clause 13.03-2 Erosion and landslip**

   The objective of this clause is to protect areas prone to erosion, landslip or other land degradation processes.

   **Clause 13.05 Bushfire**

   The objective of this clause is to assist to strengthen community resilience to bushfire.

   **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 15.01-3 Neighbourhood and subdivision design**

   The objective of this clause is to ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable diverse and sustainable neighbourhoods.

   **Clause 16.01-4 Housing diversity**

   The objective of this clause is to provide for a range of housing types to meet increasingly diverse needs.

   **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 21.03 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 22.26 Residential Infrastructure
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

Township Zone
Under this zone, a planning permit is required to subdivide land. An application to subdivide land between 16 - 59 lots must meet all of the objectives and should meet all of the standards of clause 56 of Mount Alexander Planning Scheme.

Rural Living Zone
Under this zone, a planning permit is required to subdivide land. Each lot must be at least 1 hectare in size.

Industrial 1 Zone
A permit is required to subdivide land in this zone.

Overlays

Clause 43.01 Heritage Overlay
The purpose of this clause is to conserve and enhance heritage places of natural or cultural significance and ensure that development does not adversely affect the significance of heritage places.

Under clause 43.01-1 a permit is required to subdivide land.

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 provisions

Clause 52.01 Public Open Space Contribution and Subdivision
A person who proposes to subdivide land must make a contribution to the Council for public open space, being a percentage of the land intended to be used for residential purposes, or a percentage of the site value of such land, or a combination of both. A suitable contribution would be required if a permit were to be issued.
Clause 52.10 Uses with Adverse Amenity Potential

This clause defines those types of uses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood. The clause states that the minimum threshold distance from a landfill is variable dependent on the processes to be used and the materials to be processed or stored.

Clause 52.17 Native Vegetation

The purpose of clause 52.17 requires the consideration of the need to avoid removal of native vegetation where it makes a significant contribution towards the State's biodiversity values and to minimise impacts on Victoria's biodiversity from the removal of native vegetation. The principle of Clause 52.17 is no net loss (previously net gain), as such, offset requirements must be met.

Under this clause, a planning permit is required to remove, destroy or lop native vegetation.

Clause 56 Residential Subdivision

This clause includes a variety of standards which aim to ensure residential subdivision design appropriately provides for policy implementation, liveable and sustainable communities, appropriate lot layouts, suitable urban landscapes, integrated water management, site management and utility provision.

Clause 65 Decision Guidelines

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

4. Issues

Strategic justification

The subject site is located within the area covered by the Diamond Gully Structure Plan (DGSP). The structure plan and Amendment C56 were recently adopted by Council, and are now a seriously entertained document. At its meeting on 23 August 2016 Council resolved to write to the Minister for Planning requesting he use his powers of intervention to amend the Mount Alexander Planning Scheme to rezone the land designated as ‘Residential (Greenfield) – Conventional & Medium Density’ in the adopted Diamond Gully Structure Plan 2016, to General Residential Zone, which includes the subject land.

As Amendment C56 and the structure plan have been adopted decisions on applications within the area should be consistent with the structure plan.

The application was referred to Council’s strategic planning officers, who provided the following advice:

‘The application is based on the existing zoning (Rural Living) and the 1 hectare scheduled minimum lot size requirement for Area C in this zone. It is not based on the proposed zoning (General Residential) and 2 hectare scheduled Rural Living Zone (RLZ) requirement envisaged in Council’s adopted DGSP. The application should not be supported because it is inconsistent with Council’s adopted Structure Plan.’

The following key failings with the proposal were also identified:
1. The application fails to fulfil the development potential for the core residential area within the southern part of the structure plan area. Council has identified a higher use for the land which comprises the core residential area.

2. The proposed subdivision of the land to the west of the core residential area is at a higher density than is proposed for this area in the adopted DGSP. (The proposed lots 58 – 69 inclusive are all around 1 hectare in size, whereas Council has adopted a 2 hectare minimum lot size in this area). This would result in development that does not provide a suitable perimeter buffer of larger lots that was proposed under the structure plan.

3. The proposal to extend a road to service the proposed lots in the western part of the land is contrary to the structure plan, which proposes that future lots in this area will be accessed via the perimeter road provided for in the plan. The road would also be unnecessary if this land was developed at the density proposed in the adopted structure plan.

4. The development of the non-core residential areas at the density proposed will have an unacceptable impact on the vegetation in these areas.

5. The proposal does not achieve the structure plan objective of providing open space along the ephemeral watercourse.

6. The application does not identify an area for public open space, and the former sluicing area is not an acceptable area for public open space if the applicant were to suggest this area as an option.

7. The development of dwellings on Lots 1 to 19 inclusive is premature in the absence of an assessment for the presence of landfill gas, as would be required under the proposed Environmental Significance Overlay (ESO) to be introduced by Amendment C56, a key planning scheme amendment currently in progress.

The current proposal is therefore considered to be completely incompatible with the Diamond Gully Structure Plan, and critically flawed. It completely fails to comply with the strategic direction and objectives outlined by the structure plan.

In addition to failing to comply with the strategic direction of the structure plan, the development of the core residential area at a much lower density of lots would result in far lower developer contributions (which are charged on a per-lot basis) being available. This could result in a significant lack of funding for key works identified in the structure plan such as the upgrading of the Ireland Street intersection, and the provision of bicycle paths, parks, and other infrastructure.

At this stage, many key referral authorities and internal departments have not yet assessed and provided their feedback on the current proposal, including Powercor, Downer Gas, the Country Fire Authority (CFA), Goulburn Murray Water (GMW), and both Council’s infrastructure department and natural environment officer.

While many further issues are likely to arise, it is considered appropriate to refuse the current proposal on the basis of the critical flaws and complete incompatibility with the structure plan. Further effort on a more detailed assessment of a fundamentally flawed proposal would be futile. A fundamentally different proposal that complies with the structure plan is necessary.

Outstanding objections

There are three outstanding objections to the proposal.

Flooding/drainage concerns

Without detailed feedback from Council’s Infrastructure Department it is not possible to comment further on possible drainage issues at this stage. It is noted
that the proposal includes development over the ephemeral waterway which is intended to be a public open space reserve under the structure plan.

As the application is inherently inconsistent with the Diamond Gully Structure Plan detailed drainage assessment from Council’s Infrastructure Department is not necessary for assessment.

**Impacts on flora and fauna**

The proposal has not yet been assessed by Council’s natural environment officer. However, as has been previously outlined, the development of the non-core residential areas currently covered in vegetation at the density proposed will have an unacceptable impact on the vegetation in these areas.

**Provision of services**

If a permit were to be issued, appropriate conditions would require the provision of services to the subdivision, and the cost to provide services such as power, gas, reticulated sewerage and water would be borne by the developer.

**Overload on existing infrastructure**

If a permit were to be issued, the applicant would be required to enter into agreements with service providers and would be directed to improve services should any service authority deem that to be necessary.

**Too much increase in traffic volumes**

The area is nominated for residential development, which will increase traffic volumes.

**Rubbish Tip Issues**

As has been previously outlined, the development of dwellings on Lots 1 to 19 inclusive is premature in the absence of an assessment for the presence of landfill gas, as would be required under the proposed Environmental Significance Overlay (ESO) to be introduced by Amendment C56, a key planning scheme amendment currently in progress.

**Building height of future development should be limited to single storey**

There is no policy support to limit the building height for future development on the subject site in this manner.

**Footpaths and cycling lanes should be constructed**

The development of footpaths and cycling lanes will be assessed when the area is developed for residential purposes. The structure plan envisages these facilities being provided.

**Street lighting should be provided**

If a permit were to be issued, street lighting would be required to be provided to the satisfaction of the responsible authority, where necessary street lighting may be baffled.

**Volcanic Activity Risks**

Council is not aware of any recent volcanic activity, and restrictions on land title relating to notifying purchasers of the possibility of volcanic activity as suggested by one objector are not a normal practice, nor a reasonable requirement.
Need for community open space

The application does not identify an area for public open space. The former sluicing area is not an acceptable area for public open space if the applicant were to suggest this area as an option.

5. Financial and Resource Implications

The direct and indirect costs relating specifically to the reported matter will be addressed here.

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 an A3 sign was also placed on site fronting Diamond Gully Road and Sluicers Road and Ranters Gully Road.

Three objections were received following the notice period.

Applicant – objector correspondence

No applicant-objector meeting was undertaken as the application is not going to be supported by officers and is contrary to Council’s adopted amendment and Diamond Gully Structure Plan.

Referrals

External Referrals

- Downer Utilities Australia Pty Ltd
  No Response
- Coliban Region Water Corporation
  No Objection, Conditions
- Powercor
  No Response
- Goulburn Murray Water
  No Response
- VicRoads (Section 52)
  No Objection, Conditions
- CFA
  No Response
- Environmental Protection Agency
  No Response

Internal Referrals

- Infrastructure Unit
  No Response
- Environmental Health
  No objection, Conditions
- Environment Officer
  No Response
Heritage Advisor
Objection to proposal in its current form

7. Conclusion

Council has received an application for a 49 lot subdivision, use of land for a dwelling, removal of native vegetation at 55 Diamond Gully Road, Campbells Creek, 65 Diamond Gully Road, Campbells Creek, 70 Diamond Gully Road, and McKenzie Hill. The site is located within the Industrial 1 Zone, Rural Living Zone, and Township Zone and is covered by Heritage Overlay (HO182) and Bushfire Management Overlay.

The staged 49 lot subdivision and removal of native vegetation should be refused as it is contrary to the Diamond Gully Structure Plan and Amendment C56, both recently adopted by Council, and now seriously entertained documents.

As Amendment C56 and the Diamond Gully Structure Plan have been adopted decisions on applications within the area should be consistent with the Structure Plan.

The application is based on the existing zoning rather than the General Residential Zone and Rural Living Zone (and scheduled minimum lot size) provided in Council’s adopted structure plan. The application should not be supported because it is inconsistent with the adopted structure plan.

It is therefore recommended the application be refused.

RECOMMENDATION

That Council issue a Refusal to Grant a Planning Permit for a 49 lot subdivision, Use of land for 20 single dwellings on existing lots, and removal of native vegetation at 55 Diamond Gully Road, Campbells Creek, 65 Diamond Gully Road, Campbells Creek, and 70 Diamond Gully Road, McKenzie Hill, on the following grounds:

1. The application is an underdevelopment of the land as it fails to fulfil the development potential for the core residential area within the southern part of the Diamond Gully Structure Plan area;

2. The density proposed for lots 58 – 69 would have a detriment impact on the natural setting of the area and not provide a suitable buffer to the core residential area as identified in the Diamond Gully Structure Plan;

3. The development of the non-core residential areas at the density proposed will have an unacceptable impact on the vegetation in these areas, failing to suitably avoid and minimise vegetation losses in accordance with the requirements of clause 52.17 Native Vegetation, and the purpose and decision guidelines of the Rural Living Zone;

4. The proposal does not achieve the adopted Structure Plan objective of providing open space along the ephemeral watercourse;

5. The application does not identify any suitable area for public open space;

6. The proposal to extend a road to service the proposed lots in the western part of the land is contrary to the Structure Plan, and results in unnecessary road surfaces; and
7. The development of dwellings on Lots 1 to 19 inclusive is premature in the absence of an assessment for the presence of landfill gas, as would be required under the proposed Environmental Significance Overlay (ESO) to be introduced by Amendment C56, a key planning scheme amendment currently in progress.

MOVED COUNCILLOR REDDEN
That standing orders be suspended at 8.29 pm.
SECONDED COUNCILLOR COLE
CARRIED (8.29 pm).

a. Mr Gary McClure, applicant

Mr McClure noted that Diamond Gully structure planning process has taken 8 years and the land still hasn’t been rezoned. The family is frustrated with the decisions of both Council and the State Government and time that it has taken. Given the recent decision of the Minister on Tarran Valley, he has made the application for the development at Diamond Gully on the current zoning as there is a risk that the Minister won’t approve the rezoning. He stated that he wants to get something done on the land, so they can move forward and not base an application on a future promise.

Mr McClure questioned the decision by the Minister on Tarran Valley particularly given the process has taken 14 years and the decision is contrary to the planning panel’s recommendations. Mr McClure stated that the decision is astonishing as the land is not productive farm land. Mr McClure queried if he or Council should write to the Minister.

- Mayor noted that the Minister is the ultimate authority, and therefore the decision has to be implemented by Council’s Planning department. The Mayor further noted that the elected representatives haven’t had an opportunity to discuss options, but Councillors are concerned about the Ministers decision and will be considering a response.
- Councillor Telford noted that she attend the MAV conference last week and spoke to the CEO of the MAV for advice on the matter.

MOVED COUNCILLOR CORDY
That standing orders be resumed at 8.25 pm.
SECONDED COUNCILLOR MACHIN
CARRIED (8.25 pm).
Mr Gary McClure, applicant

Mr McClure noted that the Diamond Gully structure planning process has taken 8 years and the land still hasn’t been rezoned. The family is frustrated with the decisions of both the Council and the State Government during this period. Given the recent decision of the Minister on Tarren Valley, he has made the application for the development at Diamond Gully on the current zoning as there is a risk that the Minister won’t approve the rezoning. He stated that he wants to get something done on the land, so they can move forward and not base an application on a future promise.

Mr McClure questioned the decision by the Minister on Tarren Valley particularly given it has been 14 years and the decision is contrary to the planning panel’s recommendations. Mr McClure stated that the decision is astonishing; the land is not productive farm land. He queried if he or Council should take action or contact the Minister.

The Mayor responded that the Minister is the ultimate authority, and therefore the decision has to be implemented by the planning department. However the elected representatives haven’t had an opportunity to discuss options, but Councillors are concerned about the Ministers decision and will be considering a response.

Councillor Telford noted that she attend the MAV conference last week and spoke to the CEO of the MAV for advice on the Tarren Valley matter.

MOVED COUNCILLOR TELORD

That Council defer the consideration of Planning Permit PA115/2016, being a 49 lot subdivision, use of land for 20 single dwellings on existing lots and removal of native vegetation at 55 Diamond Gully Road, Campbells Creek, 65 Diamond Gully Road, Campbells Creek, and 70 Diamond Gully Road, Mckenzie Hill.

SECONDED COUNCILLOR REDDEN

CARRIED.
Figure 2: Diamond Gully Structure Plan 2016

Heavy Dark Blue Line
Boundaries of Subdivision Area

Beveridge Williams
9.4. BUILDING SUSTAINABLE COMMUNITIES (COM)

COM 57 IN-PRINCIPLE APPROVAL OF ANNUAL FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT FOR 2015-2016

Responsible Director: Director Corporate Support
Responsible Officer: Manager Financial Services
Original Document: DOC/16/34023

1. Purpose

The purpose of this report is to request Council give in-principle approval of the Annual Financial Statements and Performance Statement for the 2015/2016 financial year.

Refer to:
Separate Attachment COM 57A Draft Annual Financial Statements 2015/2016

2. Background

The draft statements were forwarded to Council's auditors, RSD Chartered Accountants (RSD) and the audit was conducted between 15 and 16 August 2016.

The draft statements were reviewed by the Audit and Risk Advisory Committee at its meeting held on 1 September 2016. The Committee recommended that Council give its in principle agreement to adopt the statements for forwarding to the Victorian Auditor General for approval and authorise Councillor Henderson and Councillor Cole, as members of the Audit and Risk Advisory Committee, to sign the financial statements in their final form after any changes recommended or agreed to by the auditors have been made

The ‘in principle’ statements, the Council resolution and the Audit Report will then be forwarded to the Victorian Auditor-General who reviews the Statements.

Any matters of significance, including proposed qualification issues not previously considered by the Council, are reported back to Council prior to the formal sign-off of the statements by the two designated Councillors. When both the Council and VAGO are satisfied with the statements they are signed by the nominated Councillors and forwarded to the Victorian Auditor General’s Office (VAGO) for signing. They are then forwarded to the Minister by 30 September in accordance with the Local Government Act (the Act).

3. Policy and Statutory Implications

Section 132 (2) and 132 (5) of the Local Government Act requires that:

The Council, after passing a resolution giving its approval in principle to the performance statement and financial statements, must submit the statements to the auditor for reporting on the audit.

The Council must ensure that the performance statement and financial statements, in their final form after any changes recommended or agreed by the auditor have been made, are certified in accordance with the regulations by 2 Councillors authorised by the Council for the purposes of this subsection.
4. Issues

Financial Statements

For the year ended 30 June 2016, Council will report a surplus of $171,000, the result for the prior year was a surplus of $1.777 million. The comprehensive result, after accounting for asset revaluations of $75.30 million, is a surplus of $75.47 million (2014/2015 $1.56 million).

The operating result was less than adopted budget by $1.904 million, due mainly to the prepaid Local Government financial assistance grant in the 2014/2015 financial year ($2.176 million). Detailed explanations of variances to budget for income and expenses can be found in note 2(a) of the Financial Statements.

The cash balance at 30 June 2016 was $11.56 million compared with $12.41 million as at 30 June 2015. The cash balance was greater than budget by $1.01 million, mainly due to uncompleted council funded projects ($3.89 million) (see Reserves Note 29). Unrestricted cash (Note 17) shows a positive balance of $794,000.

Performance Statement

The Local Government Performance Reporting Framework is mandatory for reporting by councils as part of the 2015/2016 planning and reporting cycle.

Figure 2. Service performance framework

For each service area there are output measures for appropriateness, quality and cost and one outcome measure. The outcome measures are collated and reported in an Annual Performance Statement which is audited as part of the year-end audit and included in Council’s Annual Report.

There are a further 12 financial performance indicators and 6 sustainable capacity measures which are also audited and included in the Performance Statement. All other service output measures are reported in the Report of Operations in Council’s Annual Report.

5. Financial and Resource Implications

There are no financial and resource implications in relation to this report.
6. Consultation

There are no consultation requirements in relation to the preparation of these statements.

7. Conclusion

The Financial Statements and Performance Statement have been prepared for the 2015/2016 year and have been submitted to the Auditors and were also reviewed by Council’s Audit and Risk Advisory Committee at their meeting on 1 September 2016.

Council must approve the Statements in principle before submitting them to the Auditor General for final approval as required under the Local Government Act. Council must also authorise two Councillors to sign the statements. It is recommended by the Audit and Risk Advisory Committee that Councillor Henderson and Councillor Cole be authorised to sign the Statements.

RECOMMENDATION

That Council:

1. Approve, in principle, the Financial Statements and Performance Statement for 2015/2016; and;

2. Authorise Councillor Henderson and Councillor Cole to certify the Statements in their final form, after any changes recommended or agreed to by the Auditors have been made.

MOVED COUNCILLOR COLE

As per the recommendation.

SECONDED COUNCILLOR TELORD

CARRIED.
1. **Purpose**

To enable Council to set the dates for the Statutory and Ordinary Meetings of Council following the Council election in October 2016.

2. **Background**

Recent changes to the Electoral Regulations have resulted in the results of the 2016 Council election to be declared later than in the past. This has impacted the schedule of Council Meetings set in late 2015 and requires them to be rescheduled.

3. **Policy and Statutory Implications**

**Electoral Regulations**

The Electoral Regulations were amended recently, to allow five business days after the election for postal votes to be received and accepted into the count. Postal votes that are postmarked by 6.00 pm on Friday 21 October will be included in the count, as long as they are received by the Electoral Office by 12.00 pm on Friday 28 October 2016.

This means that counting cannot be completed until after 12.00 pm on Friday 28 October and therefore results cannot be declared until the following week.

Therefore the dates originally scheduled for the Statutory meeting and the first Ordinary meeting of Council will also be delayed by one week.

The gap between the declaration of results and these meetings provides time for Councillors to commence an induction program, which supports them in their decision making role as Council.

**Local Government Act 1989**

The Local Government Act 1989 requires Councils to provide adequate notice of their Meetings. Provision of notice in September for meetings scheduled in November meets the Act requirement.

Council will update its website to reflect the new dates. In addition, it is current practice to advertise future meetings dates in the Council column.

4. **Issues**

The timing for the Statutory Meeting, scheduled for Wednesday 2 November, and the Ordinary Meeting of Council, scheduled for Tuesday 15 November 2016, have been impacted by amendments to the Electoral Regulations. In order to allow time for Councillors to commence induction these meetings are to be scheduled for one week later than what was advertised.
5. **Financial and Resource Implications**

There are no financial implications arising from this matter.

6. **Consultation**

Consultation was undertaken with internal stakeholders and Councillors have been advised.

7. **Conclusion**

That the meetings dates for the scheduled Statutory and Ordinary meetings of Council immediately post the 2016 election be rescheduled for one week later, in light of changes to the Electoral Regulations.

**RECOMMENDATION**

That Council:

1. Amend the scheduling for the post-election Statutory and Ordinary Meetings of Council from 2 and 15 November to 8 and 22 November respectively; and

2. Update the information on Council’s website to reflect the new schedule.

**MOVED COUNCILLOR REDDEN**

As per the recommendation.

**SECONDED COUNCILLOR MACHIN**

CARRIED.
1. **Purpose**

   The purpose of this report is to seek Council approval on the proposed carry forward budget items.

   Refer to:

   - Attachment COM 59A: Updated Detailed Capital Works
   - Attachment COM 59B: Updated Detailed Special and Operating Projects

2. **Background**

   The 2016/2017 Annual Budget was approved at the Ordinary Meeting of Council on 28 June 2016. Each year Council makes adjustments to the adopted Budget for previously approved uncompleted capital works, special projects and grant funded expenditure, including some unspent specific purpose operating grants.

3. **Policy and Statutory Implications**

   Previously approved but uncompleted Capital Works and Special Projects are recommended for budget carry forward, where it is considered that the work is still a priority. In addition, budget adjustments are recommended to take into account unspent grants and recently advised new grants income and the associated expenditure.

   Section 128(1) of the Local Government Act 1989 requires that Council “must prepare a revised budget if circumstances arise which cause a material change in the budget and which affects the financial operations and position of the council”.

   The proposed changes recommended do not require a revised budget to be advertised as they do not have a material impact.

4. **Issues**

   **Capital**

   For the 2015/2016 financial year Capital Works to the value of $8.085 million (2014/2015 - $9.489 million) were completed with uncompleted works of $1.587 million of which $100,000 was included at the time of developing the budget.

   During the 2016/2017 budget process $100,000 for Business System Upgrade works were forecast to not be completed by 30 June 2016 and therefore shown as carry forwards in the Budget. Additional carry-forward works to the value of $1.487 million ($1.796 2014/2015) million are now recommended.

   The proposed carry-forward changes increase the 2016/2017 Capital Works Budget from $7.066 million to $8.553 million. The updated detailed Capital Works report shows the specific projects to be carried forward (Attachment COM 59A).
Operating and Special Projects

In 2015/2016, Council completed Special Projects to the value of $1.092 million against a budget of $1.545 million.

To complete Special Projects $362,926 ($471,098 2014/2015) is recommended for carry forward. It is also recommended that $147,510 is carried forward from the operations budget to complete from grant funds previously received.

The table below is a summary of Special Projects recommended for carry forward by Council Plan goals. Details of all Special Projects are in Attachment COM 59B.

Budget Changes

In addition, budget adjustments are recommended to take into changed to the forecast depreciation (non-cash) for 2016/2017. It is proposed to increase depreciation by $250,000; this difference is due to the timing of works completed during 2015/2016 and result of a recent revaluation of road assets.

5. Financial and Resource Implications

Previously, approved but uncompleted Capital Works, Special Projects and Operating activities are recommended for budget carry forward, where it is considered that the work is still a priority. In addition, Budget adjustments are recommended to take into account unspent grants and recently advised new grants income and the associated expenditure.

To the extent that these projects represent unspent funds, there is no cash impact. Officers are confident that the inclusion of carry-forward projects will not impact on projects and services planned to be delivered in 2016/2017.

6. Consultation

Responsible budget officers, and the Leadership Group have had input into the determination of the carry forward budgets. In some instances this has required seeking formal approval from granting bodies to be permitted to carry forward unspent grant funds.

7. Conclusion

Previously, approved but uncompleted Capital Works and Special Projects are recommended for budget carry forward, where it is considered that the work is still a priority. In addition, Budget adjustments are recommended to take into account unspent grants recently advised grants. The changes recommended do not require a revised budget to be advertised as they do not have a material impact.
RECOMMENDATION

That Council include in the 2016/2017 Budget:

1. $1.487 million of capital works that were incomplete from 2015/2016;

2. $362,926 for special projects and $147,510 from operating budgets that were incomplete from 2015/2016 or relate to grant funding; and

3. An increase to the 2016/2017 Budget of $250,000 depreciation.

MOVED COUNCILLOR COLE

As per the recommendation.

SECONDED COUNCILLOR MACHIN

CARRIED.
### Mount Alexander Shire Council

**Capital Projects**

**Recommended carry-forwards projects into 2016/2017**

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Adapted Budget 2016/2017</th>
<th>Carry Forward Component</th>
<th>Updated Budget 2016/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Total</td>
<td>430,721</td>
<td>1,487,203</td>
<td>1,918,924</td>
</tr>
<tr>
<td>Bill Woodhall Kitchen Construction</td>
<td>0</td>
<td>22,231</td>
<td>22,231</td>
</tr>
<tr>
<td>Business Information System</td>
<td>430,721</td>
<td>220,000</td>
<td>650,721</td>
</tr>
<tr>
<td>Camp Reserve Lighting and Safety Works</td>
<td>0</td>
<td>50,000</td>
<td>50,000</td>
</tr>
<tr>
<td>Campbells Creek Recreational Reserve - Planning</td>
<td>0</td>
<td>9,810</td>
<td>9,810</td>
</tr>
<tr>
<td>Commercial Buildings and Castlemaine Caravan Park Capital Renewal</td>
<td>0</td>
<td>8,262</td>
<td>8,262</td>
</tr>
<tr>
<td>Culvert Replacement - Kyreton Mercaflie Road</td>
<td>0</td>
<td>70,000</td>
<td>70,000</td>
</tr>
<tr>
<td>Drainage Renewal Works - Montgomery St Castlemaine</td>
<td>0</td>
<td>11,940</td>
<td>11,940</td>
</tr>
<tr>
<td>Facilities Essential Services Compliance Installation</td>
<td>0</td>
<td>55,380</td>
<td>60,389</td>
</tr>
<tr>
<td>Gas Extraction Design (Landfill)</td>
<td>0</td>
<td>16,400</td>
<td>16,400</td>
</tr>
<tr>
<td>Wesley Hill Multi Use Pavilion &amp; Netball Court Design</td>
<td>0</td>
<td>91,328</td>
<td>91,328</td>
</tr>
<tr>
<td>Midland-Castlemaine Rail Trail RGF</td>
<td>0</td>
<td>826,816</td>
<td>826,816</td>
</tr>
<tr>
<td>Off Lead Dog Park</td>
<td>0</td>
<td>13,331</td>
<td>13,331</td>
</tr>
<tr>
<td>Pavement Rehabilitation - Designs 2015/2016</td>
<td>0</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td>Property Renewals</td>
<td>0</td>
<td>15,749</td>
<td>15,749</td>
</tr>
<tr>
<td>Solar System Priority Sites</td>
<td>0</td>
<td>39,400</td>
<td>39,400</td>
</tr>
<tr>
<td>Thermal Comfort for Sustainable Community Buildings</td>
<td>0</td>
<td>15,747</td>
<td>15,747</td>
</tr>
</tbody>
</table>
## Attachment COM 59B

Mount Alexander Shire Council  
Special and Operating Projects  
Recommended carry-forwards projects into 2016/2017

<table>
<thead>
<tr>
<th>Account</th>
<th>Carry-forward Amount $</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Total</td>
<td>510,436</td>
<td></td>
</tr>
<tr>
<td>Aged Care services:</td>
<td>73,961</td>
<td>Operating</td>
</tr>
<tr>
<td>Essential Safety Measure (BSM) - Inspection and Maintenance</td>
<td>34,297</td>
<td>Operating</td>
</tr>
<tr>
<td>Restoration Project - Bust of Henry Lawson</td>
<td>7,000</td>
<td>Operating</td>
</tr>
<tr>
<td>Safety Measures - Castlemaine Railway Station</td>
<td>32,252</td>
<td>Operating</td>
</tr>
<tr>
<td><strong>Total Operating Carry Forwards</strong></td>
<td><strong>147,510</strong></td>
<td></td>
</tr>
<tr>
<td>Age Friendly Communities</td>
<td>100,000</td>
<td>Special</td>
</tr>
<tr>
<td>Community Facilities Asset Management Program</td>
<td>50,000</td>
<td>Special</td>
</tr>
<tr>
<td>Community Planning – Local Plan Implementation</td>
<td>7,372</td>
<td>Special</td>
</tr>
<tr>
<td>Domestic Wastewater Management Plan Review</td>
<td>30,000</td>
<td>Special</td>
</tr>
<tr>
<td>Community Based Emergency Management Project</td>
<td>7,108</td>
<td>Special</td>
</tr>
<tr>
<td>Municipal Emergency Resourcing Program 2014-2016</td>
<td>33,628</td>
<td>Special</td>
</tr>
<tr>
<td>HACC Service Development - Peer Support</td>
<td>22,785</td>
<td>Special</td>
</tr>
<tr>
<td>State of the Environment Report</td>
<td>9,000</td>
<td>Special</td>
</tr>
<tr>
<td>Taradale Mineral Springs Master Plan</td>
<td>51,034</td>
<td>Special</td>
</tr>
<tr>
<td>Walk to School Project 2016</td>
<td>10,000</td>
<td>Special</td>
</tr>
<tr>
<td>Waste Management Future Strategy</td>
<td>22,000</td>
<td>Special</td>
</tr>
<tr>
<td>Waterways Restoration (Plant and Animals)</td>
<td>20,000</td>
<td>Special</td>
</tr>
<tr>
<td><strong>Total Special Projects Carry Forwards</strong></td>
<td><strong>362,926</strong></td>
<td></td>
</tr>
</tbody>
</table>
10. **DELEGATES REPORTS**

The Chief Executive Officer tabled a list of meetings attended by the Mayor and himself between 24 August and 12 September 2016 (Attachment 10.A).

### MEETINGS ATTENDED BY CEO AND MAYOR

**24 AUGUST TO 12 SEPTEMBER, 2016**

<table>
<thead>
<tr>
<th>Meeting</th>
<th>CEO</th>
<th>Mayor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening of the Refugee Welcome Zone Forum. Welcome to audience and introduction to the objectives of the forum.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with organisers of Beanie Affair to discuss venue options for their event in 2017.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Winters Flat Primary School assembly with Cr Machin. Presentation of final waste and recycling posters, which were designed by the students.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Castlemaine Goods Shed, Treasurer's announcement of funding to Castlemaine State Festival for development of a Business Case and Design for the building.</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with Treasurer, Tim Pallas and Maree Edwards to discuss Mount Alexander Shire’s key priorities for State Government funding and support.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Official opening of the Taradale Mineral Springs playground with Local Member for Macedon Ranges, Mary-Anne Thomas.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with Manager and Chair of Castlemaine Community House to discuss their business plans and tour the facility.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Introduction to committee members from Business Mount Alexander.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with Kevin Griffin from Deloitte to discuss economic development priorities for Mount Alexander Shire.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Tour of arts and cultural facilities in Mount Alexander Shire, including Lot 19, Newstead Railway Arts Hub, Castlemaine Goods Shed and Castlemaine Art Gallery.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Opening of MASH information evening.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with applicant, Peter Tisdall, to discuss Council’s decision to refuse a permit for the Wild Things festival.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Tour of Taradale Ward.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Rural Australians for Refugees conference and ceremonial handing over of the Welcome Scroll.</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

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Page 1 of 2
<table>
<thead>
<tr>
<th>Meeting</th>
<th>CEO</th>
<th>Mayor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tour of Castlemaine Gaol with the owners, Maree Edwards and Stan Liacos from Regional Development Victoria (RDV), to consider possibilities for redevelopment.</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Chaired AGM of Castlemaine Historic Society to instate new board for coming year.</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Meeting with Mary-Anne Thomas, local member for Macedon Ranges, and community members to discuss possibilities for funding the replacement of Vaughan-Tarutta bridge.</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Rural Councils of Victoria (RCV) forum for CEO’s and Mayors.</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>Municipal Association of Victoria (MAV) annual conference.</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Emergency Management CEO Engagement Forum with Craig Lapsley, Emergency Management Commissioner, and Dr Graeme Emonson, Executive Director of Local Government Victoria (LGV).</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Met with Acting Director City Futures, City of Greater Bendigo, to discuss opportunities to work together on economic, events and tourism initiatives</td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Meeting with Scott Pigdon, North West Manager of the Environmental Protection Authority, to discuss the history of EPA’s involvement with Castlemaine waste management facilities.</td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>
11. NOTICE OF MOTION

11.1. NOTICE OF MOTION 2016/09 - PROVISION OF NBN TO MALDON

MOVED COUNCILLOR TELFORD

That Council write to the Minster for Communications Mitch Fifield, requesting that tendering for the delivery of NBN services to Maldon give careful consideration to the heritage values of the township, so that no adverse impact on streetscapes occurs.

Rationale

NBNCo advised Council on 16 August 2016 of their proposed installation of fibre to the node technology for the delivery of NBN services to Maldon with construction to commence mid-2017. The proposal is to service 883 properties in Maldon which would require approximately 5 "nodes". Given that the nodes are of a size that will impact the streetscapes of the township, Council seeks consideration be given to the heritage significance of Maldon streetscapes. The provision of NBN services should not have an adverse impact on the streetscapes or buildings of the township.

Officer Comment

Council’s Infrastructure team is continuing to work closely with NBN, and its contractor Visionstream, to ensure all works are being completed to Council standards. Asset protection and reinstatement and heritage impacts are important considerations.

MOVED COUNCILLOR TELFORD

As per the recommendation.

SECONDED COUNCILLOR CORDY

CARRIED.

11.2. NOTICE OF MOTION 2016/10 – NAMING OF ELIZABETH STREET, CASTLEMAINE BRIDGE

MOVED COUNCILLOR BELL

That Council write to VicRoads requesting that they consider naming the newly built bridge in Elizabeth St, Castlemaine the Ron Rice bridge.

Rationale

The new bridge in Elizabeth Street, Castlemaine was officially opened on Friday 26 August 2016 by Maree Edwards MP.

The bridge is as yet unnamed. Naming the newly built bridge in Elizabeth Street, Castlemaine after Ron Rice, would be a fitting tribute to a man who was a highly valued member of our community.

Ron Rice was a well-known local identity in our community. Ron was a member of Rotary for well over 40 years and was a major contributor to the Annual Castlemaine
Truck Show which has been going for well over 20 years. Leech Earthmoving have also been a major employer in our Shire.

Ron Rice was the owner of Leech Earthmoving Contracting Pty Ltd. Ron’s business has been based in Elizabeth St for well in excess of 50 years next door to where the new bridge has been built. Leech Earthmoving were engaged for many projects throughout our Shire, including the newly built Elizabeth Street bridge.

**Officer Comment**

The naming of roads and community assets is governed by the Office of Geographic Names (OGN). The OGN provides advice regarding the process for naming in *Guidelines for Geographic Names 2010* (the Guidelines) for those seeking to name or rename features, localities and roads.

The Guidelines are mandatory for naming authorities in Victoria, they require community consultation to take place when considering naming of a feature, locality or road and the process by which that consultation should be undertaken. The Guidelines set out in detail the process for naming a geographic place, which includes the naming of a bridge.

The suggested name of Ron Rice could meet the criteria of the Guidelines, as it is a commemorative name, has connection to the area, is not duplicated by a similarly named bridge, is likely to be approved by family members and does not transgress other requirements in the Guidelines.

VicRoads, as the naming authority, will need to undertake public consultation when considering a name for the bridge

**MOVED COUNCILLOR BELL**

As per the recommendation.

**SECONDED COUNCILLOR COLE**

**CARRIED**

**COUNCILLOR BELL CALLED FOR A DIVISION**

Councillors who voted for the Motion:
- Councillors Bell, Cole, Cordy, Henderson, Redden and Telford.

Councillors who voted against the motion:
- Councillor Machin.

12. **URGENT SPECIAL BUSINESS**

Nil.

13. **MEETING CLOSE**

Meeting closed at 9.09 pm.