MINUTES

OF THE ORDINARY MEETING OF COUNCIL
HELD ON
TUESDAY 15 AUGUST 2017
AT 6.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.
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13. MEETING CLOSE

SEPARATE ATTACHMENTS:

Separate Attachment PEO 04A: Annual Plan 2017/2018
Separate Attachment ECO 27C: Amendment C082 – Request for Authorisation – Proposed FO and LSIO mapping
1. PRESENT

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

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Director Sustainable Development (Jason Taylor) and Principal Governance Officer (Suellen Pepperell).

2. APOLOGIES

Councillor Robin Taylor

3. DECLARATIONS OF INTEREST/CONFLICTS OF INTEREST

Councillor Tony Bell declared a conflicting personal interest in Item ECO 25 as he is friends with the applicant.

4. MINUTES

4.1. ORDINARY MEETING OF COUNCIL – 18 JULY 2017

The unconfirmed minutes of the Ordinary Meeting of the Mount Alexander Shire Council held at 6.30 pm on 18 July 2017 at the Mount Alexander Shire Civic Centre have been circulated to Councillors.

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

RECOMMENDATION

That the Minutes of the Ordinary Meeting of the Mount Alexander Shire Council held on 18 July 2017 be confirmed.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR HENDERSON

CARRIED.
5. **PUBLIC QUESTION TIME**

**MOVED COUNCILLOR NIEMAN**

That standing orders be suspended.

**SECONDED COUNCILLOR BELL**

CARRIED (6.34 pm).


Mr Brien advised that he will be affected by the proposed development as he has a neighbouring property. He stated that he is concerned that the subdivision sets a precedent of continued subdivision on the boundaries of his property. Mr Brien stated he was also concerned that the subdivision will increase the cost of properties in the area, as the type of property lends itself more to rental than to purchase. He noted that he believes the property is not in the centre of town and does not have easy access to town facilities. Mr Brien stated that the development will overlook his property and have a direct view into his home. He noted that he purchased his property because of the Heritage Overlay and this application seems to be at odds with the Overlay.

- The Mayor advised that the matter was planned to be deferred to a future meeting as there is further information about what the proposed development might be on the site.
- Mr Brien sought further information on the reason for the deferral.
- The Director Sustainable Development advised that the applicant formally requested to change their application to a two lot subdivision and development of a dwelling. He noted that due to the lateness of the change, officers have not been able to advise neighbouring properties of the application or to consider the application; therefore it was appropriate to defer the matter.

**MOVED COUNCILLOR NIEMAN**

That standing orders be resumed at 6.39 pm.

**SECONDED COUNCILLOR CORDY**

CARRIED (6.39 pm).

6. **PETITIONS AND JOINT LETTERS**

Nil.

7. **COMMITTEE REPORTS**

Nil.
8. **ASSEMBLIES OF COUNCILLORS**

8.1. **ASSEMBLIES ON 4, 11, 18 AND 25 JULY AND 1 AUGUST 2017.**

**RECOMMENDATION**

That the Records for the Assemblies of Councillors on 4, 11, 18 and 25 July and 1 August 2017 be entered into the record of this meeting (Attachments 8.1, 8.2, 8.3, 8.4, 8.5, 8.6 and 8.7).

MOVED COUNCILLOR NIEMAN

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

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

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4. RECORD OF CONFLICT OF INTEREST 2
5. MEETING CLOSE 2
1. PRESENT

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

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Acting Director Sustainable Development (Ben Grounds), Principal Governance Officer (Suellen Pepperell), Executive Manager Business Performance (Bradley Thomas, Item 5.1), Manager Development Services (Rebecca Stockfeld, Items 5.2, 5.3 and 5.4) and Coordinator Statutory Planning (Louise Johnstone, Items 5.2, 5.3 and 5.4).

2. APOLOGIES

Councillors Tony Cordy and Robin Taylor.

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. Draft Annual Plan 2017/2018</td>
<td>No</td>
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<tr>
<td>5.2. Planning Permit Application 27/9/2016 - Use and Development of a Dwelling and Shed at Newstead Creswick Road, Newstead</td>
<td>No</td>
<td></td>
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<tr>
<td>5.3. Planning Permit Application 207/2016 – Two Lot Subdivision at Lot 2 on 18 Chapel Street, Campbell's Creek</td>
<td>No</td>
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<tr>
<td>5.4. Introduction of a Non-Statutory Fee for Advertising of Planning Permit Applications</td>
<td>No</td>
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<tr>
<td>6.1. Harcourt Mountain Bike Path Harcourt Mountain Bike Path</td>
<td>No</td>
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<tr>
<td>6.2. Diamond Gully Amendment C66</td>
<td>No</td>
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<tr>
<td>6.3. Low Level Crossing in Vaughan Springs</td>
<td>No</td>
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</tbody>
</table>

4. RECORD OF CONFLICT OF INTEREST

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

5. MEETING CLOSE

Meeting closed at 5.35 pm.
ASSEMBLY OF COUNCILLORS RECORD  
TUESDAY 11 JULY 2017  
3.00 PM IN THE  
COUNCIL CHAMBER,  
MOUNT ALEXANDER SHIRE CIVIC CENTRE  
CORNER LYTTLTON AND LLOYD STREETS, CASTLEMAINE.

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5. MEETING CLOSE
1. **PRESENT**

Councillors: Tony Bell, Tony Cordy (left at 4.04 pm), Christine Henderson, Bronwen Machin and John Nieman.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Acting Director Sustainable Development (Ben Grounds), Governance Support Officer (Augustine Sheppard), Manager Healthy Environments (Ben Bowman, Items 5.2 and 5.3), Climate Change Coordinator (Jay Smith, Items 5.2 and 5.3), Manager Development Services (Rebecca Stockfeld, Items 5.4 and ), Coordinator Strategic Planning (Dominique Trickey, Item 5.4), Strategic Planner (Lauren Watt, Item 5.4), Manager Community Partnerships (Gavinor Atkin, Item 5.5), Emergency Management Coordinator (Jason Amos, Item 5.5) and Civic Compliance Coordinator (Wayne O'Toole, Item 5.6).

Visitors:
- **Item 5.1.** Peter Williams, Director, Castlemaine Bowling Club Inc.
  Rod Fletcher, Secretary, Castlemaine Bowling Club Inc.
  Pam Fraser, Assistant Secretary, Castlemaine Bowling Club Inc.
- **Item 5.2.** Mary Blain, Chair, Mount Alexander Sustainability Group.
- **Item 5.6.** Senior Sergeant Pete Carey, Station Commander - Castlemaine Police Station.

2. **APOLOGIES**

Councillor Robin Taylor and Councillor Sharon Telford.

3. **PURPOSE OF THE MEETING**

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

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<th>Time left</th>
<th>Time Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1. Deputation - Castlemaine Bowling Club Inc.</td>
<td>Yes</td>
<td>Councillor Machin</td>
<td>Yes</td>
<td>3.08 pm</td>
<td>3.40 pm</td>
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<tr>
<td>5.2. Deputation - Mount Alexander Sustainability Group</td>
<td>No</td>
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<tr>
<td>5.3. Renewal of MoU with Mount Alexander Sustainability Group</td>
<td>No</td>
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</tr>
<tr>
<td>5.4. Consideration of Panel Report – Planning Scheme Amendment C73 and Planning Permit Application PA072/2013 – Rezoning of Land and Development of a Supermarket – 88 Forest Street, 2 Duke Street, and 2 &amp; 2A Urquhart Street, Castlemaine</td>
<td>No</td>
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<tr>
<td>5.4. Endorsement of the redeveloped Mount Alexander - Municipal Emergency Management Plan</td>
<td>No</td>
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<td>5.5. CCTV in Castlemaine CBD</td>
<td>No</td>
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</tbody>
</table>
4. RECORD OF CONFLICT OF INTEREST

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

- Councillor Machin declared a conflicting personal interest with Item 5.1, as she is a member of the Castlemaine Croquet Club which is affiliated with Castlemaine Bowling Club Inc.

5. MEETING CLOSE

Meeting closed at 6.30 pm.
ASSEMBLY OF COUNCILLORS RECORD
11 JULY 2017
AT 6.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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   Councillors: Tony Bell, Christine Henderson, Bronwen Machin and John Nieman.

   Officers: Chief Executive Officer (Darren Fuzzard).

2. **APOLOGIES**

   Councillors: Robin Taylor, Sharon Telford and Tony Cordy

3. **PURPOSE OF THE MEETING**

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

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<th>Time Returned</th>
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</thead>
<tbody>
<tr>
<td>CEO Leave and Acting Arrangements</td>
<td>No</td>
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<tr>
<td>Rural Living Campaign</td>
<td>No</td>
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<td>Correction to minutes of last Council Meeting</td>
<td>No</td>
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<td>Municipal Strategic Statement</td>
<td>No</td>
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<td>Media Protocols</td>
<td>No</td>
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<td>Castlemaine Truck Route</td>
<td>No</td>
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<td>Works in Langslow Street</td>
<td>No</td>
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<tr>
<td>Use of Monaghan Street by heavy vehicles</td>
<td>No</td>
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<tr>
<td>New Depot</td>
<td>No</td>
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<tr>
<td>Invitation to ‘fear of failure’ session</td>
<td>No</td>
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<tr>
<td>Diamond Gully Planning Scheme Amendments</td>
<td>No</td>
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</tbody>
</table>

4. **RECORD OF CONFLICT OF INTEREST**

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

5. **MEETING CLOSE**

   Meeting closed at 7.45 pm
ASSEMBLY OF COUNCILLORS RECORD  
18 JULY 2017  
AT 5.00 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, Tony Cordy, Christine Henderson, John Nieman and Sharon Telford.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Acting Director Sustainable Development (Ben Grounds) and Principal Governance Officer (Suellen Pepperell).

2. **APOLOGIES**

Councillors Bronwen Machin and Robin Taylor are on leaves of absence.

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 18 July 2017 and to discuss matters of interest which impact the Shire. The matters itemised below reflect those items that were on the Agenda that were discussed by Councillors during the briefing session.

<table>
<thead>
<tr>
<th>Matter Discussed</th>
<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>Reappointment Of Independent Audit And Risk Advisory Committee Member</td>
<td>No</td>
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<tr>
<td>Sale Of Former Church Building - Chewton Community Centre</td>
<td>No</td>
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<tr>
<td>Victory Park Conservation Management Plan</td>
<td>No</td>
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<tr>
<td>Proposal To Dispose Of 10 Steele Street Maldon</td>
<td>No</td>
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<tr>
<td>Planning Permit Application - Mountain Bike Trail At Picnic Gully Road, Harcourt</td>
<td>No</td>
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<tr>
<td>Planning Permit Application 279/2016 - Use And Development Of A Dwelling And Shed At Newstead Creswick Road, Newstead</td>
<td>No</td>
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<tr>
<td>Planning Permit Application 207/2016 – Two Lot Subdivision At Lot 2 On TP003231C, 18 Chapel Street, Campbells Creek</td>
<td>No</td>
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<tr>
<td>Land Management Rate Review</td>
<td>No</td>
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<tr>
<td>Contract Extension M619-2011 Management And Operation Of Outdoor Pools</td>
<td>No</td>
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<tr>
<td>M1312-2017 Awarding Of Contract For Loan Borrowings</td>
<td>No</td>
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<tr>
<td>Councillor Development</td>
<td>No</td>
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<tr>
<td>RSPCA Castlemaine closure</td>
<td>No</td>
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</tbody>
</table>
4. RECORD OF CONFLICT OF INTEREST

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

5. MEETING CLOSE

Meeting closed at 5.55 pm.
# ASSEMBLY OF COUNCILLORS RECORD
## 25 JULY 2017
### AT 3.00 PM IN THE
#### COUNCIL CHAMBER,
##### MOUNT ALEXANDER SHIRE CIVIC CENTRE
###### CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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5. **MEETING CLOSE** 2
1. PRESENT

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

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Director Sustainable Development (Jason Taylor), Principal Governance Officer (Suellen Pepperell), Manager Community Places and Spaces (Ben Grounds, Item 5.1 and 5.2), Team Leader Active Communities (Jacquie Phiddian, Item 5.1) and Property Portfolio Coordinator (Daniel Borton, Item 5.2).

2. APOLOGIES

Councillor Tony Bell and Councillor Robin Taylor.

3. PURPOSE OF THE MEETING

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

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<thead>
<tr>
<th>Matter Discussed</th>
<th>Councillor Conflict?</th>
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<th>Time left</th>
<th>Time Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1. Site Visit to Wesley Hill Recreation Reserve and Discussion of Floodlight Grant Application</td>
<td>No</td>
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<tr>
<td>5.2. Consideration of Submissions to the Disposal of the Chewton Community Centre Church Building</td>
<td>No</td>
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<tr>
<td>6.1. Thank You to Officers</td>
<td>No</td>
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<tr>
<td>6.2. Goldfields Library Corporation Review</td>
<td>No</td>
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<td>6.3. Friends of Lololoe</td>
<td>No</td>
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<td>6.4. CEO and Councillor Only</td>
<td>No</td>
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</tbody>
</table>

4. RECORD OF CONFLICT OF INTEREST

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

5. MEETING CLOSE

Meeting closed at 5.30 pm.
ASSEMBLY OF COUNCILLORS RECORD
25 JULY 2017
AT 5.30 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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1. **PRESENT**

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

Officers: Chief Executive Officer (Darren Fuzzard).

2. **APOLOGIES**

Councillors Tony Bell and Robin Taylor.

3. **PURPOSE OF THE MEETING**

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

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</thead>
<tbody>
<tr>
<td>Castlemaine Art Museum</td>
<td>No</td>
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<tr>
<td>Loddon Campaspe Regional Partnerships</td>
<td>No</td>
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<tr>
<td>Diamond Gully rezoning</td>
<td>No</td>
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<tr>
<td>Phee Broadway Theatre</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refurbishment of Castlemaine Town Hall kitchen</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RSPCA pound</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Royal Theatre</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Process for handling Councillor initiated motions</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lisa Chesters' comments regarding Council sporting facilities</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</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 7.00 pm.
ASSEMBLY OF COUNCILLORS RECORD
1 AUGUST 2017
AT 3.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

TABLE OF CONTENTS
1. PRESENT ........................................ 2
2. APOLOGIES .................................... 2
3. PURPOSE OF THE MEETING ................. 2
4. RECORD OF CONFLICT OF INTEREST ....... 3
5. MEETING CLOSE .................................. 3
1. **PRESENT**

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

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Director Sustainable Development (Jason Taylor), Principal Governance Officer (Suellen Pepperell), Manager Development Services (Rebecca Stockfeld, Items 5.1, 5.2, 5.3, 5.4, 5.5 and 5.6), Coordinator Statutory Planning (Louise Johnstone, Items 5.1, 5.2, 5.3 and 5.4), Strategic Planning Coordinator (Dominique Trickey, Items 5.5 and 5.6), Lauren Watts (Strategic Planner, Items 5.2 and 5.3), Executive Manager Business Performance (Bradley Thomas, Items 5.7 and 5.8), CEO EA (Shannon McMillan, Item 5.1) Manager Health Environments (Ben Bowman, Item 5.1), Executive Manager Organisational Capability (Sarah Noel, Item 5.1), Manager Community Wellbeing (Julie Flynn, Item 5.1), Manager Community Planning (Gaynor Atkin, Item 5.1), Manager Community Places and Spaces (Ben Grounds, Item 5.1) and Manager Economy and Culture (David Leatham, Item 5.1).

Visitors:
Item 5.1 Andrea DiStefano, Co-Owner of Theatre Royal.
Felicity Cripps, Co-Owner of Theatre Royal.
Tim Heath, Co-Owner of Theatre Royal.
Campbell Hynam-Smith, Co-Owner of Theatre Royal.

2. **APOLOGIES**

Councillor Robin Taylor

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. Theatre Royal Deputation</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.2. Planning Permit Application 160/2016 - 2 Lot Subdivision at 76 Bull Street, Castlemaine</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.3. Planning Permit Application 036/2016 - Five Lot Subdivision at Lot 1 on TP602005G, 25 Wilkie Street, Castlemaine</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.4. Planning Permit Application PA230/2016 - Subdivision of Land into Four Lots at 52 Princess Street, Campbells Creek</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.5. Mount Alexander Planning Scheme Amendment C082 Request for Authorisation - Implementation of the Castlemaine, Campbells Creek and Chewton Flood Management Plan</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
<td></td>
</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 6.04 pm.
9. OFFICER REPORTS

9.1. OUR PEOPLE (PEO)

PEO 03 ANNUAL PLAN 2016/2017 – QUARTER 4 PROGRESS REPORT

Responsible Director: Director Corporate and Community Services
Responsible Officer: Executive Manager Business Performance
Original Document: DOC/17/34358

Executive Summary


RECOMMENDATION


MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR BELL

CARRIED.
Context

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

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

The Quarter 4 report provides an update on the status of projects in the Annual Plan 2016/2017 for the period ended 30 June 2017.

Refer to:


Policy and Statutory Implications


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

Issues

Of the 70 projects and programs outlined in the Annual Plan 2016/2017, as at 30 June 2017:

• 50 are completed or ongoing;
• 17 have commenced; and
• 3 are on hold.

Alternate Options

None

Financial and Resource Implications

Projects and initiatives contained in the Annual Plan are fully funded in the Budget 2016/2017. The majority of projects are contained within the Capital Works Program or funded as a one-off initiative. A number of programs are also funded from the Operating Budget.

Consultation

Individual projects within the Annual Plan involve community consultation or consultation with relevant stakeholders.
PEO 04 ADOPTION OF THE ANNUAL PLAN 2017/2018

Responsible Director: Director Corporate and Community Services
Responsible Officer: Executive Manager Business Performance
Original Document: DOC/17/34339

Executive Summary

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


RECOMMENDATION


MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR MACHIN

CARRIED.
Context

The purpose of this report is for Council to adopt the Annual Plan for 2017/2018.

Refer to:


Policy and Statutory Implications

Council adopted a Council Plan for 2017-2021 and Budget 2017/2018 in accordance with the Local Government Act 1989 (the Act). The Council Plan sets out the aspirations of the Council and the strategies and objectives to achieve the Council's vision for the Shire – Mount Alexander: innovative, creative, connected. The Budget allocates resources to the activities and services that Councillors have identified as important to the achievement of Council's vision.

The Annual Plan is prepared each year and progress in delivering projects is reported to Councillors and the community each quarter and in the Annual Report in accordance with the Act. The Plan is structured around the pillars included in the Council Plan:

- Our People.
- Our Place.
- Our Economy.

Issues

The Annual Plan includes 66 projects and actions to be undertaken during the 2017/2018 financial year. Key projects in the plan include:

- Investigate and locate a site for the construction of an off-lead dog park.
- Develop a Gender Equity Action Plan.
- Advocate for the construction of a new hospital in Castlemaine.
- Create an annual Street Tree Planting program.
- Work with project partners to scope the Maldon streetscape conservation project and seek government funding.
- Complete stages 1 and 2 of the Wesley Hill Recreation Reserve.
- Progress the implementation of the Harcourt Growth Plan, including community engagement.
- Facilitate and hold two meetings of the Indigenous Round Table.
- Work with project partners to support the Harcourt Mountain Bike Park development.
- Develop options for the future use of and management of Phee Broadway Theatre.
- Implement a corporate Facebook page.

Alternate Options

Council may choose to amend elements of the Annual Plan, prior to its adoption.

Financial and Resource Implications

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

Consultation

The Annual Plan is based on the workshops, and community consultation undertaken during both the Council Plan 2017-2021 and 2017/2018 budget development.
ENDORSEMENT OF THE NORTHERN VICTORIAN INTEGRATED MUNICIPAL EMERGENCY MANAGEMENT PLAN: MOUNT ALEXANDER

Responsible Director: Director Corporate and Community Services
Responsible Officer: Emergency Management Coordinator
Original Document: DOC/17/32123

Executive Summary

The purpose of this report is to present to Council the new Northern Victorian Integrated Municipal Emergency Management Plan: Mount Alexander for endorsement in accordance with the provisions of the Emergency Management Act 1986.

RECOMMENDATION


MOVED COUNCILLOR NIEMAN

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
Context

Mount Alexander Shire Council undertakes an important role in emergency management, participating in the prevention, response and leading the coordination of relief and recovery at a local level in emergencies within the Shire.

Council is required to prepare and maintain a Municipal Emergency Management Plan (MEMP) under Section 20 of the Emergency Management Act 1986 (the Act). The MEMP is an operational document used by emergency management agencies in the prevention, response, relief and recovery areas. The MEMP is supplemented by risk specific MEMP Sub-Plans such as the Municipal Fire Management Plan.

Every three years an audit is undertaken by an emergency services audit panel led by the State Emergency Service with representation from the Department of Health and Human Services and Victoria Police. Mount Alexander Shire’s MEMP was last audited in September 2014 and is due for audit prior to December 2017.

Since 2013, Council has been part of the Northern Victorian Cluster (NVC) project which aims to improve the efficiency and effectiveness of emergency management within the Mount Alexander, Loddon, Central Goldfields, Campaspe and Bendigo municipalities.

As reported to Council at the Ordinary Meeting held 13 October 2015, one of the key efficiency measures explored was the preparation of an Integrated Municipal Emergency Management Plan (Integrated MEMP) and the Integrated MEMPC to replace the current five participating municipal MEMPs and their MEMPC committees.

The MEMP structure and content has undergone changes in the past 24 months with legislative and agency responsibilities undergoing reform. This includes a number of legislative amendments and new structure and section requirements under the Emergency Management Manual Victoria (EMMV).

This MEMP was developed by the Northern Victorian Integrated Municipal Emergency Management Planning Committee and the Mount Alexander Municipal Emergency Management Planning Committee incorporating emergency management agencies including Council, Victoria Police, State Emergency Service, Department of Environment, Land, Water and Planning, Australian Red Cross, Victorian Council of Churches – Emergency Ministries and other community and emergency management organisations.

An Integrated MEMP allows all five councils to endorse the same plan excluding appendices. The individual appendices reflect localised differences for each individual council.

The final draft of the MEMP was presented to the Mount Alexander MEMPC on 7 June 2017. At this meeting the Committee moved a motion that

- That the Mount Alexander MEMPC Accept all changes as discussed at 7 June 2017 meeting and endorses the new Northern Victorian Integrated Municipal Emergency Management Plan: Mount Alexander Edition
- The MEMPC also recommended Mount Alexander Shire Council endorses the Northern Victorian Integrated Municipal Emergency Management Plan: Mount Alexander Edition in preparation for the upcoming audit
Policy and Statutory Implications

Council Plan

The Council Plan 2017 – 2021 contains a number of strategies in relation to emergency management. These strategies, what we had planned to do and how it has been included in the MEMP or are undertaken as a result of responsibilities listed in the MEMP/Sub Plans and are listed below

<table>
<thead>
<tr>
<th>Strategies</th>
<th>What we plan to do</th>
<th>How we included the strategy in the MEMP (or MEMP Sub Plans)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implement initiatives to change the behaviours and attitudes that contribute to family violence in our community.</td>
<td>1. (not relevant) 2. Incorporate family violence strategies into our emergency management responsibilities.</td>
<td>1. (not relevant) 2. (not relevant) 3. Council undertook a project in 2016 on prevention of violence in emergencies. This resulted in a statement being developed for inclusion into emergency management plans to ensure that this topic is considered during emergencies (see section 6.12.5 in Integrated MEMP). The statement was modified to ensure that it could also be used within the municipalities of Loddon, Central Goldfields, Bendigo and Campaspe. Members of the MEMPC also attended workshops in 2017 on prevention of family violence in emergencies.</td>
</tr>
<tr>
<td>Build the capacity of our community to manage the impact of climate change and changing weather patterns</td>
<td>1. Distribute heat health safety packs to vulnerable members of our community. 2. Maintain vulnerable client registers and undertake monitoring and wellbeing checks during extreme weather periods. 3. Engage with local service providers and the community to build their resilience to, readiness for and recovery from fire.</td>
<td>1. The Mount Alexander Municipal Heatwave Plan which is a Sub Plan to the MEMP was redeveloped in 2016. As part of this project Council also distributed Heat Health Safety Packs to Council’s vulnerable clients and partner agencies that deal with vulnerable clients. 2. A section on vulnerable persons and vulnerable facilities have been included in the MEMP (see section 5.10.3 and 5.10.4). Councils Community Wellbeing team also have a policy on welfare of clients in extreme weather events. 3. Council partners with many</td>
</tr>
<tr>
<td>Strategies</td>
<td>What we plan to do</td>
<td>How we included the strategy in the MEMP (or MEMP Sub Plans)</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Storms, floods and drought.</td>
<td></td>
<td>community organisations, community groups etc. to build resilience around emergency management. Section 3.5 of the MEMP discusses community preparedness at a strategic level.</td>
</tr>
<tr>
<td>Reduce carbon emissions and manage impact of climate change.</td>
<td>1. Plan for Heatwave events</td>
<td>1. Through the Community Emergency Risk Assessment (CERA) process (section 3.6), Heatwave is listed as a risk. This has led to the development of a Municipal Heatwave Sub Plan</td>
</tr>
</tbody>
</table>
| Build community resilience by working together with the community and key stakeholders to prevent, prepare, respond and recover from emergencies and manage risk. | 1. Continue to support and advocate for the ongoing planning and resourcing of Emergency Management.  
2. Acknowledge role of Emergency Management in creating and providing safe places and risk mitigation.  
3. Undertake community awareness and education opportunities on emergency management. | 1. Community Emergency Risk Assessment (CERA) outlines what risks we face in Mount Alexander (see Section 3.6). This in turn leads to risk mitigation activities including development of MEMP Sub Plans, risk reduction works (i.e. roadside vegetation management) or community resilience building activities.  
2. Council and relevant agencies continue to deliver community awareness and education opportunities year round on relevant risks. In recent years this has included animal welfare, blue green algae, fire, flood, heatwave, event emergency management planning. |

**Annual Plan**

The draft Annual Plan for 2017/2018 under the goal of ‘Create resilient communities’ prioritises the development and implementation of the Mount Alexander Municipal Emergency Management Plan. The redevelopment of the MEMP and continued partnership with agencies on municipal, regional and state levels ensures we are meeting this goal.

Also listed under the same goal is development and implementation of the Municipal Fire Education/Engagement Plan in partnership with Mount Alexander Municipal Fire Management Planning Committee. Sections of this plan will assist in the overall achievement of this goal.

**State Government Strategies**

In May 2017 the State Government through Emergency Management Victoria released the Victorian Preparedness Framework. This framework aims to outline core capabilities and critical tasks and sets the foundations for how we prepare, respond to and recover from emergency incidents.
The development of the MEMP incorporates strategies and activities that assist in strengthening the core capabilities and meeting the critical tasks listed in the framework.

**Statutory powers and implications**

The MEMP has been prepared in accordance with Section 20 and Section 21 of the Emergency Management Act 1986, and requires municipalities to prepare and maintain the Municipal Emergency Management Plan (MEMP).

The Plan once endorsed by Council will be presented to SES in accordance with Section 21A of the Emergency Management Act 1986.

**Issues**

**Integrated MEMP**

The development of an integrated MEMP pursuant to the Emergency Management Act 1986 (the Act) – Section 18 used by more than one municipality has not been undertaken before.

Section 19 (1) of the Act states two or more municipal councils may, with the approval of the minister, appoint a principal municipal Council in relation to emergency management. If the principle Council is appointed they take over the responsibility of emergency management for all municipalities that entered into this agreement.

The development of the integrated plan with individual municipal appendices has been produced without the need to enact Section 19 (1) of the Act. This is mostly achieved by the development of individual appendices for each municipality that differentials each plan. All participating Councils retain their emergency management responsibilities, however this will ensure a coordinated approach to emergency management within the five municipalities once implemented.

**MEMP Audit**

In May 2017 SES finalised a review into MEMP audit documents, in consultation with key representatives from partner agencies. From 1 June 2017 all audits undertaken will use the updated audit workbook.

The intention of this review was to update the audit material to ensure consistency with current legislation and guidelines, and to provide better guidance and clarity for councils, stakeholders and auditors on the intent and purpose of each audit question. The audit questions have not changed but the evidence required for some questions has.

The Integrated MEMP was recently audited at Loddon Shire for the first time using this process and although the results are awaiting final sign off by the SES Chief Officer, SES regional staff have advised that it has passed audit.

Mount Alexander Shire Council's Emergency Management Coordinator assisted Loddon Shire Council in preparing their audit evidence utilising the updated workbook. This experience will assist Mount Alexander Shire in preparing for the upcoming September audit.

**Alternate Options**

Council does not endorse the plan against the recommendation of the MEMPC resulting in the failure of 2017 MEMP audit.
Financial and Resource Implications

In 2016, the State Government provided a total of $120,000 in funding through the Department of Environment, Land, Water and Planning to extend the Municipal Emergency Resourcing Program (MERP) until July 2020. These resources enable Council to support the ongoing development and maintenance of emergency management plans and to deliver programs that build both Council and community capacity during emergencies.

Council will continue to work with State Government to secure ongoing resources to support emergency management beyond 2020.

Consultation

Significant consultation over a 24 month period has been undertaken initially in the development of the Integrated Plan and more recently in the development of the Mount Alexander version of the plan. Consultation took place through meetings, written and verbal correspondence from partner organisations.

Mount Alexander Shire Council
Victoria Police (Municipal and Regional)
Country Fire Authority (Municipal and Regional)
Department of Environment, Land, Water and Planning (Municipal and Regional)
Department of Health and Human Services (Municipal and Regional)
Australian Red Cross (Municipal and Regional)
Goulburn Murray Water (Municipal and Regional)
North Central Catchment Management Authority (Regional)
Loddon Shire Council
Central Goldfields Shire Council
Mount Alexander Municipal Emergency Management Planning Committee
Lodden Mallee Regional Emergency Management Planning Committee

Emergency Management Victoria (State and Regional)
State Emergency Service (Municipal, Regional and State)
VicRoads (Municipal and Regional)
Department of Economic Development, Jobs, Transport and Resources (Municipal and Regional)
VicRoads (Municipal and Regional)
Environmental Protection Agency (Regional)
Coliban Water (Municipal and Regional)
Ambulance Victoria (Municipal)
Campaspe Shire Council
City of Greater Bendigo Council
Northern Victorian Integrated Municipal emergency Management Planning Committee
Lodden Mallee Regional Emergency Management Executive Committee
9.2. OUR PLACE (PLA)

PLA 04 MEMORANDUM OF UNDERSTANDING WITH MOUNT ALEXANDER SUSTAINABILITY GROUP

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Healthy Environments
Original Document: DOC/17/32136

Executive Summary

Council and Mount Alexander Sustainability Group (MASG) are aligned in a shared desire to improve the sustainability of communities in Mount Alexander Shire. Both organisations recognise the importance of partnerships and community engagement to achieve lasting sustainability outcomes. The work of MASG is aligned to Council’s strategic sustainability and environment goals including those delineated in the Environment Strategy and Climate Change Action Plan.

Council and MASG have developed a new memorandum of understanding (MoU) for a three year period 1 July 2017 to 30 June 2020.

The new MoU does not diverge in intent or meaning from the previous three year MoU and will support the ongoing and mutually beneficial relationship between Council and MASG.

RECOMMENDATION

That Council authorise the Chief Executive Officer to sign the Memorandum of Understanding between Council and Mount Alexander Sustainability Group 2017-2020.

MOVED COUNCILLOR MACHIN

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.
Context

Council, at its Ordinary Meeting on 11 November 2014, endorsed a memorandum of understanding with MASG to formalise the collaborative relationship between the two organisations until 30 June 2017.

Since then, Council has worked collaboratively with MASG to meet its commitments under the MoU. Council has:

- Promoted MASG programs through existing media channels where appropriate, including the Environment and Sustainability E-news
- Sought advice on climate change projects such as the Waste to Energy Feasibility Study
- Provided the use of Council facilities in-kind for MASG community events which promoted the objectives of Council strategies
- Informed residents of recycling facilities and other resources made available at the MASG office, including through Council’s website and waste and recycling guide
- Provided letters of support for MASG funding applications, including Solar Hubs, Mount Alexander Community Wind, Mount Alexander Sustainable Carbon & Soil Management, the Waste to Energy Feasibility Study, and Zero Net Emissions

Council and MASG have developed a new MoU, for a three year period 1 July 2017 to 30 June 2020. The updated MoU does not diverge in intent or meaning from the original MoU and will support the ongoing and mutually beneficial relationship between MASG and Council.

Refer to:


Policy and Statutory Implications

Relevant policies, strategies and plans

The recently endorsed Council Plan 2017-2021 includes a strategic objective of ‘A clean and green community’. Strategies to achieve this strategic objective include protecting and enhancing the natural environment, reducing carbon emissions and managing the impacts of climate change, and ensuring effective waste management and resource recovery.

In 2015 Council endorsed a new Environment Strategy 2015-2025 outlining a ten year plan to help achieve a vision of Council and the community collaborating to create carbon neutral, low waste communities in healthy and thriving natural ecosystems. Priority area one is to ‘Enable the community to take action’. All three key strategic tasks under this priority area are relevant to Council’s relationship with the Mount Alexander Sustainability Group.

- Continue to provide financial support to community groups, for example through the annual Community Grants Program
- Develop and implement community engagement and behaviour change programs and initiatives
- Develop and implement memoranda of understanding with key community groups
Council’s Climate Change Action Plan 2016-2020 includes a commitment (Action 51) for Council to ‘Renew and develop Memoranda of Understanding between Council and key local climate change action groups.’

**Issues**

The relationship between Council and MASG is productive and valued. MASG was a key partner in the development of the Mount Alexander Shire Council Environment Strategy 2015-2025 and the Mount Alexander Shire Council Climate Change Action Plan 2016-2020. MASG has contributed without hesitation to all requests for collaboration.

The group remains committed to a goal of a carbon neutral shire by 2025. This aligns with Council’s target to be carbon neutral by this time.

Both organisations have interacted in a courteous and respectful manner throughout the life of the 2014-2017 MoU. To ensure transparency, the results of the collaboration will continue to be captured through active monitoring and reporting.

The proposed 2017-2020 MoU will enable the productive and courteous relationship between Council and MASG to continue. It is substantially the same as the previous version, with the addition of new standard clauses that define the limited scope of the in-kind support provided for venue hire.

**Alternate Options**

Council could elect not to enter into the agreement.

**Financial and Resource Implications**

As MASG would be eligible for community rates for venue hire, any in-kind venue support provided to projects is reasonably modest in financial terms. Officer time is the biggest resource implication from the collaboration e.g. interactions related to projects, and media and communications.

Council support for MASG will be recognised as stated in the MoU.

**Consultation**

Consultation has occurred with MASG in the development of the revised MoU. Consultation also occurred with the community as part of the development of the Environment Strategy and the Climate Change Action Plan which state the need for MoU agreements with key local climate change action groups.
MEMORANDUM OF UNDERSTANDING
MOUNT ALEXANDER SUSTAINABILITY GROUP

1. PARTIES
   - Mount Alexander Shire Council (Council)
   - Mount Alexander Sustainability Group Inc. (MASG)

2. TERM OF MEMORANDUM OF UNDERSTANDING
   Start date: 1 July 2017          End date: 30 June 2020

3. PURPOSE
   The purpose of the MOU is to outline:
   - How the two organisations will work collaboratively to progress shared objectives including those that are outlined in Council endorsed strategic plans such as the Environment Strategy and Climate Change Action Plan.
   - How the two organisations will communicate with each other.

4. BACKGROUND
   Council is committed to sustainability. One of the strategic objectives in the Mount Alexander Shire Council Plan 2017-2021 is ‘A clean and green community’, this is underpinned by strategies to protect and enhance the natural environment, reduce carbon emissions and ensure effective waste management and resource recovery.

   MASG is a not-for-profit community organisation with over 200 supporters and members who are local people taking action to combat climate change. MASG’s main focus is reducing carbon emissions through improving energy efficiency and increasing the supply of renewable energy. MASG also has interests in working on sustainability issues related to waste and the built environment.

   Council and MASG are aligned in a shared desire to improve the sustainability of communities in Mount Alexander Shire and both organisations recognise the importance of partnerships and community engagement to achieve lasting sustainability outcomes.

   In 2015 Council endorsed a new Environment Strategy outlining a ten year plan to help achieve a vision of Council and the community collaborating to create carbon neutral, low waste communities in healthy and thriving natural ecosystems.
5. ROLES AND RESPONSIBILITIES

In collaboration:

**Council will:**

- Promote MASG’s major sustainability projects and programs through its media and communication channels where appropriate, for example through Council’s Environment and Sustainability E-newsletter, ensuring that this promotion has been approved by MASG.

- Gain advice on climate change projects from MASG, free of charge, where this information progresses Council objectives as stated in Council strategic and policy documents.

- Provide the use of Council venues for MASG community events which promote the objectives of Council strategies in-kind as agreed with Council noting that this rate does not include extra equipment or services such as staff for set up/pack down or cleaning or the PA system.

- Provide letters of support for funding applications for MASG initiatives where outcomes align with Council priorities and commitments.

**MASG will:**

- Promote Council’s major sustainability projects and programs through its media and communication channels where appropriate and ensuring that this promotion has been approved by Council.

- Gain advice on climate change projects from Council, free of charge, where this information progresses MASG objectives.

- Provide letters of support for funding applications for Council initiatives where outcomes align with MASG priorities and commitments.

- Provide information and expert advice to Council when appropriate and within the means of MASG resources.

- Prior to the beginning of each new financial year, negotiate and agree with Council in writing, the specific use and terms of use of Council facilities for the forthcoming financial year.

- When using Council facilities in-kind, recognise Council for its partnership contribution via the most appropriate means approved by Council, for example by displaying a Council banner at the event and/or through the use of Council’s logo in event advertising.
Together, Council and MASON will:

- Interact in a courteous and respectful manner, appreciating the differences between local government and community organisations for example by understanding and acknowledging the approval process timeframes of Council.
- Maintain regular, informal officer contact to maximise opportunities for collaboration and information sharing.
- Commit to review this MOU before its end date, 30 June 2020.
- Participate in formal partnership meetings every six months to discuss areas for collaboration and to review the operation of the MOU.

6. REPORTING

Each party to this MOU is to report to Councillors annually on the achievements and performance of the MOU.

7. AUTHOURISATION

Mount Alexander Shire Council  
Chief Executive Officer  
Date

Mount Alexander Sustainability Group  
Chair  
Date
Executive Summary

The Chewton Community Centre Church building is currently unusable and is in a poor state of repair. The function once provided to the community by the building is provided by other community facilities in Chewton and Castlemaine.

Council has given public notice of its intention to dispose of the building (following a subdivision) and received eight submissions.

Overall the key issues raised in the submissions included:

- Council has poorly managed the building in the past, causing the large repair bill
- Council should be supporting Chewton by retaining the building and spending the money on it
- Other buildings in Chewton are too small to serve a similar function
- The building should/will be demolished
- Loss of heritage
- The estimated cost for repairs is too high, or too low

It is not foreseeable that Council will be able to fund the estimated $500,000 to $600,000 required to repair the building. Council owns or manages 243 community buildings and many of these provide the same service. In considering the issues raised in the submissions, officers conclude that the most suitable option is to proceed with disposal of the building.

RECOMMENDATION

That Council:

1. Having considered the submissions made under Section 223 of the Local Government Act 1989, resolve to sell the former Wesleyan Church at 201 Main Road Chewton and commence the process of sub-dividing the associated land to enable this sale; and

2. Note the subdivision process is anticipated to take between 9 and 15 months and that a further report regarding the proposed method for sale will be presented to Council following completion of the subdivision.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
Context

At the Ordinary Meeting of Council on 16 May 2017, Council resolved to:

1. Give notice under Section 223 of the Local Government Act that Council intends to sell the Chewton Community Centre Church building at 201 Main Road Chewton.

2. Hear submissions regarding the notice of Council's intention to sell the Chewton Community Centre Church building at 201 Main Road Chewton.

3. Receive a report at a future meeting following further investigation into the sale of the Chewton Community Centre church building with a recommendation whether or not to proceed with the sale.

Notice was published in the Midland Express on Tuesday 23 May 2017, with submissions closing at 5pm on Tuesday 27 June.

A total of eight submissions were received and two submitters requested to speak to their submission. Council heard from those submitters on 18 July 2017.

Refer to:

Attachment PLA 05A: Table – Issues raised in submissions to disposal of Chewton Community Centre – S223 Notice.
Attachment PLA 05B: Site Layout aerial photograph.

Policy and Statutory Implications

Relevant policies, strategies and plans

Council Plan 2017-2021

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

The Chewton Community Centre former church building is currently closed, and is currently not managed to be available to the public. A substantial budget allocation will be required to enable this objective to be achieved for the Chewton Community Centre.

There is another building next door to the former church building which is available, and meeting the objectives of the Council Plan, being available to the community.

Statutory powers and implications

Section 189 of the Local Government Act 1989 (the Act) outlines restrictions on the power to sell land as follows:

189. Restriction on power to sell land
(1) Except where section 181 or 191 applies, if a Council sells or exchanges any land it must comply with this section.
(2) Before selling or exchanging the land the Council must-
   (a) ensure that public notice of intention to do so is given at least 4 weeks prior to selling or exchanging the land; and
   (b) obtain from a person who holds the qualifications or experience specified under section 13DA(2) of the Valuation of Land Act 1960 a valuation of
the land which is made not more than 6 months prior to the sale or exchange.

(3) A person has a right to make a submission under section 223 on the proposed sale or exchange.

Section 223 of the Act outlines the rights and requirements under a Section 223 process as follows:

223. Right to make submission

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

(a) the Council must publish a public notice—

(i) specifying the matter in respect of which the right to make a submission applies;

(ii) containing the prescribed details in respect of that matter;

(iii) specifying the date by which submissions are to be submitted, being a date which is not less than 28 days after the date on which the public notice is published;

(iv) stating that a person making a submission is entitled to request in the submission that the person wishes to appear in person, or to be represented by a person specified in the submission, at a meeting to be heard in support of the submission.

Council has undertaken the public notice requirements of Section 189 and Section 223 of the Act and is now considering those submissions made.

Council has not yet received a valuation in accordance with the Act, as the subdivision process will take approximately 9-15 months, and the valuation must not be more than six months old at the time of sale. Should Council determine to sub-divide the land, a valuation will be obtained closer to the sale date prior to Council resolving to sell the building.

Mount Alexander Planning Scheme

There are a number of controls in the Mount Alexander Planning Scheme which provide guidance on any future use or development of the site.

The building is in the Township Zone of Chewton. The Township Zone allows for residential uses as of right, and a range of uses by permit. Alternative uses include medical facilities, gallery or functions. Most uses requiring a planning permit would be subject to public notice.

The building is also controlled by three overlays; the Heritage Overlay, Bushfire Management Overlay and Design and Development Overlay. These overlays are triggered if any buildings or works are required.

The Heritage Overlay seeks to ensure the significant heritage aspects of the building are retained. Any restoration or maintenance that replaces like for like, along with any internal changes would not need a planning permit. Other buildings and works would require a planning permit.

The Bushfire Management Overlay seeks to ensure any works undertaken in a high risk bushfire area are appropriate and mitigate bushfire risk.
Issues

Issues raised in submissions are discussed under consultation.

Officers have undertaken further investigation into the possible subdivision and sale of the building. Vicroads have consented to direct vehicle access from the Pyrenees Highway. This has the benefit of making the building more appealing to commercial users who may use the building as a restaurant or gallery keeping it available to the public.

Subdivision Timing & Process

The subdivision will take approximately 9-15 months to complete, with each of the stages listed below:

- Planning Permit (2-5 months)
- Certification - new titles drawn up by surveyor, provide information on how all the conditions will be met, such as drainage plans, or sewerage plans (3 months)
- Works – Services installed as per plans, meters installed (1-5 months)
- Statement of Compliance – Each authority (including Council) signs off that the works are in accordance with conditions or approved plans (1-3 months)
- Titles Issued – Statement of Compliance is lodged with Land Victoria along with surveyed plans for new titles to be issued (2-4 months)

Once the subdivision reaches the final two stages, a report will be presented to Council seeking to resolve to dispose of the building.

Subdivision Boundary

The property boundary location between the two buildings is yet to be determined. Given the former Sunday School building will remain a public building, it would be beneficial to provide the greatest possible area around this to enable the public to congregate outside when weather permits.

There are also a number of other features such as a garden bed and retaining wall that may impact on the boundary location, as well as ResCode requirements for boundary setbacks based on wall height. It is possible that the best outcome may not be consistent with ResCode requirements.

It is proposed to set the boundary between the two titles based on (in priority order):

1. Advice from the engineer in relation to the extent of footings and services for each building/lot; then
2. Seek advice from the community stakeholders around the importance of the existing garden (if the first step allows some flexibility).

There is an existing memorial stone in the front yard of the church. This could remain where it is (even when the church passes to private ownership), or be relocated in front of the former Sunday School Building. Feedback from community stakeholders of the building will be sought on this.
Alternate Options

Retain the building as is

The building will continue to deteriorate, increasing future restoration costs, incurring ongoing maintenance costs, and become a safety hazard and a reputational risk for Council.

Since closing the building, Council has incurred costs to undertake urgent minor repairs such as roof sheeting, and maintenance, gardening and lawn mowing, as well as officer time required to arrange works to be done. This officer time and funding would be better directed to buildings that are open to the public and provide a public benefit.

The building would remain a liability if no further action is taken.

Demolish the building

The site is subject to a Heritage Overlay under the Mount Alexander Planning Scheme and demolition would require a planning permit from Council or, on appeal, VCAT.

Demolition of the building would incur substantial costs, approximately $50,000, and result in additional land that Council would need to maintain. It would also demonstrate poor management of heritage assets.

Renovate the building

This option is consistent with the Chewton Community Plan. Initial estimates put the cost of renovation at around $500,000 to $600,000. This is disproportionate to the overall Council budget for renewal of all buildings across the Shire. It is not foreseeable that this funding will become available.

Defer a decision to enable the community to come up with a strategy to justify the expenditure.

An action in the Chewton Community Plan was to develop a strategy for the building to justify the required investment in the building from various levels of government.

This was an action for the community to undertake, but in the two to three years since the Chewton Community Plan was completed, there has been no progress. None of the written submissions raised any indication of a strategy to justify the necessary expenditure.

One community member has raised the idea of a new community group taking over ownership and management of the building. A similar arrangement exists for the Chewton Town Hall and the Chewton Post Office. There has not been any formal proposal put to Council and none of the written submissions supported this.

If this were to go ahead, the land would still need to be subdivided to retain the former Sunday School in Council’s ownership. Subdivision will take a number of months, and the sale process can consider a range of sale methodologies. This would be determined in 2018.
Financial and Resource Implications

Subdivision and disposal

Council has had a subdivision feasibility assessment undertaken to determine the scope and cost of works to subdivide. A budget allocation of $56,007 has been approved in the 2017/2018 year. This includes:

- Installation of drainage and crossover
- Separate and reconfigure existing water, sewerage, power, gas and communications (Telstra/NBN) services, as well as install new a new metre for each service
- Statutory fees (planning and subdivision certification)
- Surveying and engineer costs

In addition to the above costs there will be costs to prepare the property for sale such as relocating the existing memorial stone and some reconfiguration of landscaping to reflect new property boundaries and legal costs both to administer the title process of the subdivision and prepare sale documentation. These additional costs are estimated at $5,000-$10,000.

All above costs would be recouped from the sale proceeds of the building.

Disposal value

Council has had the building appraised by a local real estate. The agent indicated that there are a number of things that would help achieve a selling price at the higher end of the range, as the property would appeal to both dwelling conversions and commercial use. These are:

- Allow a range of commercial uses (the Township Zone already facilitates this)
- Ensure vehicle access is provided from the Pyrenees Highway
- Allow for the rear carpark to be used for commercial use associated with the church building
- Facilitate a loading area, ideally from the rear

It is expected the above objectives could be achieved in the sub-division, helping to maximise sale price.

The building is likely to be bought by someone with a passion for restoration of old buildings, and for some buyers price may not be such a big issue if it is the right building.

Expenditure on the building

Maintenance and capital renewal of Council’s building stock (243 buildings) has proved a budgeting challenge over time, and investment has typically been prioritised in facilities that have the highest value and function for the community.

A number of submissions raise concerns regarding the lack of maintenance of the building over time. Specific figures for expenditure on the Chewton Community Centre are not available.

As with some other community facilities, both the Chewton Community Centre and Senior Citizens Centre were managed by a Committee of Management for many years. This arrangement ceased in 2016 as the committee members were no longer able to dedicate the time or energy to manage the facility. Council have managed this facility
since then. The Committee contributed to maintenance of the facility but did not have the capacity to fund or undertake any significant maintenance of the buildings.

Consultation

Public notice was undertaken to advise of Council’s intention to sell the building. Notice was placed in the Midland Express on 23 May 2017 with submissions closing at 5pm on Tuesday 27 June. The minimum statutory timeframe for submissions is 28 days, however 35 days notice was given in this case.

In addition to the statutory notice, Council also issued a press release resulting in increased awareness through local media. This included a story on channel 9 news and an article on the front page of the Castlemaine Mail on Friday 19 May 2017 increasing public awareness.

A total of eight written submissions were received and the issues raised are addressed in detail in the table attached to this report.

Overall key issues from the submissions included:

- Council has poorly managed the building in the past, causing the large repair bill
- Council should be supporting Chewton by retaining the building and spending the money on it
- Other buildings are too small
- The building should/will be demolished
- Loss of heritage
- The estimated cost for repairs is too high, or too low

Many of the submissions provide examples of what could be done with the building if Council were to invest in its conservation and restoration. Some also required additional spending for a specific fit out.

All of these activities could be undertaken at other Council buildings, although not necessarily all could be met within the council’s public building supply in Chewton. Officers consider that the range of community purposes that the Chewton Community Centre did – or could – provide, are able to be provided in other facilities in Chewton, and other facilities in Castlemaine.
### Chewton Community Centre Disposal

**Table:** Issues raised in submissions to disposal of Chewton Community Centre – S223 Notice

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<thead>
<tr>
<th>No.</th>
<th>Issue</th>
<th>Officer Response</th>
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<tbody>
<tr>
<td>1</td>
<td>Works (and lack of) have accelerated damage</td>
<td>Some previous works have accelerated the damage, and renewal works not being undertaken have also accelerated damage. There was a series of works undertaken on the building around the year 2000. These works included painting the bricks, patch repairing internal plaster, and replacing the mortar and repointing bricks. While issues including rising damp and deteriorating mortar existed prior to these works being undertaken, these works have accelerated the decline as they did not allow the building to breathe.</td>
</tr>
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<td>2</td>
<td>Was a detailed overall condition of the building obtained at the time</td>
<td>The works on the two spires was the result of a detailed report detailing works required. This is identified throughout this attachment (and the Council report) as the report by David Young in June 2010. David Young is considered to be an expert in relation to rising salt damp in heritage buildings providing advice around Australia. The works on the pinnacles and coping were identified as the highest priority works in this report.</td>
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<td></td>
<td>Council did works to the two spires on the buildings?</td>
<td></td>
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<td>3</td>
<td>Building has had makeshift solutions being carried out by unqualified</td>
<td>Many of the issues that have been undertaken have been makeshift, or band-aid solutions. This is primarily because the funds required to fix the building properly have not been available. The budget allocated to building maintenance is not sufficient to manage Council’s large portfolio. The community have demonstrated over time that they want rates kept to a minimum, limiting the level of funding available for building maintenance. Historically the building has been managed directly by Council officers, and by a special committee (under section 86 of the Local Government Act) of Council.</td>
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<td>4</td>
<td>Were staff managing the works appropriately qualified? A degree in Engineering may not be enough.</td>
<td>Mount Alexander Shire Council is a small Council, and a specific Building Engineer has only commenced in the last three years. Prior to this works were managed by a Buildings Officer who had experience in managing contractors and buildings works, but not necessarily a qualification. Many of the works were also managed by the s86 committee. Given Council’s small budget, it is not possible to employ staff with this level of specialty.</td>
</tr>
<tr>
<td>5</td>
<td>It is likely that inadequate records have been kept by past officers, so current officers will probably not have a full handle on the case (work that has been done and needs to be done).</td>
<td>Council commissioned Heritage Consultant David Young to do a report in 2010. This report is the primary tool for assessment of works required.</td>
</tr>
<tr>
<td>6</td>
<td>Was the maintenance decision making of the council appointment management committee properly reported and monitored?</td>
<td>A detailed archival search has not been completed to ascertain how decisions were made or whether they were monitored. Over the last five years there have been a number of changes made to the operation of section 86 committees, and a significant reduction in the number of committees. Like with Council as a whole, special committees can only undertake maintenance and renewal works that their funds allow for. Additionally the Instrument of Delegation for section 86 Committees (the document stating their responsibilities and powers) limits their power to day to day responsibilities. They are not responsible for major works to buildings.</td>
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**General Building condition and rectification**

<p>| 7   | Is there or has there ever been a Conservation Management Plan (CMP) for this building? | A CMP has not been completed for this building. The 2010 report completed by David Young details the required conservation works for the building (as a CMP would). While fulfilling many of the objectives of a CMP (in particular the works required), this report is less comprehensive. A CMP generally costs around $10,000 per building. Council has prioritised the preparation of CMP’s based on need and benefit. To date these have focussed on those listed on the Victorian Heritage Register as these have the greatest historic significance, and are eligible for grand funding. |
| 8   | The estimate of $500,000-$600,000 needed is way                           | The cost is based on an assessment that Council has had undertaken. |</p>
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<td>below what the final cost would be. The cost to complete is likely to be considerably more.</td>
<td>based on the works identified in the 2010 Young report. The final cost may be higher or lower than the current estimate, particularly dependent on any future use. It does not allow for significant improvements to the building. It does not allow for any improvements to the external toilets, or relocation of these toilets.</td>
</tr>
<tr>
<td>9</td>
<td>What has Council done to get professional advice on the condition of the building, and estimates of the cost to restore it to a state for community use?</td>
<td>Council had an assessment undertaken by David Young in 2010. Mr Young is an expert on rising damp in heritage buildings. This report gave a comprehensive list of works required, and prioritised these. This has provided the scope for estimating the cost of repair.</td>
</tr>
<tr>
<td>10</td>
<td>A major source of damage is dilapidation of roof guttering/leaves allowing moisture in causing further damage. Structural timbers will then deteriorate.</td>
<td>Some work has been done to repair the pinnacles and render on the coping reducing water coming in through the structure. Further maintenance or renewal is required to the roof and guttering.</td>
</tr>
<tr>
<td>11</td>
<td>Regrettably the church will probably have to be demolished as the cost of repairs is too high, and it will become a danger.</td>
<td>While the cost of repair is too high for Council, if sold it is likely that only those with a passion for heritage buildings would consider buying it. They may have the funds to restore the building, or they may have the skills to undertake some of the work themselves. The cost of repair work will also vary depending on the proposed use. Public (or commercial) buildings have higher standards than a residential building. For example floor and wall coverings in a public or commercial building must be non-toxic, so as not to give off fumes should they burn. Floor loading requirements are also higher in a commercial building. If the building is restored for use as a residence, costs would be lower than required as a public building, not to mention the works could be staged over a longer period of time, with some of the works occurring as the building was lived in. The building has a heritage overlay, the highest level of control Council has through the planning scheme to prevent demolition. Council has ensured the cost of works is made public and will continue to do so, so that any potential buyers should be well aware of the costs.</td>
</tr>
<tr>
<td>12</td>
<td>Shire should be looking to the future of Chewton and</td>
<td>The submitter is correct that if conservation works are delayed, costs will</td>
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<td>spending the money now, where in the future it will cost so much more.</td>
<td>likely increase as the building deteriorates further. Council has not had the required funding available in the last seven years (when the full scope of works was quantified), and it is not foreseeable that Council will have the required $500-$600,000 in the future. Given it is not foreseeable Council will have the necessary funding available, it makes sense for the building to be sold to the private market now before conservation costs become unmanageable.</td>
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**Future Planning for the Site**

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<td>12</td>
<td>Council does not believe it has the funds to restore the building, what makes you think private person would?</td>
<td>Council has ensured the estimated restoration costs have been made public, and will continue to do so should the building be offered for sale. Any potential buyers should be aware of the cost, and it is unlikely that someone without the funds will buy it.</td>
</tr>
<tr>
<td>14</td>
<td>Would like to see the church demolished and retirement units built on the site.</td>
<td>The church has a heritage overlay and has been identified as a significant building. From a heritage perspective the most appropriate outcome would be to retain the building. Other submissions support retention of the church. Given the Township Zoning of Chewton, retirement units could be built on any site.</td>
</tr>
<tr>
<td>15</td>
<td>Site should be rezoned high density and developed for 1.5-2 bedroom units.</td>
<td>Chewton is in the Township Zone which allows for a range of uses (residential development is as of right), at a range of densities, providing they meet the rescude requirements of neighbourhood character. There are many other vacant or under-developed sites in Chewton including along Main Road where this type of development could be undertaken. A high density zoning would likely be incompatible with surrounding development. The subdivided site will have a size of around 900m² and would have a fall of around 4 metres across the site. A good example of retirement homes in the shire is the Miller Homes in Castlemaine on the corner of Lyttleton and Hargraves Streets. It has ten x one bedroom units on 2048m², and is much flatter. Given the size and topography, if developed in a similar style to the Miller Homes, the site could be developed with around three to four x one bedroom units.</td>
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<td>16</td>
<td>Three overlays including a Heritage Overlay, Bushfire Management Overlay, and a Design and Development Overlay are put in place for a reason.</td>
<td>The planning overlays apply to many other buildings. The Bushfire Management Overlay applies to all buildings in Chewton. The Design and Development Overlay -11 applies to all land fronting the main road in Chewton between Eureka Street and an unmade road reserve east of Sinnett Street. There are 28 other buildings in Chewton with a Heritage Overlay, Design and Development Overlay and Bushfire Management Overlay. 25 of these 28 other buildings are privately owned.</td>
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<td>17</td>
<td>How can Council ensure the building will be retained and restored by future purchasers, and not demolished? What limits could/would Council place on development?</td>
<td>The building is currently subject to a Heritage Overlay. This is the greatest level of control Council have through the planning scheme to prevent demolition. Council could also place a covenant on the land, but this may lead to further deterioration, and limit potential buyers. Council still has a significant level of control through the planning scheme.</td>
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**Meeting the Needs of the Chewton Community**

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<td>18</td>
<td>Sale of the building would mean Chewton has no community centre, no place where larger crowds can gather.</td>
<td>The main hall of the former Sunday school building is about 30% smaller than the main hall of the former church building (excluding stage areas). The former Sunday school building still has capacity for a reasonable sized crowd. Should this be insufficient there are a number of other buildings around the shire that can be used. While these are outside of the Chewton Township, they are all available for the whole of the Mount Alexander community use; however it is acknowledged that the Chewton community will not have the same level of ownership over these facilities they have over the former church building.</td>
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<td>19</td>
<td>Council's proposal disregards the work put into the Chewton Community Plan, a MASC strategy, particularly the action 'Prepare a strategy to justify investment by Council and other levels of government in Chewton Community Centre'.</td>
<td>The Chewton Community Plan is a community strategy. It is not a Council strategy or Council endorsed, however Council did resource the development of community plans, and have been briefed on the content. The action of preparing a strategy to justify government investment was a community strategy. Since completion of the community plan over two years ago, the community have not progressed this action. Despite possible sale of the building, Council officers are not aware of community members making any progress on this action. A number of community members have expressed interest in owning the building.</td>
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<td>20</td>
<td>If the building is sold, it is unlikely it would be available for community events.</td>
<td>members are exploring the option of taking on the building to manage, however this is at the very early stages. It is most likely the building would no longer be available for community use. The future use is unknown, but Council would have to assume a public use would not occur.</td>
</tr>
<tr>
<td>21</td>
<td>Other public meeting spaces in Chewton have nowhere near the seating capacity of this building.</td>
<td>The former Church Building has the largest single room of any public building in Chewton. The next largest room is located in the former Sunday School building and is 25-30% smaller than the main halls. Larger buildings are located nearby, but outside of Chewton.</td>
</tr>
<tr>
<td>22</td>
<td>The halls available in Chewton are very small, not suitable for big events. The school and community need a big hall.</td>
<td>All other community buildings in Chewton have a smaller capacity. Large events (over 100 people) that need to be held indoors would need to be held outside of Chewton.</td>
</tr>
<tr>
<td>23</td>
<td>Chewton residents pay their fair share of rates. What is the shire doing for Chewton?</td>
<td>Council makes a substantial investment in Chewton each year, with maintenance of roads, other community buildings, and infrastructure. Council's 2017/2018 budget also included an allocation for investigation and design for footpath construction in Chewton. Residents are able to use community buildings throughout the shire, some of which are suited to specific purposes, and some of which are available for more broad purposes. Alternative community buildings are available in close proximity in Chewton as well as Fryerstown, Wellingham, Castlemaine and Elphinstone.</td>
</tr>
<tr>
<td>24</td>
<td>Campbells Creek has a big community building, did the shire pay for that.</td>
<td>The Campbells Creek Community Centre was constructed by the Shire of Newstead (prior to amalgamations). While the building is located in Campbells Creek, it is available for all community members to use.</td>
</tr>
<tr>
<td>25</td>
<td>Is there an assumption that the Chewton Town Hall can be a replacement building?</td>
<td>The Chewton Town Hall may be suitable for replacement of some activities that would have otherwise occurred at the former Church of the Community Centre. Due to its size, it would not be suitable as a replacement building for all activities. It is anticipated that most activities would be located in the former Sunday School building, on the same site as the former Church and larger than the Chewton Town Hall.</td>
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<td>26</td>
<td>Apart from this statutory period, what has been the result of consultation or canvassing of interest among possible user groups within the shire?</td>
<td>There has not been a formal consultation seeking interest from other groups, as Council does not have the budget available to make the building safe and functional for public use.</td>
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<tr>
<td>27</td>
<td>Does the identification of other community buildings in Castlemaine indicate that Chewton (and Campbells Creek) are too close to Castlemaine to have any community facilities?</td>
<td>A number of other buildings that are nearby were identified in previous Council reports. It is common to talk about alternative facilities when analysing community need. Castlemaine was listed as this is the closest town to provide other facilities. Council will retain ownership of two other facilities in Chewton.</td>
</tr>
<tr>
<td>28</td>
<td>Commissioners sold the public buildings in the town centre of expanding Chewton to the residents to maintain, for $1.</td>
<td>The Chewton Post Office and Town Hall were sold to the community at a peppercorn rate around the time of Council amalgamation. The Chewton Post Office has a commercial lease in place, providing revenue to the Chewton Domain Society to undertake works and fund activities of the group (including management of the buildings). The Chewton Domain Society is run by volunteers who are passionate about the buildings, and have been able to manage significant works over the last 20 years.</td>
</tr>
<tr>
<td>29</td>
<td>Does the assumption that there are other close facilities take into account this is a Chewton community facility?</td>
<td>There are a number of Chewton Community facilities, and other facilities (albeit smaller) that will still be available for community use. Other facilities throughout the shire in other towns are also available for the Chewton Community to use, however the community will not have the ‘ownership’ over these facilities that they do over those located in Chewton.</td>
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<tr>
<td>30</td>
<td>Over the years there has been the demise in community assets, both the post office and pool.</td>
<td>The Chewton Post Office and Town Hall were sold to the community at a peppercorn rate around the time of Council amalgamation. The Chewton Post Office has a commercial lease in place, providing revenue to the Chewton Domain Society to undertake works and fund activities of the group (including management of the buildings). While the Chewton Swimming Pool was closed by Council, Council have since worked with the community and now provide a grant towards the running of the pool. This grant is Council’s largest individual grant to a community group, and funds over half their operational costs.</td>
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<tr>
<td>31</td>
<td>Whose responsibility is it to manage our ‘heritage’?</td>
<td>Management of heritage doesn’t rest with any individual, or organisation. Council has a statutory role as a Planning Authority, and a Responsible Authority, as well as a responsibility as educator and as a building owner (as do all building owners) As with privately owned buildings, if an owner does not have the funds to conserve a building, it will fall into disrepair. Alternatively the owner can sell the building to a third party who does have the funds, likely resulting in a better outcome for the building. That is the case in this instance.</td>
</tr>
<tr>
<td></td>
<td>Historic legacy of the area has fallen to ruins, and something needs to be done about proper maintenance of historic/heritage buildings and sites to avoid losing them.</td>
<td>In recent years, Council has increased the available budget for maintenance of Council buildings. Council has also prepared a number of Conservation Management Plans for Council owned buildings. This will better place Council to apply for grants (where the building is on the Victorian Heritage Register), identify the order of works to be undertaken, and have a better idea of the outstanding cost of works required. Given the constricted financial environment that Council operates in, private ownership is the best scenario for the investment required to restore and maintain this building. While there are not guarantees provided the building will be restored, it is unlikely someone will spend the substantial sum to buy it, only to have it deteriorate further. Council has no regulatory powers to force private building owners to undertake conservation works.</td>
</tr>
<tr>
<td></td>
<td>Pointless having a heritage advisor when Council doesn’t have a full-time Heritage Building Works Supervisor to ensure that our heritage buildings are properly looked after.</td>
<td>While a position such as this would bring benefits, Council has a limited budget and must prioritise staffing. It is not likely Council will appoint a Heritage Building Works Supervisor.</td>
</tr>
<tr>
<td></td>
<td>How can we be seen as serious about heritage and world heritage listing if we sell of historic building and condemn it to an uncertain future?</td>
<td>Mount Alexander Shire has over 2800 properties in the Heritage Overlay (that is, the same level of control as this building). The vast majority of these are in private ownership. While the future is uncertain in private ownership (in particular the use is not known), should the building remain in Council ownership, it is likely that</td>
</tr>
<tr>
<td>No.</td>
<td>Issue</td>
<td>Officer Response</td>
</tr>
<tr>
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</tr>
<tr>
<td></td>
<td>Is the future management of this historic building being carefully considered in the context of World Heritage Listing for the Castlemaine Goldfields Region?</td>
<td>The World Heritage Listing of the Goldfields Region will not be impacted by ownership of this building. The building will still be retained in the streetscape, but if sold, will not be owned by Council. Mount Alexander Shire has over 2800 properties in the Heritage Overlay (that is, the same level of control as this building). The vast majority of these are in private ownership.</td>
</tr>
<tr>
<td></td>
<td>What impacts would the sale, restoration or demolition have on the adjacent hall, such as limitations on use, access, and structural integrity?</td>
<td>The sale and restoration of the building is not anticipated to have any significant effect on the adjoining former Sunday School building. There may be some access limitations while restoration works are undertaken (particularly when scaffolding is on site). It is proposed to include an easement at the rear of the Sunday School building title for access (suitable for pedestrians and deliveries, but not necessarily vehicles) from the rear carpark. This would increase the likelihood of the building being used for commercial purposes, and being accessible to the public, if in a different form to currently. The creation of this easement will require access to be available, so will prevent changes being made in the future that would block the existing access.</td>
</tr>
</tbody>
</table>

**Miscellaneous**

<p>| Council has made interesting and costly decisions in relation to staff accommodation with minimal benefits to the ratepayer. | Council is required to provide office accommodation for staff. Immediately following Council amalgamations, these were spread throughout the shire at former Council offices causing inconvenience to residents. Over time these have been consolidated into two adjoining buildings in Castlemaine. Historically residents may have had to visit multiple offices to address concerns. Now residents are also able to undertake most of their Council related business on one site, and Council staff are able to communicate with each other on a day to day basis and have a good understanding of what other areas of Council are doing. |
| Chewton Community Centre should become a multi-purpose hall with lighting bar for a theatre space. | Council has many multi-function halls throughout the shire, as well as the Phoe Broadway Theatre which is fully fitted out for theatre group use. |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Issue</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>should not be managed by Council, nor fall under  Council OH&amp;S requirements.</td>
<td>While not in Chewton, many facilities are nearby. Spending $500,000-$600,000 to duplicate these services would not provide good value to Council. Any activities carried out in Council Building must comply with Council policies, and regulatory requirements. It is proposed that the building is sold to private use and would no longer be managed by Council. The ultimate use under private ownership are unknown.</td>
</tr>
</tbody>
</table>
Executive Summary

Council has received an application for the subdivision of land into four lots at 52 Princess Street, Campbells Creek. The land is located within a Township Zone (TZ) and is covered by a Bushfire Management Overlay (BMO).

The application for a four lot subdivision of this land meets the relevant policy in the state and local sections of the Mount Alexander Planning Scheme relating to urban consolidation and infill policy. The design of the subdivision has responded to the existing neighbourhood character by providing lot sizes that integrate with the adjoining lots, are of a sufficient size that would enable the appropriate siting of a dwelling with good solar access and private open space and reinforce the existing subdivision pattern in this section of Princess Street.

The application was advertised and two objections have been received to the application, generally relating to retaining the existing amenity of the area as it currently exists and any future dwellings being restricted to single storey and being set back to all boundaries.

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

RECOMMENDATION

That Council:

Issue a Notice of Decision to Grant a Planning Permit for the subdivision of land into four lots at CA 67 Sec A & Lot 1 TP 164426, 52 Princess Street, Campbells Creek subject to the following conditions:

1. **AMENDED PLANS REQUIRED**

   Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then form part of the permit. The plans must be drawn to scale with dimensions and must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

   - **1.1. Building envelopes for proposed Lots 2, 3 & 4 that accord with the approved Bushfire Management Plan as required by condition 11.1 to the satisfaction of the Responsible Authority**

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

3. LAYOUT PLAN

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

4. FENCING RESTRICTION

4.1. Any existing or new fencing along the first half of the western boundary of Lot 3 and eastern boundary of Lot 2 and the along the western boundary to Lot 4 –up until where the building envelope is proposed for this lot must be restricted to open style post and wire fencing. This requirement is to be shown as a restriction on the plan of subdivision registered under the Subdivision Act, 1988, prior to the issue of the Statement of Compliance. The restriction must provide that any new or existing fencing for these boundaries as listed above must be restricted to open style post and wire fencing. The fencing cannot be varied except with consent of the Responsible Authority.

5. PROVISION OF SERVICES

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

5.2. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

5.3. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

6. TELECOMMUNICATIONS

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

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

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

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

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

7. COLIBAN REGION WATER CORPORATION

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

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

8. POWERCOR

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

8.2. The applicant shall:-

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

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

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

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

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

• Obtain for the use of Powercor Australia Ltd any other easement external to the subdivision required to service the lots.
• Adjust the position of any existing easement(s) for powerlines to accord with the position of the line(s) as determined by survey.

• Obtain Powercor Australia Ltd’s approval for lot boundaries within any area affected by an easement for a powerline and for the construction of any works in such an area.

• Provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

9. DOWNER GAS

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

Should gas be required to be either connected or disconnected to the existing or future properties please contact your local gas retailer.

10. ENGINEERING PLANS

Engineering Plans

10.1. Prior to certification of the subdivision, detailed access and drainage construction plans must be submitted to and approved by the Responsible Authority. The engineering plans must accord with the Infrastructure Design Manual. When approved, the plans will be endorsed and form part of the permit. All works constructed or carried out must be in accordance with those approved plans and completed to a standard satisfactory to the Responsible Authority. The plans are to include:

a) Driveways and vehicle crossing works as required by the conditions of this permit

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

c) The location of the proposed drainage and sewerage easements

10.2. DRAINAGE WORKS

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

b) 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.

10.3. VEHICLE CROSSOVER UPGRADING WORKS

Propose Vehicle crossovers to all lots appropriate to the development and existing site conditions are to be constructed/upgraded to the levels/requirements of Council.

Council’s minimum standards are:

• Minimum 3.5 metre wide.

• Asphalt/concrete vehicle crossovers with appropriately sized reinforced concrete pipes centred on the crossover matching the capacity of the open drain.
• Low profile culvert end-walls to all culvert ends
• No impeding or redirection of existing surface flows as a result of these works
• It is highly recommended to provide combined vehicle crossovers to proposed lots 2 & 3.

10.4. SEDIMENT POLLUTION CONTROL

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

STATEMENT OF COMPLIANCE

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

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

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

CONSENT FOR CONSTRUCTIONS

10.8. 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.

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

11. COUNTRY FIRE AUTHORITY

11.1. Amended Bushfire Management Plan

An amended Bushfire Management Plan (BMP) must be submitted to and endorsed by the Responsible Authority. When approved, the BMP will be endorsed by the Responsible Authority and be included as an annexure to the section 173 agreement.

The BMP must be substantially in accordance with the BMP Ref: 1538BAP V1 dated February 2017 but amended to include the following:

• Construction standards
  Future dwellings on Lots 2 & 3 are to be designed and constructed to a minimum Bushfire Attack Level of BAL12.5
  Future dwellings on Lot 4 are to be designed and constructed to a minimum Bushfire Attack Level of BAL29

11.2. Matters to be set out in Section 173 Agreement

Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:
a) Explicitly exclude Lot 1 from the following exemption under Clause 44.06-1 of the Mount Alexander Shire Planning Scheme:

- A building or works consistent with an agreement under section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of clause 44.06-3.
- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of the Mount Alexander Planning Scheme.
- Incorporate the plan prepared in accordance with Clause 52.47-2.4 of this planning scheme and approved under this permit.
- State that if a dwelling is constructed on the land without a planning permit that the bushfire mitigation measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

12. PUBLIC OPEN SPACE CONTRIBUTION

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

13. VALUATION EXPENSES

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

14. EXPIRY OF PERMIT 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.

MOVED COUNCILLOR BELL

That the recommendation be adopted.

SECONDED COUNCILLOR MACHIN

CARRIED.
Context

The purpose of this report is to enable Council to make a determination on an application for a four lot subdivision at 52 Princess Street, Campbells Creek. The application has been referred to Council for a decision because there are two outstanding objections to the application.

Refer to:

Attachment ECO 24A: Context and site aerial.
Attachment ECO 24B: Final plans submitted with application.
Attachment ECO 24C: Clause 56 assessment.

The application was lodged on 11 October 2016 and proposes to subdivide the land into four lots. The site is located within the Township Zone and is covered by the Bushfire Management Overlay.

The land is located on the north side of Princess Street, having a 50 metre frontage to Princess street and a 161 metre length along both its east and west boundaries, having a total area of 7190sqm. The land is developed with a single dwelling and outbuildings being located 56 metres from the Princess Street frontage and is surrounded by existing garden vegetation. Access is provided via an existing driveway along the eastern boundary. The land rises up from the Princess Street frontage to the rear north boundary. The land contains scattered vegetation.

Adjoining land is developed with single dwellings on a mixture of lot sizes comprises a variation of architectural styles and materials, all contained within the Township zone.

The application proposes to subdivide the land into four lots as follows:

- Lot 1 – 1667sqm containing the existing dwelling and shed
- Lot 2 & 3 – both 900sqm – vacant land fronting Princess Street
- Lot 4 – 3723sqm – vacant land to the rear of the existing dwelling.

Access to all lots would be via Princess Street. All lots would have reticulated sewerage and water.

Policy and Statutory Implications

State Planning Policy Framework (SPPF)

Clause 11.05-4 Regional planning strategies and principles

The objective of this clause is to develop regions with a strong identity that are prosperous and are environmentally sustainable. This clause contains the Regional Victoria Settlement Framework which identifies Castlemaine, of which Campbells Creek is a part, as a regional centre where growth is to be promoted.

Clause 11.12 Loddon Mallee South regional growth

This policy outlines broad objectives for land use and development within the Loddon Mallee South region. The plan includes strategies to manage and support growth in regional towns including Castlemaine.
Clause 13.05 Bushfire

This clause aims to assist in strengthening community resilience to bushfire. Strategies outline measures to assess bushfire risk and apply appropriate development control mechanisms.

Clause 15.01-3 Neighbourhood and Subdivision Design

The policy in this clause offers broad guidelines for the design of urban areas, including new subdivisions. Relevant policy aims and strategies seek to ensure subdivision locations have ready access to local services and that the design creates a strong sense of place. Subdivision should be designed to respond to its context in terms of character, natural features and surrounding landscape and provide a range of lot sizes to suit a variety of dwelling and household types to meet the needs of different groups of people.

Clause 16.01 Residential development

This clause contains a range of policy relating to provision of housing in appropriate locations that meet the needs of a diverse community. Strategies include increasing housing yield in under-utilised urban land and provide increased supply in appropriate locations.

Clause 19.03 Development infrastructure

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

Local Planning Policy Framework (LPPF)

Clause 21.02 Vision and framework plan

This clause contains some of the guiding policy linking the municipal vision, derived from the Mount Alexander Shire Council Plan, to the land use and development planning vision for the Shire. This policy identifies the unique and identifiable role and identity of the Shire’s townships through a settlement hierarchy. The Mount Alexander Strategic Framework Plan identifies broad strategic issues and directions for the municipality.

This policy identifies Campbells Creek as a satellite to Castlemaine and a local service centre. The character of Campbells Creek is identified as being derived from development patterns that reflect gold mining activity.

Clause 21.03-1 Urban growth

This clause offers an overview of the Shire’s urban growth. The preferred settlement pattern identifies Castlemaine, including Campbells Creek, as accommodating the majority of the Shire’s population. This clause also identifies that the current rate of dwelling construction exceeds the projected growth rate in households within the Shire.

Strategies in this policy aim to consolidate urban development into existing settlements, with more substantial residential growth being provided around Diamond Gully and McKenzie Hill.

Clause 21.05-5 Bushfire

This policy recognises the significant risk posed by bushfire for the main townships within the Shire. Strategies outlined in this clause include application of development controls to ensure fire risk is minimised when subdivisions are assessed.
Clause 21.07-1 Urban environment

This policy statement refers to general characteristics of urban and semi-urban areas within the Shire. Township fringes are recognised for their open bushland character.

Key issues outlined within this clause include ensuring development, which includes subdivision, respects the existing neighbourhood character of respective areas.

Clause 21.11 Infrastructure

The Shire’s considerable infrastructure assets are outlined in this policy. Key issues include upgrades and maintenance to road and drainage assets as a result of new development.

Clause 21.12-1 Castlemaine

This clause includes specific policy relating to the land use and development of Castlemaine (including Campbells Creek). Objectives include encouraging residential expansion in McKenzie Hill, Diamond Gully and Campbells Creek.

The desired pattern of land use is illustrated in the Castlemaine Land Use Framework Plan. The site is located within the existing urban boundary.

Zoning

Clause 32.05 Township Zone

The purpose of the Township Zone includes:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for residential development and a range of commercial, industrial and other uses in small towns.
- To encourage development that respects the neighbourhood character of the area. To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

A permit is required for the subdivision of land within the Township Zone.

An application to subdivide land must meet the objectives of Clause 56.

Overlays

Clause 44.06 Bushfire Management Overlay

The purpose of the Bushfire Management Overlay includes:

- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.
Particular provisions

Clause 52.01 – Provision of open space

This Clause refers to the public open space contribution and provides that a person who proposes to subdivide land must make a contribution to Council for public open space up to a maximum 5% of the site value if included in the schedule to this clause. A subdivision is exempt from a public open space requirement, if:

- The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

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

Clause 56 Residential Subdivision

Clause 32.05-6 of the Township Zone identifies specific objectives and standards applicable to different classes of subdivision. The subdivision of land into four lots must meet the objectives and should meet the standards specified. The application included an assessment against the relevant objectives and standards of clause 56.

It is considered that the proposal meets all the relevant objectives of clause 56. In relation to Clause 56.03-5 Neighbourhood Character, the subdivision is considered to respond to the neighbourhood character as the layout and access of the lots on the land would be consistent with the existing built form in this section of Princess Street.

Whilst the lots proposed vary in size from 900sqm to 3723sqm, the layout of the lots would accord with the prevailing subdivision pattern and with the existing built form. All vacant lots would easily accommodate a building envelope that would allow appropriate siting and construction of a dwelling with a northern orientation.

Issues

Bushfire risk

The application was accompanied by a Bushfire Management Statement demonstrating in detail how the proposal would satisfy the requirements of clause 44.06 and the related clause 52.47 Planning for Bushfire.

Any dwellings that would be built on the new lots would be subject to the relatively low fire risk rating of BAL 12.5 & 29. This proposal has been reviewed by the CFA who have no objection subject to various conditions if a permit were to be granted. Bushfire risks are therefore considered to be suitably addressed.

Consistency with planning policy

State and local planning policies relating to infill development require a balanced consideration of infill development objectives against neighbourhood character objectives.
There is policy support for infill development in both the State and Local Planning Policy framework of the Mount Alexander Planning Scheme as demonstrated above that encourages a range of lot sizes within areas identified for infill development, particularly on sites that can connect to reticulated services.

The layout and design of the subdivision is considered to achieve the existing neighbourhood character reflecting the existing built form in this section of Princess Street. The proposed lots range in size from 900sqm to 3723sqm which are all reasonable size lots to accommodate a dwelling that would be orientated with a northerly aspect, achieving the prevailing built form in this section of Princess Street.

There is a mixture of lot sizes adjoining the subject site. The inclusion of the fencing restriction to limit new fencing, to part of the proposed boundaries, to open style post and wire would assist in maintaining the open style fencing existing in the area.

The proposed subdivision is considered to respond to this existing character and proposes three new vacant lots that do relate to the surrounding context.

**Outstanding objections to the application**

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the *Planning and Environment Act 1987*, two objections were received and not withdrawn.

Issues raised by the objector discussed below:

*The subdivision creates lots that are too small and inconsistent with the character of the area.*

As outlined above, it is considered that the proposed subdivision does respond to the existing pattern of subdivision of the area. Future development of the lots would result in a density of dwelling development which would respect the existing character in Princess Street.

*The creation of Lot 4 would impact our current amenity and our quality of life. We request that the neighbouring house intended for this Lot not be constructed directly opposite our house, not diminish the view of the nearby hills and we request that three covenants be included for proposed Lot 4 to restrict:*

- Any development within 10 metre from the eastern boundary of our land.
- Single storey development only.
- A dwelling or shedding is permitted to be constructed directly opposite the location of our home.

The proposed Lot 4 would be 3723sqm. A building envelope would be included on this lot in accordance with the Bushfire Management Plan which requires a one metre set back from this adjoining boundary.

As documented in many VCAT decisions, there is no right to a view. Consideration of any application must be assessed against the relevant provisions of the planning scheme and in this instance, the proposed four lots are considered to accord with the provisions, as outlined in this report, particularly as it relates to neighbourhood character and integration of the lots with the existing environment. The Owner of the land is not prepared to include the above restrictions on this lot and planning assessments/outcomes cannot include restrictions that the planning scheme and provisions allow consideration of or can be tested through an application.
Lot 4 being created is a large lot. There is existing vegetation and a number of existing sheds along the eastern boundary that currently provides screening between the two lots. The adjoining dwelling is located approximately 12 metres from this boundary. The land is zoned for residential development and there is an expectation that the land can be developed for residential purposes in accordance with the provisions of the planning scheme.

**Alternative Options**

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

**Financial and Resource Implications**

There is the cost of a potential appeal to the Victorian Civil and Administrative Tribunal. Dependant of Council’s decision this cost would be covered through operational budget or a consultant’s fee of approximately $8,000.

**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.

An applicant-objector meeting was undertaken on the 19 June, 2017 attended by the two objectors, Applicant and Council staff. The issues raised in the objections were discussed, however no resolution was reached and no objections withdrawn.

*External Referrals*

The application was referred to the Country Fire Authority, Powercor Australia, Coliban Water Authority, Downer Utilities (Gas) who all have provided conditional consent.

*Internal Referrals*

The application was referred to Council’s Infrastructure Unit who has provided conditional consent.
# Clause 56 Residential Subdivision Assessment

<table>
<thead>
<tr>
<th>Clause/standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 56.03-5 Neighbourhood character (C6)</td>
<td>It is considered that the proposal respects the predominant size, layout, and character of the area and is therefore supported.</td>
</tr>
<tr>
<td>Clause 56.04-2 Lot area and building envelopes (C8)</td>
<td>Complies. Each proposed lot is greater than 500m² and contains sufficient area to easily accommodate a 10x15m rectangle and provide for private open space.</td>
</tr>
<tr>
<td>Clause 56.04-3 Solar orientation of lots (C9)</td>
<td>Complies. All lots have good solar access.</td>
</tr>
<tr>
<td>Clause 56.04-4 Street Orientation Objective</td>
<td>Complies. All lots have a frontage to the street.</td>
</tr>
<tr>
<td>Clause 56.04-5 Common area (C11)</td>
<td>N.A</td>
</tr>
<tr>
<td>Clause 56.05-1 Integrated urban landscape objectives</td>
<td>N.A</td>
</tr>
<tr>
<td>Clause 56.06-2 Walking and cycling network objectives</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>56.06-4 Neighbourhood street network objective</td>
<td>Complies. The lots are serviced by the existing street network and the proposal makes no changes to the ease of movement through the local area.</td>
</tr>
<tr>
<td>56.06-5 Walking and cycling network detail objectives</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Clause 56.06-7 (20) - Neighbourhood street network</td>
<td>N.A</td>
</tr>
<tr>
<td><strong>Clause</strong></td>
<td><strong>Objective</strong></td>
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<td>56.06-8 (C21)</td>
<td>Lot access</td>
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<td>Urban run-off management</td>
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<tr>
<td>56.08-1 (C26)</td>
<td>Site management</td>
</tr>
<tr>
<td>56.09-1 (C27)</td>
<td>Shared trenching</td>
</tr>
<tr>
<td>Clause</td>
<td>56.09-2 (C28) Electricity, telecommunications and gas</td>
</tr>
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<td></td>
<td>These services will be supplied to the lots in accordance with the providers' requirements.</td>
</tr>
<tr>
<td>Clause</td>
<td>56.09-3 Fire Hydrants</td>
</tr>
<tr>
<td></td>
<td>Any works to the satisfaction of the CFA.</td>
</tr>
<tr>
<td>Clause</td>
<td>56.09-4</td>
</tr>
<tr>
<td></td>
<td>Street infrastructure already established.</td>
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</tbody>
</table>
Councillor Bell left the Ordinary Meeting of Council at 7.16 pm, due to a declared conflicting personal interest.

ECO 25 PLANNING PERMIT APPLICATION 036/2016 – FIVE LOT SUBDIVISION AT LOT 1 ON TP802005G, 26 WILKIE STREET, CASTLEMAINE

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/17/30614

Executive Summary

Council has received an application for a five lot subdivision at 26 Wilkie Street, Castlemaine. The site is located within the General Residential Zone and is covered by the Bushfire Management Overlay. The proposed subdivision creates five lots of reasonable size within an existing residential area.

The application was advertised and has received one objection raising concerns primarily with potential drainage, erosion, and boundary fencing issues. Various conditions relating to the creation of engineering plans and suitable drainage and fencing works to ameliorate these issues are proposed in response to the objections.

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

The application has been assessed against the provisions of the General Residential Zone, Bushfire Management Overlay, and local and State planning policy and is considered to be appropriate.

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

RECOMMENDATION

That Council issue a Notice of Decision to Grant a planning permit for a five lot subdivision at Lot 1 on TP802005G, 26 Wilkie Street, Castlemaine, subject to the following conditions:

1. PLANS REQUIRED

1.1. Prior to the certification of the subdivision 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) Earthworks and/or retaining wall treatments to appropriately address the uneven, weed covered, and currently difficult to access/maintain section of the northern property boundary.

b) The provision of adequate fencing on property boundaries, to a minimum height of 1.8 metres from the levelled/finished ground level of the lots, or as agreed between parties, to provide adequate privacy.

c) Appropriate elevations must be provided to demonstrate how the above mentioned earthworks or walls and fencing will work for residents and neighbours.

d) Any changes brought about by the creation of detailed engineering plans required to satisfy condition 4.
e) Changes to accommodate the Common Property Driveway being a minimum 5.5 metres wide with a turning circle or suitable ‘T’ turning area at the end as per condition 3.

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

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

4. ENGINEERING PLANS
4.1. Prior to certification of the subdivision, detailed access and drainage construction plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. All works constructed or carried out must be in accordance with those endorsed plans.

The plans are to include:

a) Common property Driveways and vehicle crossing works as required by the conditions of this permit

b) Sight line improvement works at the property frontage including proposed earth works, vegetation removal works and necessary signage works as shown on submitted concept plans (Drawing Ref 15129 Version 4) and as suggested by Terraco Engineers in the email dated 17 January 2017

c) Drainage works as required by the conditions of this permit and as per the submitted concept plan (Drawing Ref 15129 Version 4)

d) The location of the proposed drainage and sewerage easements

e) The Common Property Driveway is to be a minimum 5.5 metre wide asphalt or concrete driveway with a turning circle or suitable ‘T’ turning area at the end.

5. DRAINAGE WORKS AND PROPOSED EASEMENT
5.1. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the legal point of discharge to prevent the discharge of water from the subject land across any road or onto any adjoining lands.

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

5.3. All lots will need to be appropriately drained as part of the subdivision. Therefore drainage plans must demonstrate how the development is to be drained without causing any drainage problems in downstream properties and adjoining lots.

5.4. 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.

6. COMMON PROPERTY AND VEHICLE CROSSOVER WORKS

6.1. Common property driveway – minimum 5.5 m wide asphalt or concrete driveway with a turning circle or “t” at the end. Provision shall be made for underground drainage, kerb and channel and other service utilities.

6.2. Existing vehicle crossover is to be upgraded to the levels/requirements of council.

7. SEDIMENT POLLUTION CONTROL

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

8. STATEMENT OF COMPLIANCE

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

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

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

9. CONSENT FOR CONSTRUCTIONS

9.1. 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 obtain a permit to occupy the road for works.

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

10. TELECOMMUNICATIONS

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

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

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

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

11. COLIBAN WATER CONDITIONS

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

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

12. DOWNER UTILITIES / AUSNET SERVICES (GAS) CONDITIONS

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

13. POWERCOR CONDITIONS

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

13.2. The applicant shall:

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

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

• The applicant shall provide to Powercor Australia Ltd, a copy of the version of the plan of subdivision submitted for certification, which shows any amendments which have been required.

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

• Any construction work must comply with Energy Safe Victoria’s “No Go Zone” rules.
14. COUNTRY FIRE AUTHORITY (CFA) CONDITIONS

14.1. Bushfire Management Plan

The Bushfire Management Plan (Figure 9 in the Bushfire Management Statement dated 20/4/2016) must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

14.2. Hydrants

Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

- Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

**Note – CFA’s requirements for identification of hydrants are specified in “Identification of Street Hydrants for Fire fighting Purposes” available under publications on the CFA web site (www.cfa.vic.gov.au)**

15. MANDATORY BUSHFIRE MANAGEMENT OVERLAY CONDITION

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

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-1 of the [*insert name of applicable planning scheme] Planning Scheme.

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

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

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

16. PUBLIC OPEN SPACE CONTRIBUTION

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

17. VALUATION EXPENSES

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

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

PERMIT NOTES

Permit Expiry Note

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

MOVED COUNCILLOR MACHIN

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.

Councillor Bell returned to the Ordinary Meeting of Council at 7.19 pm.
Context

The purpose of this report is to enable Council to make a determination on an application for a two lot subdivision at 26 Wilkie Street, Castlemaine. The application has been referred to Council for a decision because there is one outstanding objection.

Refer to:

Attachment ECO 25B: PA036/2016 - Final plans submitted with application.
Attachment ECO 25C: PA036/2016 - Clause 56 and 52.47 Assessments.

This permit application was lodged on 15 March 2016 for a proposed five lot subdivision. In a further information request forwarded to the applicant on the 21 March 2016, the CFA required the applicant to provide a Bushfire Management Statement (BMS) report, which was subsequently provided on 3 May 2016. Concerns with drainage were raised by both Councils infrastructure department and by a single objector, with an on-site applicant-objector meeting occurring on 16 March 2017 to discuss these concerns.

The subject site is located on the east side of Wilkie Street in Castlemaine. It is currently vacant and is a single title of 3640 square metres. A minor overland stormwater flow passes through the site, which increases stormwater drainage issues, and there is a vacant crown land area of native forest directly to the south-east of the site. There are existing residential properties to the north and south of the site.

Land in the surrounding area is predominantly residential in nature, with dwellings on urban lots of widely varied sizes. The former Castlemaine Secondary College is located around 250 metres to the north-east.

The five lots would vary between 600 and 671 square metres as follows:

Lot 1: 610 square metres.
Lot 2: 600 square metres.
Lot 3: 600 square metres.
Lot 4: 600 square metres.
Lot 5: 671 square metres.

A 410 square metre common property area providing a shared driveway is also proposed to be created.

The proposed subdivision includes proposed building envelopes, which would form part of a section 173 agreement required by the mandatory permit conditions of the Bushfire Management Overlay in order to locate future dwellings centrally within the lots to provide some separation from fire risks.

The proposed subdivision also proposes to grade the lots so that most stormwater will flow towards the common property shared driveway area where drains would carry the stormwater into the street stormwater drainage.

Council’s records do not show any previous permit applications in recent history.
Policy and Statutory Implications

State Planning Policy Framework (SPPF)

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

Clause 11.10-3 Planning for growth
The objective of this clause is to focus growth and development to maximise the strengths of existing settlements.

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

Clause 13.05 Bushfire
The objective of this clause is to assist to strengthen community resilience to bushfire.

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

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

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

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

Clause 15.01-3 Neighbourhood and subdivision design
The objective of this clause is to ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable diverse and sustainable neighbourhoods.

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

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

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

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

Clause 31.03 Settlement
The Shire has prepared a growth management model to accommodate potential growth called “Cluster Connect and Consolidation”. The model was developed during the preparation of the Mount Alexander Urban Living Strategy. The model seeks to encourage balanced development across the Shire building on the Shire’s existing settlement pattern with a regional urban focus on Castlemaine. The main components of the model are urban consolidation and expansion at Castlemaine.

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.

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

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

Zoning

Clause 32.08 General Residential Zone (GRZ)
The land is located within the General Residential Zone which includes in its objectives:

To provide for development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

Under Clause 32.08-3 a permit is required to subdivide land.

Overlays

Clause 44.06 Bushfire Management Overlay
The purpose of the Bushfire Management Overlay includes:

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

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

Pursuant to Clause 44.06-2 any subdivision application must also comply with the requirements of Clause 52.47 Planning for Bushfire.

**Particular provisions**

*Clause 52.01 Public Open Space Contribution and Subdivision*

A Public Open Space Contribution is applicable as the subdivision splits one residential lot into five lots and will increase the density of population and demand for open space facilities in the area accordingly. This will be required as a permit condition.

*Clause 52.47 Planning for Bushfire*

This clause lays out various standards for access, water provision for fire-fighting, and defendable space requirements for development proposals.

*Clause 56 Residential Subdivision*

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

*Clause 65 Decision Guidelines*

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

**Issues**

*General Residential Zone*

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

The proposal would create five lots of between 600 and 671 square metres in size, each with an appropriate building envelope that is sufficiently large enough for a dwelling and providing adequate setbacks. Along two boundaries the site abuts smaller lots containing houses. It is reasonable to say the site sits in an area of different lot sizes and would add to the variety of lot sizes available in Castlemaine.

The proposal has also been assessed against clause 56 standards and is considered to be compliant.

The subject proposal would result in five residential lots of similar size to the average of those existing in the surrounding area, within an existing urban area, and as such is considered to be consistent with the purpose and decision guidelines of the General Residential Zone.

*Bushfire Risk*

The proposal creates five lots of reasonable size within the existing urban area. This location provides good sealed road access for emergency vehicles, and permit conditions would require the provision of fire hydrants and the creation of a section 173
agreement requiring future dwellings to be located within building envelopes in the centre of each lot and maintain adequate surrounding defendable space areas.

The proposal has been considered against the requirements of Clause 52.47 and is considered to have a high level of compliance, and has been formally referred to the CFA as required who have no objection to the proposal subject to conditions.

*Stormwater Impacts*

The proposed building envelopes have been setback some distance from the existing minor overland stormwater flow which passes through the land while still providing all necessary property boundary setbacks to address Rescode requirements. The proposed grading and new drainage infrastructure in the common property shared driveway area will address this stormwater issue.

The lots can connect to the existing reticulated water and sewer services.

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

The SPPF and LPPF support infill development and increasing densities where appropriate within existing urban areas. Planning policy also recognises of the need to address flooding risks and waterway impacts, which are considered to be suitably addressed.

*Alternative Options*

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

*Financial and Resource Implications*

There is the cost of a potential appeal to the Victorian Civil and Administrative Tribunal. Dependant of Council’s decision this cost would be covered through operational budget or a consultant’s fee of approximately $7,000.

*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 objection was received and not withdrawn.

*Applicant Objector Meeting and Objections to the application*

The written objection received from an adjacent landowner raised concerns with the stormwater drainage of the site.

An applicant-objector meeting was held on the 16th March 2017 between Council planning officers, the objector, and the applicant’s planning consultant. While no objections were withdrawn and there was no agreement between parties the meeting provided a forum to discuss the issues on site and gain a first-hand understanding of their potential impact on the neighbouring objector’s property.

In addition to the stormwater issue, other issues regarding fencing, weed management and maintenance access were raised during discussions on site.
In summary, these verbally raised concerns and written grounds of objection can be summarised as:

The impact of significant stormwater, fencing, and weed management issues along the raised Northern property boundary of the site impact upon neighbouring properties.

This is to some extent an existing issue which has been occurring since levelling of the site by the previous landowner some years earlier.

The proposed grading of the site towards new drainage infrastructure to be created along the common property shared driveway should deal with the vast majority of stormwater flows, and greatly improve the current situation.

The raised and levelled ground currently has a rough and steep slope along the Northern property boundary where it drops down to the level of the neighbouring properties. This area has become covered in weeds, lacks existing proper fencing to provide privacy, and is difficult to access for weed removal and maintenance.

These minor issues can be addressed as part of detailed plans required by permit conditions, as suggested by the applicant.

Engineering plans will show greater detail including how stormwater will be handled in this area, and final earthworks and fencing works carried out to satisfy final condition plans will clean up and improve this property boundary area.

Referrals

The application was referred externally to the Country Fire Authority, Powercor Australia, North Central Catchment Management Authority, Coliban Water Authority, Downer Utilities (Gas), and internally to Council’s Infrastructure Unit.

All such authorities have responded to the current proposal with no objection subject to various permit conditions which would be included in any permit to be issued.
SCHEDULE OF BUSHFIRE PROTECTION MEASURES

Defendable Space
The area hatched on is to be designated as defendable space from the edges of any buildings to the property boundaries. All vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:
- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Construction standards
The buildings will be designed and constructed to meet a minimum Bushfire Attack Level of (BAL) 12.5 for Lot 2, 3 and 4 and BAL 19 for Lots 1 and 5.

Water supply
Each lot will have a tank that will hold 5,000 litres of effective water supply for fire fighting purposes which meets the following requirements:
- It is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.

Access
The access road will be provided to each lot and will provide access for trucks for fire fighting purposes which meets the following requirements:
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

FIGURE 9 BUSHFIRE MANAGEMENT PLAN
### Clause 56 Residential Subdivision Assessment

<table>
<thead>
<tr>
<th>Clause/standard</th>
<th>Response</th>
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<tbody>
<tr>
<td>Clause 56.03-5 Neighbourhood character (C6)</td>
<td>It is considered that the proposal respects the predominant size, layout, and character of the area and is therefore supported.</td>
</tr>
<tr>
<td>Clause 56.04-2 Lot area and building envelopes (C8)</td>
<td>Complies. Each proposed lot is greater than 500m² and contains sufficient area to easily accommodate a 10x15m rectangle and provide for private open space.</td>
</tr>
<tr>
<td>Clause 56.04-3 Solar orientation of lots (C9)</td>
<td>Does not comply. The long axis is not within the preferred range of 20° north west - 30° north east. The lot layout appears to be based on the lot shape and availability of efficient access. Nonetheless, the relatively large lots of at least 600 square metres have relatively good, and elevated, access to northern sunlight, and as such the layout is considered to be an acceptable compromise design response.</td>
</tr>
<tr>
<td>Clause 56.04-4 Street Orientation Objective</td>
<td>Complies. All lots face the common property shared driveway street access while positioning private open space to the rear.</td>
</tr>
<tr>
<td>Clause 56.04-5 Common area (C11)</td>
<td>Complies. The common property is a simple shared driveway necessary for access to each lot.</td>
</tr>
<tr>
<td>Clause 56.05-1 Integrated urban landscape objectives</td>
<td>Not Applicable. The subdivision does not create any new streets or open space areas.</td>
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<tr>
<td>Clause</td>
<td>Description</td>
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<tr>
<td>56.06-2</td>
<td>Walking and cycling network objectives</td>
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</tbody>
</table>
| Clause 56.08-1 site management (C26) | Stormwater from the lots will be appropriately managed by an on-site drainage system to Council's satisfaction.

Complies.  
The level of construction activity resulting from the proposed subdivision will be moderate, and regulated by some proposed permit conditions.  
Thus there will be a minimal effect on the neighbourhood in terms of erosion, dust, run-off, litter, etc.

| Clause 56.09-1 shared trenching (C27) | Shared trenching will be used to supply reticulated services to the lots where possible. The common property provides a good opportunity for shared services.

Complies.

| Clause 56.09-2 (C28) Electricity, telecommunications and gas | These services will be supplied to the lots in accordance with the providers' requirements.

Complies.

| Clause 56.09-3 Fire Hydrants | CFA proposed permit conditions will require suitable provision of hydrants.

Complies.

| Clause 56.09-4 | Street infrastructure already established.

Not applicable

### Clause 52.47-2 Planning For Bushfire Assessment

| Clause 52.47-2 Bushfire protection objectives | Approved measure compliance.

| 52.47-2.1 Landscape, siting and design objectives |

| AM 2.1 The bushfire risk to the development from the landscape beyond the site | Complies |
can be mitigated to an acceptable level.

<table>
<thead>
<tr>
<th>AM 2.2</th>
<th>Buildings are sited to ensure the site best achieves the following: The maximum separation distance between the building and the bushfire hazard. * The building is in close proximity to a public road. * Access can be provided to the building for emergency service vehicles.</th>
</tr>
</thead>
</table>
| Complies | The development is setback with building envelopes located within the centre of each lot. It is not possible to site the lots/envelopes any further away without significantly reducing the dwelling density, which is normal for this area.

Good access to the site is provided via the sealed Wilkie Street. |

<table>
<thead>
<tr>
<th>AM2.3</th>
<th>A building is designed to reduce the accumulation of debris and entry of embers.</th>
</tr>
</thead>
</table>
| Complies | The future dwellings built on the lots will be required to meet fire-proofing material requirements ranging between BAL 12.5 to BAL 19.

The construction requirements minimize the ability for ember penetration and radiant heat exposure to compromise the building integrity. |

<table>
<thead>
<tr>
<th>52.47-2.2 Defendable space and construction objective</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 3.1 A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person’s unit, industry, office or retail premises is provided with defendable space in accordance with: * Column A, B or C of Table 2 to Clause 52.47-3 wholly within the title boundaries of the land; or * If there are significant siting</td>
<td></td>
</tr>
<tr>
<td>Complies</td>
<td>Only subdivision proposed with suitable s.173 agreement provisions for a single dwelling with defendable space and BAL rating materials requirements and static water supply provision as required.</td>
</tr>
</tbody>
</table>
The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 52.47-3.

AM 3.2 A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:

- Provided with defendable space in accordance with Table 3 to Clause 52.47-3 wholly within the title boundaries of the land.
- Constructed to a bushfire attack level of BAL12.5.

Not Applicable.

Only subdivision proposed with s.173 agreement provisions for a single dwelling. Any other accommodation proposal would require a new planning permit.

AM 4.1 A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person’s unit, industry, office or retail premises is provided with:

- A static water supply for firefighting and property protection purposes specified in Table 4 to Clause 52.47-3.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 52.47-3.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for firefighting water supplies.

The future dwellings will have a static water supply in the form of a 5000 litre fire resistant (concrete or steel) tank. This will be kept full for firefighting purposes in case of fire. CFA will be able to access the fittings on the outlet to the tank.

There shared driveway will easily meet the minimum requirements for 3.5 metre width and 4m vertical and 4.5m horizontal clearance to provide access in accordance with Table 5.

52.47-2.4 Subdivision objectives

AM 5.1 An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:

- The defendable space in accordance with Column A, B or C of Table 2 to Clause 52.47-3.
- The approved measures in

Complies.

Defendable space to be provided in accordance with standards.
<table>
<thead>
<tr>
<th>Clause 52.47-2.1 and Clause 52.47-2.3.</th>
<th>Complies.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 5.2</strong> An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows: A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defendable space in accordance with:</td>
<td><strong>Defendable space and BAL rating requirements ranging between BAL 12.5 and BAL 19 are proposed, and 5000 litre water tanks are proposed in accordance with AM4.1</strong></td>
</tr>
<tr>
<td>• Columns A or B of Table 2 to Clause 52.47-3 for a subdivision that creates 10 or more lots; or</td>
<td><strong>Not Applicable</strong></td>
</tr>
<tr>
<td>• Columns A, B or C of Table 2 to Clause 52.47-3 for a subdivision that creates less than 10 lots.</td>
<td><strong>Only 5 lots.</strong></td>
</tr>
<tr>
<td>• Defendable space wholly contained within the boundaries of the proposed subdivision. Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</td>
<td><strong>Complies.</strong></td>
</tr>
<tr>
<td>• Vegetation management requirements, including inner zone standards (as appropriate), to implement and maintain the defendable space required under this approved measure.</td>
<td>The new shared driveway common property area can be suitably maintained and does not pose a significant fire risk.</td>
</tr>
<tr>
<td>• Water supply and vehicle access that complies with AM 4.1.</td>
<td><strong>Only 5 lots.</strong></td>
</tr>
</tbody>
</table>

**AM 5.3** An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.

**AM 5.4** A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.
Executive Summary

Council has received an application for a two lot subdivision, at 76 Bull Street, Castlemaine. The site is located within the General Residential Zone and is covered by Bushfire Management Overlay.

One objection has been received in relation to concerns about the small size of the second lot and the inconsistency of the subdivision with the character of the surrounding area; limited access to public transport and the privacy of neighbouring properties were also raised as concerns.

The two lot subdivision does not meet all the requirements of Clause 56 of the planning scheme and is not supported by relevant policy. The proposed subdivision could provide additional residential lots within a general residential zone; however the proposal is not consistent with the surrounding pattern of development and the neighbourhood character of the area.

RECOMMENDATION

That Council issue a Notice of Refusal to subdivide the land into 2 lots, at Lot 1 and 2 TP374295A, Castlemaine, 76 Bull Street, Castlemaine, on the following grounds:

1. The subdivision is not consistent with the existing neighbourhood character of the area and Clause 56.03-5 of the Mount Alexander Planning Scheme;

2. The private open space provided to each lot is not consistent with the character of the area and would not provide a reasonable level of amenity to each dwelling;

3. The subdivision and building envelope do not allow for appropriate landscaping; and

4. The subdivision would result in a loss of amenity to surrounding residential properties.

MOVED COUNCILLOR MACHIN

That the matter be deferred to a future Ordinary Meeting of the Council.

SECONDED COUNCILLOR BELL

CARRIED.
Context

The purpose of this report is to enable Council to make a determination on an application for a two lot subdivision at 76 Bull Street, Castlemaine. The application has been referred to Council for a decision because an objection has been received and Council Officers are recommending refusal of the application.

Refer to:
Attachment ECO 26A: PA160/2016 - Context and site aerial.
Attachment ECO 26B: PA160/2016 - Final plans submitted with application.
Attachment ECO 26C: PA160/2016 - Assessment against Clause 56.

The application was lodged on 25 July 2016 and proposes a 2 lot subdivision in the General Residential Zone.

The subject site is zoned General Residential Zone and is covered by Bushfire Management Overlay (BMO).

The subject land has a total area of 1035 square metres and is rectangular in shape. The site is located approximately 1 kilometre northeast of the centre of Castlemaine (as the crow flies). The site contains a dwelling and associated sheds and carport. The surrounding area predominantly consists of single dwelling residential development on large suburban-size lots. The section of Bull Street adjacent the site is a rough gravel road.

Lot 1 would contain the existing weatherboard dwelling situated in the centre portion of the block, and would have an area of 586 square metres. A new car port is proposed to the west side of the dwelling, accessed via a new crossover.

Lot 2 would be 490 square metres in area and would be a battle-axe configuration of the site. No trees are proposed to be removed to accommodate this development.

The subdivision would connect to the sewer, water and power mains in Bull Street to the north.

Policy and Statutory Implications

State Planning Policy Framework (SPPF)

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

Clause 11.10-3 Planning for growth
The objective of this clause is to focus growth and development to maximise the strengths of existing settlements.

Clause 11.05 Regional Development
The objective of this clause is to promote the sustainable growth and development of regional Victoria through a network of settlements identified in the Regional Victoria Settlement Framework plan.
Clause 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 15.01-2 Urban design principles
The objective of this clause is to achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

Clause 15.01-3 Neighbourhood and subdivision design
The objective of this clause is to ensure the design of subdivisions achieves attractive, liveable, walkable, cyclable diverse and sustainable neighbourhoods.

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

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

Local Planning Policy Framework (LPPF)

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

Clause 31.03 Settlement
The Shire has prepared a growth management model to accommodate potential growth called “Cluster Connect and Consolidation”. The model was developed during the preparation of the Mount Alexander Urban Living Strategy. The model seeks to encourage balanced development across the Shire building on the Shire’s existing settlement pattern with a regional urban focus on Castlemaine. The main components of the model are urban consolidation and expansion at Castlemaine.

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

Clause 32.08-2 General Residential Zone
Under this clause, a planning permit is required to subdivide land. An application to subdivide land between 2 lots requires that subdivisions comply with relevant objectives and standards of clause 56 of the planning scheme.
Overlays

Clause 44.06 Bushfire Management Overlay

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

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

Particular provisions

Clause 56 Residential Subdivision

The purpose of this clause is:

To ensure residential subdivision design appropriately provides for policy implementation, liveable and sustainable communities, residential lot design, urban landscapes, access and mobility management, integrated water management, site management and utilities.

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.

Issues

Strategic justification for subdivision of the site

The site is located within the general residential zone, in an area that predominantly consists of established residential dwellings. The primary purpose of the general residential zone is to provide for residential development at a range of densities including good access to services, and limited range of non-residential uses. There are a range of state and local planning policies which aim to support urban consolidation where it is appropriate.

In this instance the development of a small battle axe lot is not a good design outcome. The rear lot would have no street presence and would allow a development that may have detrimental amenity impacts on surrounding dwellings.

The existing dwelling, which is well setback from the site frontage, would have compromised south facing private open space. The additional street crossover would lead to a car port located in front of the dwelling; again, this is not a good urban design outcome for the street.

Access to the subdivision

The proposal includes an additional access point to Bull Street. The density of residential development adds to the traffic and associated maintenance costs of keeping Bull Street in suitable condition to provide proper access, which is only a gravel road in this area.

If a permit were to be issued Council’s Infrastructure department would require permit conditions requiring the developer to upgrade the access to Bull Street from both sites.

Land Use Development

The proposed subdivision of land into two lots conforms to requirements set within the planning scheme and allows for further infill development to occur within proximity to the
Castlemaine central business area. The area of lot 2 is considered sufficient size; however the actual site only allows for approximately 300m² of building excluding the proposed driveway. There is limited scope for residential development of the proposed lot.

The application did not provide any dwelling development plans; there is a level of uncertainty about any future development that may occur and the amenity impact this may have on adjoining dwellings.

The proposed access to lot 2 is the minimum required width and is adjacent to the existing dwelling, with minimal allowance to forward exit the site. It is likely vehicles would need to reverse the entire length of the battle axe lot of leave the site.

Private open space to the rear of the existing dwelling will be compromised as part of the subdivision, and would be to the south of the dwelling which is not desirable as the primary private open space area. The allowance for lot 2 has greatly reduced the level of open space and solar access to the rear existing dwelling.

Access to lot 1 is proposed via a new crossover to Bull Street. Car parking for lot 1 is to be located on the western elevation and have a forward setback to the dwelling. Any future proposed car port or garage will become prominent to the street.

The subdivision proposed is to be a battle-axe configuration. This type of development is in contrast to the local characteristics of the residential area. Characteristically the area is of larger block size and within heritage dwellings adjacent and close to the site.

Battle axe lots are not a desirable or good planning outcome, with the rear dwelling having no street address or community presence.

Compliance with clause 56

The application included an assessment against the relevant objectives and standards of clause 56. While most standards are met, the proposal does not meet the requirements of 56.03-5 Neighbourhood character, as the proposed subdivision is inconsistent with the existing and preferred neighbourhood character of the area, which consists of larger lots in this area on the edge of the urban area.

The ‘battle-axe’ layout does not integrate with the surrounding area and leaves the second lot surrounded and dependent upon a narrow driveway corridor, which is not considered to be a desirable outcome.

Public Open Space Contribution and Subdivision

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

Bushfire Management Overlay

The CFA consents to the proposal subject to standard CFA conditions. The proposal is considered to comply with the relevant objectives and standards under Clause 52.47.

Outstanding objections to the application

Following advertisement of the application in accordance with Sections 52(1)(a) and 52(1)(d) of the Planning and Environment Act 1987, one objection was received.
The objector’s key concerns can be summarised as follows:

The proposal is not considerate of the local character of the area and will be detrimental to the residential concept of surrounding properties.

The proposal is inconsistent with the larger lot layout and neighbourhood character of the surrounding area, which is located on the very edge of the urban area. This development could change the character of the area, acting as a precedent for similar further subdivisions in the surrounding area.

The lots are below average size for the neighbourhood and Lot 2 fails to provide adequate vegetation.

The site will only allow for a moderate to small dwelling and very minimal garden areas. The small size of lot 2, especially when considering how much space is available when the driveway area is excluded from the space available for building and open space, and when compared to the lot layout of the surrounding area, is a significant concern.

There is no access to public transport within the neighbouring area. The property is a minimum 20 minute walk over steep terrain to the nearest public transport station and is unsuitable for the aged or infirm or pregnant women.

Public transport is approximately 20-30 minute walk to the nearest stop. The site is on the edge of the urban area and accessed by gravel road. While not exceedingly remote, the site is not an inner urban area which would be preferred for infill development.

The existing house falls already into the category of an affordable dwelling. If allowed to be subdivided the only viable building option for lot 2 will be a two storey dwelling.

Dwelling development for lot 2 is uncertain as no proposed dwelling plans were submitted as part of the application. The small size of the available area of lot 2 for building and open space creates significant constraints and makes double storey development of building on boundaries likely to occur. Any double storey may result in siting and privacy issues for neighbouring properties.

Alternative Options

Council could approve the application, however the application does not comply with the Planning Scheme.

Financial and Resource Implications

There is the cost of a potential appeal to the Victorian Civil and Administrative Tribunal. Dependant of Council’s decision this cost would be covered through operational budget or a consultant’s fee of approximately $7,000.

Consultation

Advertising

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

Applicant-objector correspondence

The applicant and objector were contacted by Council officers and a mediation meeting was set up on 25 October 2016. The meeting was not held as the objector felt that no resolution could be met and therefore the meeting was cancelled.
External Referrals
CFA and Coliban Water have provided conditional consent to the application.

Internal Referrals
Council’s Infrastructure Unit have provided conditional consent to the application.
<table>
<thead>
<tr>
<th>Clause/standard</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Clause 56.03-5</strong> Neighbourhood character (C6)</td>
<td>Does not comply</td>
</tr>
<tr>
<td></td>
<td>The proposal is inconsistent with the existing and preferred neighbourhood character of the area, which consists of larger lots in this area on the edge of the urban area.</td>
</tr>
<tr>
<td></td>
<td>The crude ‘battle-axe’ layout does not integrate with the surrounding area and leaves the second lot surrounded and dependent upon a narrow driveway corridor, which is not considered to be a desirable outcome.</td>
</tr>
<tr>
<td><strong>Clause 56.04-2</strong> Lot area and building envelopes (C8)</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>Proposed lot 2 is to contain a rectangular building envelope measuring 10 metres by 15 metres.</td>
</tr>
<tr>
<td><strong>Clause 56.04-3</strong> Solar orientation of lots (C9)</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The proposed development meets standard C9 whereby the long axis of the new proposed lot 2 of the development developments is within the range of east 20 degrees north to east 30 degrees south. Proposed lot 2 meets standard C9 whereby the long axis is within this range.</td>
</tr>
<tr>
<td><strong>Clause 56.04-5</strong> Common area (C11)</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>Common property is not proposed as part of the subdivision</td>
</tr>
<tr>
<td><strong>Clause 56.06-8</strong> (C21) – Lot access</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>The proposed subdivision complies with the Standard with access to each individual lot provided via Bull Street. Lot 1 will require new access to Bull Street.</td>
</tr>
<tr>
<td><strong>Clause 56.07-1</strong> (C22) drinking water supply</td>
<td>Complies</td>
</tr>
<tr>
<td></td>
<td>All lots will be connected to reticulated utilities in accordance with the requirements and conditions of the responsible authority and relevant service authorities.</td>
</tr>
<tr>
<td><strong>Clause 56.07-2</strong> (C23) Reused and recycled water</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>A recycled water supply is not currently available in the area.</td>
</tr>
<tr>
<td>Clause/standard</td>
<td>Response</td>
</tr>
<tr>
<td>-----------------</td>
<td>----------</td>
</tr>
</tbody>
</table>
| Clause 56.07-3 (C24) Waste Water Management | Complies  
All lots will be connected to a reticulated sewerage system to the satisfaction of Coliban Water. |
| Clause 56.07-4 (C25) Urban run-off management | Complies  
Stormwater from the lots can be appropriately managed by an on-site drainage system to Council's satisfaction. |
| Clause 56.08-1 site management (C26) | Complies  
The proposed subdivision will not cause environmental degradation or nuisance prior to and during construction of subdivision works. |
| Clause 56.09-1 shared trenching (C27) | Complies  
Shared trenching will be used where possible as both proposed allotments have access to existing services. |
| Clause 56.09-2 (C28) Electricity, telecommunications and gas | Complies  
The proposed allotments will be fully serviced with electricity, telecommunications and gas. Connections will be via existing infrastructure located within the road reserve to the satisfaction of the responsible authority. |
RESOLUTION: "EXECUTIVE SUMMARY

The purpose of this report is to seek a resolution from Council requesting the Minister for Planning to authorise the preparation of Planning Scheme Amendment C082, and to exhibit the amendment once authorisation is received.

Amendment C082 is a Council proposed amendment to introduce flood management overlays to Castlemaine, Campbells Creek and Chewton.

RECOMMENDATION

That Council:

1. Seek authorisation from the Minister for Planning under section 8A(2) of the Planning and Environment Act 1987 to prepare the proposed Amendment C082 to the Mount Alexander Planning Scheme;

2. Once authorisation is received, exhibit the amendment in accordance with the Planning and Environment Act 1987; and

3. Delegate to the Manager Development Services the ability to approve any minor changes to the amendment prior to exhibition.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR MACHIN

CARRIED."
Context

This amendment proposes to implement the findings of the *Castlemaine, Campbells Creek and Chewton Flood Management Plan (August 2015)* (the Flood Management Plan) that was adopted by Council at the 10 November 2015 Ordinary Meeting of Council.

The townships of Castlemaine, Campbells Creek and Chewton have been affected by flooding from Barkers Creek, Campbells Creek and Forest Creek in recent years, including September 2010, November 2010, January 2011 and February 2012. During the January 2011 and February 2012 flooding events, flooding levels were surveyed and documented. This documented evidence was used to inform the modelling undertaken for the Flood Management Plan.

The objective of the Flood Management Plan was to investigate and recommend potential options to reduce the impact of flooding on these three townships. The Flood Management Plan recommends an amendment to the Mount Alexander Planning Scheme to incorporate new flood mapping so that flood hazard can be identified when considering future land development. It will exempt planning permit requirements when certain conditions are met.

The amendment proposes to amend the Mount Alexander Planning Scheme by:

- Introducing the Floodway Overlay (FO). This is to be applied to land that is subject to mainstream flooding and has been identified as having a 10% Annual Exceedance Probability (subject to flooding on average once in every 10 years).
- Amending the Land Subject to Inundation Overlay (LSIO). This is to be applied to land that is subject to mainstream flooding but has a lower risk of flooding than FO land by having a 1% AEP flood extent (subject to flooding on average once in every 100 years).

The amendment affects approximately 367 properties that are located within Castlemaine, Campbells Creek and Chewton township areas.

Of these properties to be affected, approximately:

- 49 properties are proposed to have the current LSIO deleted.
- 16 properties are proposed to have the FO added only.
- 7 properties are proposed to have the FO added and current LSIO deleted.
- 158 properties are proposed to have both the FO and the LSIO applied.
- 137 properties are proposed to have the current LSIO deleted and both the FO and the LSIO applied.

Refer to:

**Attachment ECO 27A:** Amendment C082 – Request for Authorisation – Proposed Schedule to Flood Overlay (FO).

**Attachment ECO 27B:** Amendment C082 – Request for Authorisation – Proposed Schedule to Land Subject to Inundation Overlay (LSIO).

**Separate Attachment ECO 27C:** Amendment C082 – Request for Authorisation – Proposed FO and LSIO mapping.

**Attachment ECO 27D:** Amendment C082 – Request for Authorisation – Explanatory Report.
Policy and Statutory Implications

Relevant policies, strategies and plans

The preparation of this amendment is consistent with the strategy of the Council Plan 2017-2021 to ‘Build community resilience by working together with the community and key stakeholders to prevent, prepare, respond and recover from emergencies and manage risk’. The amendment provides some regulation to future development on flood-prone land.

The proposed amendment is consistent with the following adopted by Council (on 10 November 2015):

- The Castlemaine, Campbells Creek and Chewton Flood Management Plan (August 2015) recommends for a planning scheme amendment that incorporates the new flood mapping produced by the Flood Management Plan.

Statutory powers and implications

Mount Alexander Shire Planning Scheme - Municipal Strategic Statement:

- Clause 21.05-2 (Environmental Risks - Floodplains) states that 'land use planning is considered to be the most effective means of reducing flood risks'. Objective 1 is to: ‘To identify and manage land that is subject to flooding’. This objective is supported by:

  Strategy 1.2: ‘Assist the relevant Catchment Management Authority in preparing any planning scheme amendments to update flood overlays’.

  Strategy 1.2 is proposed to be implemented by ‘applying the Floodway Overlay and the Land Subject to Inundation Overlay’ and by implementing the ‘Castlemaine, Campbells Creek and Chewton Flood Management Plan’. This amendment meets this commitment.

Planning and Environment Act 1987 (the Act):

Section 4(1) of the Act sets out the objectives of planning in Victoria. These objectives include:

- To secure a safe working, living and recreational environment for all Victorians and visitors to Victoria;
- To provide for the fair, orderly, economic and sustainable use and development of land; and
- To balance the present and future interests of all Victorians.

Section 8A (2) of the Act stipulates that a municipal Council may only prepare an Amendment to a Planning Scheme if it is authorised to do so by the Minister for Planning.

Sections 17-19 of the Act stipulate the exhibition and notice requirements for a planning scheme amendment. Council will need to exhibit the amendment in accordance with these requirements.

Issues

It is recognised that the current LSIO mapping in the Mount Alexander Planning Scheme is out of date and inaccurate. This has caused a range of issues for property owners and
for Council when providing customer advice. This amendment is an opportunity to update the existing flood mapping to reflect the most recent and accurate maps.

In the short term it is expected that this amendment will result in changes to new building proposals that will be designed to respond to the constraints of the land and its capacity to flood. This may result in some increased building costs. However in the long term it is expected that this amendment will deliver positive environmental, social and financial impacts, as this amendment seeks to reduce the impact that flooding has on developments and the environment.

It is well recognised that floods can negatively impact on individuals and the community in a number of ways. These impacts can have significant psychological and health related consequences for individuals and wider social consequences for the community. Further, inappropriate development can reduce a floodplain’s capacity to store and transport floodwater effectively which often diverts floodwater to other land not normally flooded.

The financial impacts of flooding were costed in The Flood Management Plan. It was found that damage caused from flooding range in cost from $400,570 for a flood that occurs on average once in every 5 years up to $6,162,476 for a flood that occurs on average once in every 1 in 100 years. This amendment seeks to prevent these costs from impacting the community and Council.

**Alternative Options**

Council could decide not to seek authorisation from the Minister for Planning to prepare the proposed Amendment to the Mount Alexander Planning Scheme. This would preclude the Amendment from progressing any further.

This is not preferred as this would be contrary to Recommendation 10 of the Flood Management Plan that recommends an amendment of the Mount Alexander Planning Scheme to incorporate new flood mapping produced by the Flood Management Plan.

**Financial and Resource Implications**

The costs of administering this amendment are contained within the 2017/2018 annual Strategic Planning budget. Additional funding from the Department of Environment, Land, Water and Planning (DELWP) has been sought from the Flood and Emergency Risk Resilience - Implementation of the Victorian Floodplain Management Strategy Funding Program.

It is unlikely that the new planning provisions will have a significant financial burden on Council. While their introduction will likely result in an increase in the number of planning applications, the provisions propose to exempt the need to obtain planning permits for minor buildings and works. Planning permit application numbers and therefore service delivery will be monitored to ensure appropriate service is maintained, which may require additional staff hours.

The increase in resource and administrative costs will be offset by greater long term community resilience to the impacts of flooding, and reduced resourcing required by Council in emergency flooding events.

**Consultation**

During the development of the Flood Management Plan extensive community engagement was undertaken where it was communicated that this planning scheme amendment would occur.
A statutory exhibition will be required as part of the Amendment process. The Amendment must be made available to view publicly for at least one calendar month. As part of the statutory exhibition period, affected and adjoining landowners will be notified, as well as a notice placed in Council’s column of the newspaper. During the exhibition period it is planned to run drop in sessions where property specific information will be available. Both Council staff and North Central CMA staff will be in attendance.

The statutory exhibition period is considered to be the appropriate time for Council to consult with the community and external organisations. A meeting has occurred between Council and the Department of Environment, Land, Water and Planning (DELWP) who have given this amendment in principle support. Other external organisations will be consulted during the statutory exhibition period.
SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as FO01 or RFO01.

FLOODING FROM WATERWAYS

1.0 Permit requirement

A permit is not required to construct or carry out the following buildings or works:

Extensions and alterations to existing buildings

- An extension to an existing dwelling (not including an outbuilding associated with a dwelling), provided the floor level of the proposed extension is not less than the existing floor level and the gross floor area of the extension does not exceed 20 square metres.
- An upper storey extension to an existing building if there is no increase in the ground level footprint.

New and replacement buildings

- A replacement single dwelling provided the floor level is at least 300mm above the 1 per cent AEP (Annual Exceedance Probability) flood level and the original building footprint is not increased by 20 square metres in area. The responsible authority may require evidence of the existing building envelope.
- A non-habitable building (including an outbuilding associated with a dwelling) with a floor area of less than 10 square metres.
- An agricultural or farm building with permanent openings, such as a hay shed, cattleyard, covered horse stable or other yards.

Other Buildings and Works

- A pergola, veranda, deck, garage or carport that is open on all sides and (if not at ground level), has unenclosed foundations.
- A carport constructed over an existing carspace.
- An in-ground swimming pool or spa and associated open style security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is moved outside the 1 per cent AEP flood extent.
- A tennis court at existing surface level with curtain fencing.
- An aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.
- A playground, picnic shelter, picnic table, drinking tap, rubbish bin or barbeque.
- A mast, antenna, telecommunications tower and associated infrastructure, or light poles.
- Any sign on supporting posts or a building where the sign itself is above the 1 per cent AEP flood level.
- A pump shed.
- Landscaping, driveways, and vehicle crossovers associated with a dwelling, if there is no change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- Roadworks, or bicycle pathways and trails carried out by a public authority if there is less than 50mm change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
2.0 Application requirements

An application must be accompanied by the following information, as appropriate:

- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
- Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created, details of any filling proposed and evidence to show that any proposed filling will not raise flood levels, flow velocities or reduce flood storage to the detriment of others.
SCHEDULE 2 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Showed on the planning scheme map as LSIO02.

FLOODING FROM WATERWAYS

1.0 Permit requirement

A permit is not required to construct or carry out the following buildings or works:

Extensions and alterations to existing buildings

- An extension to an existing building (not including an outbuilding associated with a dwelling), provided the floor level of the proposed extension is not less than the existing floor level and the gross floor area of the extension does not exceed 40 square metres.
- An upper storey extension to an existing building if there is no increase in the ground floor footprint.
- An extension to an outbuilding associated with a dwelling where floor levels are at least 150mm above the 1 per cent AEP (Annual Exceedance Probability) flood level.

New and replacement buildings

- A replacement single dwelling provided the floor level is at least 300mm above the 1 per cent AEP (Annual Exceedance Probability) flood level and the additional gross floor area of the dwelling does not exceed 40 square metres.
- A non-habitable building (including an outbuilding associated with a dwelling) with a floor area of less than 10 square metres.
- An outbuilding associated with a dwelling provided the floor level is at least 150mm above the 1 per cent AEP flood level.
- An agricultural or farm building with permanent openings, such as a hay shed, cattle yard, covered horse stable or other yards.
- An agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a rural zone provided the floor area is less than 200 square metres and setback a minimum of 30 metres from the top of bank of any designated waterway.
- A relocatable building associated with a caravan park provided the floor level is at least 100mm above the 1 per cent AEP flood level.

Other buildings and works

- Buildings and works on land subject to an existing planning permit, restriction or agreement:
  - if land has been developed in accordance with a planning permit, restriction or Section 173 agreement requiring its ground surface level to be finished at least 300mm above the 1 per cent AEP flood level; and
  - survey plans confirm that the ground surface level has been constructed in accordance with the requirements of a planning permit, restriction or subdivision; and
  - any buildings and works do not lower the ground surface level or result in a finished floor level for a dwelling that is below 300mm above the 1 per cent AEP flood level.
- A replacement fence and gate in the same location and of the same type and materials as the existing fence.
2.0 Application requirements

An application must be accompanied by the following information, as appropriate:

- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.

- If subdivision is proposed, the location, shape and size of the proposed lots to be created, details of any filling proposed and evidence to show that any proposed filling will not raise flood levels, flow velocities or reduce flood storage to the detriment of others.

3.0 Referral of applications

An application to construct a building, construct or carry out works or to amend a permit is not required to be referred to the relevant floodplain management authority pursuant to Section 53 of the Planning and Environment Act 1987 if the application:

- Is accompanied by the relevant floodplain management authority’s written approval, which must:
  - be granted not more than three months prior to lodging the application with the responsible authority;
  - quote the reference number of the approved plans;
  - state the applicable flood level(s); and
  - state any conditions to be included on a permit.
Who is the planning authority?

This amendment has been prepared by the Mount Alexander Shire Council, which is the planning authority for this amendment.

Land affected by the Amendment

The amendment applies to approximately 376 properties within Castlemaine, Campbells Creek and Chewton.

Those properties are within the boundaries of the Castlemaine, Campbells Creek and Chewton Flood Management Plan August 2015 and are located in the catchments of the Barkers Creek, Campbells Creek and the Forest Creek catchments.

Of these properties to be affected, approximately:

- 49 properties are proposed to have the current LSIO deleted.
- 16 properties are proposed to have the FO added only.
- 7 properties are proposed to have the FO added and current LSIO deleted.
- 158 properties are proposed to have both the FO and the LSIO applied.
- 137 properties are proposed to have the current LSIO deleted and both the FO and the LSIO applied.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment proposes to implement the findings of the Castlemaine, Campbells Creek and Chewton Flood Management Plan August 2015, which was commissioned by the North Central Catchment Management Authority (NCCMA) and Mount Alexander Shire Council. The amendment will apply flood controls to properties that are located in active flow paths to ensure that flooding is considered in development proposals. It will exempt planning permit requirements when certain conditions are met.

The amendment proposes to amend the Mount Alexander Planning Scheme in the following ways:-

Ordinance changes

- Amend Clause 21.05-2 of the Municipal Strategic Statement to include the Castlemaine, Campbells Creek and Chewton Flood Management Plan August 2015 as a reference document in the planning scheme.

- Amend Clause 21.05-2 of the Municipal Strategic Statement by deleting ‘The North Central Catchment Management Authority is in the process of preparing the Castlemaine, Campbells Creek and Chewton Flood Management Plan to identify areas in these towns that subject to flooding and potential mitigation options’.

- Amend Clause 21.05-2 of the Municipal Strategic Statement by deleting ‘implementing the Castlemaine, Campbells Creek and Chewton Flood Management Plan 2015’ from further strategic work.
Delete the Land Subject to Inundation Overlay from all land in the study area, approximately 173 properties.

Insert Schedule 2 to the Land Subject to Inundation Overlay.

Apply the Land Subject to Inundation Overlay Schedule 2 to approximately 147 properties in the study area.

Insert Clause 44.03 (Floodway Overlay), and insert Schedule 1 to the Floodway Overlay.

Apply the Floodway Overlay Schedule 1 (FO1) to approximately 112 properties in the study area.

Mapping changes
- Deletes the LSIO on maps: 21LSIO and 23LSIO
- Amends the LSIO on maps: 19LSIO, 20LSIO and 22LSIO
- Inserts the LSIO-FO on maps: 19LSIO-FO, 20LSIO-FO, 21LSIO-FO, 22LSIO-FO, 23LSIO-FO, 24LSIO-FO, 32LSIO-FO

Strategic assessment of the Amendment

Why is the Amendment required?
The amendment is required to implement the findings of the Castlemaine, Campbells Creek and Chewton Flood Management Plan 2015 (the Flood Management Plan).

The townships of Castlemaine, Campbells Creek and Chewton have been affected by flooding from Barkers Creek, Campbells Creek and Forest Creek in recent years, including September 2010, November 2010, January 2011 and February 2012. During the January 2011 and February 2012 flooding events, flooding levels were surveyed and documented. This documented evidence was used to inform the modelling undertaken for the Flood Management Plan.

The objective of the Flood Management Plan was to investigate and recommend potential options to reduce the impact of flooding on these three townships. This involved an extensive review of available data and historic flood information to simulate various past flood events through the town.

The existing Land Subject to Inundation Overlay (LSIO) in the Mount Alexander Planning Scheme has been recognised as being out of date and inaccurate. This has caused a range of issues for property owners and for Council in the implementation of the planning scheme.

The Flood Management Plan recommends an amendment to the Mount Alexander Planning Scheme to incorporate new flood mapping so that flood hazard can be identified when considering future land use and development. This involves the introduction of the Floodway Overlay (FO) and changes to the LSIO for mainstream flooding. Mainstream flooding occurs when heavy rainfall produces surface run-off which flows into streams and rivers and water overflows the river banks causing flooding.

The FO is to be applied to land based on a combination of the 10% Annual Exceedance Probability (AEP), flood hazard and flood depth. The LSIO is to be applied to land based on the 1% AEP flood extent (lower flood risk than land to be covered by the Floodway Overlay).

Land use planning is recognised as being the best means of avoiding future flooding problems. Through careful planning, flood risks to life, property and community infrastructure can be minimised and the environmental significance of our floodplains protected (Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes - A guide for councils [June, 2015]).

How does the Amendment implement the objectives of planning in Victoria?
The amendment will implement the objectives of planning in Victoria by:
• Providing for the fair, orderly, economic and sustainable use, and development of land by identifying areas that are subject to flooding and introducing appropriate guidelines for new development.

• Providing for the protection of natural and man-made resources by ensuring that development occurs in ways that will maintain flood storage and active flow paths.

• Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria by establishing a planning framework that will minimise risks to life and property.

• Protecting public utilities and other assets by ensuring that development does not exacerbate flood risks to these assets.

• Facilitating development by establishing clear provisions that allow for different solutions to address flooding issues.

How does the Amendment address any environmental, social and economic effects?

Environmental Effects

The amendment will help to prevent inappropriate development from occurring in areas that are subject to flooding, that could reduce the capacity of the floodplain to store and convey water or divert floodwater to other land not normally inundated by floodwater. The amendment will help to prevent blockages of floodways that can have adverse environmental impacts, such as isolating wetlands, destroying natural habitats, eroding stream channels and increasing siltation (Planning Practice Note 12 Applying the Flood Provisions in Planning Schemes - A guide for councils [June, 2015]).

Social Impacts

Flooding can have significant psychological and health related consequences for individuals and social consequences for local communities. Effects can include the loss of life, loss of home, temporary or permanent displacement and loss of possession and memorabilia.

The amendment seeks to protect life and property in areas at risk of flooding by introducing planning controls. The amendment proposes to apply development provisions in areas that are affected by flooding, to reduce risks to life and property. The new provisions will create a safer living and working environment for the residents of Castlemaine, Campbells Creek and Chewton.

Economic Impacts

It is expected the amendment will have long term positive economic benefits. However in the short term an increase in development costs may occur in order to meet the planning control requirements. The amendment will address long term and regularly occurring negative economic impacts by discouraging inappropriate development on land that has been identified as being exposed to unacceptable levels of flooding, or discourage inappropriate development that exacerbates flooding in other areas.

Does the Amendment address relevant bushfire risk?

The proposed amendment will not result in any change to the risk to life from bushfires, or risks to property, community infrastructure and the natural environment from bushfire.

Does the Amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes, as required by Section 7(5) of the Planning and Environment Act 1987. The amendment and new provisions have been written in plain English. The new schedules and provisions have been prepared in accordance with the requirements of this direction.
The amendment has been considered against Minister’s Direction No. 11 Strategic Assessment of Amendments, as required by Section 12(2)(a) of the Act. Minister’s Direction No. 15 The Planning Scheme Amendment Process also applies to the amendment.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment supports the following State planning policies:

- Clause 11.07-1 (Regional planning), which states that it is policy to respond to the impacts of climate change and natural hazards and promote community safety by siting and designing new dwellings, subdivisions and other development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards, such as flood.

- Clause 13.02-1 (Floodplain management), which aims to protect life, property and community infrastructure and environmental assets from flood hazards by:
  - Identifying land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps.
  - Avoiding the intensification of impacts of flooding through inappropriately located uses and developments.

- Clause 14.02-2 (Water quality), which aims to discourage incompatible land uses in areas subject to flooding in ensure minimum impact on downstream water quality of flow volumes.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment implements Clause 21.05-2 (Environmental Risks - Floodplains) by:

- Addressing objective 1: To identify and manage land that is subject to flooding.

- Addressing strategy 1.2: Assist the relevant Catchment Management Authority in preparing any planning scheme amendments to update flood overlays.

- Applying the Floodway Overlay and Land Subject to Inundation Overlay in accordance with relevant planning practice notes and the advice of the relevant catchment management authority.

- Implementing (recommendations from) the Castlemaine, Campbells Creek and Chewton Flood Management Plan.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Victoria Planning Provisions contain a range of provisions for responsible authorities to identify and manage flooding, which have been derived based on the type of flooding and the potential level of risk to life and property. The amendment makes proper use of these provisions and has been prepared with consideration of Planning Practice Note 12. Applying the Flood Provisions in Planning Schemes - A guide for councils (June, 2015).

In choosing planning scheme tools, consideration was given to:

- the purpose and operation of each overlay;

- the experience of the North Central Catchment Management Authority (NCCMA) in working with the overlay in different municipalities;

- the experience of other municipalities that have developed, or are developing, new flooding provisions;

- other relevant technical guidance prepared by authorities or governments.

How does the Amendment address the views of any relevant agency?
The amendment has been prepared in close consultation with the NCCMA, which supports the content of the amendment.

Considerable consultation has taken place with key stakeholders and government agencies as part of the preparation of the Castlemaine, Campbells Creek and Chewton Flood Management Plan 2015. This included an extensive consultation process with the public in relation to the flood mapping.

All relevant agencies will be given the opportunity to provide formal comment during the exhibition stage of the amendment process.

**Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

This amendment will not have any impact upon the transport system, as defined by the *Transport Integration Act 2010.*

**Resource and administrative costs**

- What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

All properties to be affected by the application of the LSIO and FO are currently covered by the LSIO. This land is generally already developed, and it is unlikely that this control will result in a significant increase in number of planning permits issued. The amendment has exempted the need to obtain planning permits for minor buildings and works, enabling the resources of the responsible authority to be focused on forms of development that are likely to have the greatest impact. The slight increase in resource and administrative costs of the responsible authority will be offset by greater community resilience to the impacts of flooding, and reduced resourcing required in an emergency flood event.

**Where you may inspect this Amendment**

The amendment is available for public inspection, free of charge, during office hours at the following places:

Mount Alexander Shire Council, Civic Centre, 27 Lyttleton Street, Castlemaine


**Submissions**

Any person who may be affected by the amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment [and/or planning permit] must be received by [insert submissions due date].

A submission must be sent to: Mount Alexander Shire Council

PO Box 185

CASTLEMAINE VIC 3450

OR sent via email to: info@mountalexander.vic.gov.au

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: [insert directions hearing date]
- panel hearing: [insert panel hearing date]
**ATTACHMENT 1 - Mapping reference table**

<table>
<thead>
<tr>
<th>Location</th>
<th>Land / Area Affected</th>
<th>Mapping Reference</th>
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<tbody>
<tr>
<td>Castlemaine</td>
<td>Refer to map</td>
<td>Mount Alexander C082 Map19LSIO Exhibition</td>
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<tr>
<td>Chewton, Campbells Creek</td>
<td>Refer to map</td>
<td>Mount Alexander C082 Map20LSIO Exhibition</td>
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<tr>
<td>Castlemaine</td>
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<td>and Campbells Creek</td>
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ECO 28  MOUNT ALEXANDER PLANNING SCHEME AMENDMENT C083
REQUEST FOR AUTHORISATION – REZONE LAND AT 74 FRYERS ROAD CAMPBELLS CREEK TO GENERAL RESIDENTIAL ZONE

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/17/29079

Executive Summary

The purpose of this report is to seek a resolution from Council requesting the Minister for Planning to authorise the preparation of Planning Scheme Amendment C083, and to exhibit the amendment once authorisation is received.

Amendment C083 is a private proponent request to rezone land at 74 Fryers Road, Campbells Creek from Farming Zone to General Residential Zone.

RECOMMENDATION

That Council:

1. Seek authorisation from the Minister for Planning under section 8A(2) of the Planning and Environment Act 1987 to prepare the proposed Amendment C83 to the Mount Alexander Planning Scheme;

2. Once authorisation is received, exhibit the amendment in accordance with the Planning and Environment Act 1987; and

3. Delegate to the Manager Development Services the ability to approve any minor changes to the amendment prior to exhibition.

MOVED COUNCILLOR MACHIN

That the recommendation be adopted.

SECONDED COUNCILLOR BELL

CARRIED.
Context

Council has received a request from a landowner, to rezone land in Campbells Creek from the Farming Zone (FZ) to the General Residential Zone (GRZ). The land in question is part of the land at 74 Fryers Road Campbells Creek. The subject land measures approximately 7.1 hectares and is undulating former farmland within Castlemaine’s Urban Growth Boundary.

The land immediately to the west is currently subject to Planning Scheme Amendment C78, which proposes to rezone land from FZ to GRZ. C78 is currently with the Minister for Approval.

The land to the immediate north of the site is in the Township Zone.

The subject land is identified as a residential expansion area within the Castlemaine Framework Plan at Clause 21.12-1 of the Mount Alexander Planning Scheme. The southern boundary of the site is the southern Urban Growth Boundary for Castlemaine. The circled area on the map below identifies the location of the site within the Castlemaine Land Use Framework Plan 2015 (a full version of the Plan is provided in Attachment ECO 28A.

The proposed amendment follows discussions between Council and this land owner during the Planning Scheme Amendment C78 process. Given the current planning controls and characteristics of the land, the amendment request has been accompanied by a planning report, a bushfire risk assessment and a flora and fauna assessment.

Refer to:

Attachment ECO 28A: Castlemaine Land Use Framework Plan 2015
Attachment ECO 28B: Amendment C083 – Request for Authorisation – Proposed Schedule to Development Plan Overlay
Attachment ECO 28C: Amendment C083 – Request for Authorisation – Proposed Schedule to Vegetation Protection Overlay

Policy and Statutory Implications

Relevant policies, strategies and plans

The preparation of the Amendment is consistent with the objective of the Council Plan 2017-2021 for ‘well planned growth’. This includes the strategy to ‘Ensure there is sufficient residential land and protect commercial, farming and industrial land’. The amendment is consistent with this strategy by providing for residential land.

The proposed rezoning is consistent with a number of documents adopted by Council, including:
The Mount Alexander Urban Living Strategy, October 2004, which identifies this site within urban boundary and suitable for longer term residential expansion;

Castlemaine Land Use Strategy, 2004, which identifies this site within the urban boundary and recognises new residential areas as being predominately cleared land with pockets of native vegetation and isolated remnant native vegetation occurring within larger sites;

Castlemaine Residential Strategy, revised 2005, which identifies this site within the Castlemaine urban boundary; and

Residential Land Demand and Supply Analysis, 2010, which identifies the need to rezone further land for residential development, with Castlemaine having approximately six to nine years of suitably zoned land for residential development in 2010.

The proposal has broad support within a number of Council strategies and planning related reports and studies that have been prepared over the last ten years.

Statutory powers and implications

Mount Alexander Planning Scheme Clause 11.02 – Urban Growth

The objective of this clause is to ensure a sufficient supply of land is available for residential uses. Strategies include planning to accommodating projected population growth over at least a 15 year period and providing clear direction on locations where growth should occur. This should consider a number of factors, including the limits of land capability and natural hazards and environmental quality.

Mount Alexander Planning Scheme - Municipal Strategic Statement

- Clause 21.03-1: Urban growth

  Strategy 1.1: ‘Support urban growth and development that is consistent with the town framework plans in Clause 21.12’.

- Clause 21.12-1: Castlemaine

  Strategy 1.1: ‘Encourage residential expansion to the west and south of Castlemaine in the McKenzie Hill, Diamond Gilly and Campbells Creek areas’.

The subject site is located within an area on the Framework Plan at Clause 21.12-1 that is within the urban boundary of Castlemaine, and identified as being subject to further investigation for residential expansion. Further investigation has been undertaken, including a bushfire risk assessment and a flora and fauna assessment.

Planning and Environment Act 1987 (the Act):

Section 4(1) of the Act sets out the objectives of planning in Victoria. These objectives include:

- To secure a safe working, living and recreational environment for all Victorians and visitors to Victoria;
- To provide for the fair, orderly, economic and sustainable use and development of land;
- To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity; and
- To balance the present and future interests of all Victorians.
Section 8A (2) of the Act stipulates that a municipal Council may only prepare an Amendment to a Planning Scheme if it is authorised to do so by the Minister for Planning.

Sections 17-19 of the Act stipulate the exhibition and notice requirements for a planning scheme amendment. Council will need to exhibit the amendment in accordance with these requirements.

Issues

The proposed rezoning is consistent with Council’s strategies and policies regarding residential growth and where it should be located. The amendment request seeks to address the potential issues relating to the site, being bushfire, native vegetation and development.

Bushfire

A bushfire risk assessment has been completed for the site. This concluded that the Bushfire Attack Level (BAL) for any new dwellings in a future subdivision of the land that are located adjacent to the south, southeast and eastern boundaries would be no less than BAL-19, subject to the recommended defendable space measures being adopted. This is based on the vegetation classes and land slope surrounding the site. Land to the south and southeast of the site (the Castlemaine Diggings National Heritage Park) consists of Box Ironbark Forest. Land to the east (west of the Fryers Road) is classified as ‘Woodland’, containing medium to tall eucalypt woodland dominated by Yellow Gum.

Native Vegetation

A flora and fauna assessment has been prepared for the site specifically looking at native vegetation. This is similar to the flora and fauna assessment that was carried out for Amendment C78.

The report concluded that:

- Any future subdivision of the land would result in the loss of 5.793 hectares of native vegetation from remnant patches, even though some vegetation may be retained for amenity purposes.
- Under the current native vegetation guidelines, any vegetation losses associated with a future subdivision would be assessed under the moderate risk assessment pathway. This stipulates that some level of minimisation of impacts to native vegetation must be demonstrated.
- Offsets amounting to 0.520 general biodiversity equivalence units would be required to be secured prior to the removal of native vegetation. This offset target is readily available as third party offsets from native vegetation offset brokers.
- Targeted surveys along sample transects would be required to determine the presence or otherwise of the Clover Glycine and Crimson Spider-orchid, two Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) listed threatened species in the study area.

As part of Amendment C78, it was resolved by Council to apply a Vegetation Protection Overlay (VPO) to protect large and very large old trees on the site for amenity reasons. A similar VPO is proposed for this amendment.

Council has requested further information from the proponent in the form of a map showing the exact location of these trees on the subject land and details of each tree including species, diameter at breast height (DBH), health and structure.
Similar to Amendment C78, this amendment proposes a Development Plan Overlay (DPO) that requires a development plan to address the following with regards to vegetation:

- Arrangements for the preservation of existing vegetation within the development plan area that is identified for retention and initiatives to achieve regeneration of vegetation in appropriate locations where it can be appropriately managed without compromising resident safety;
- The retention of mature remnant native trees within road reserves and areas of public space where possible; and
- Provision of a net gain offset for any vegetation removed or left in public open space.

**Development**

A Development Plan Overlay (DPO) is proposed to be applied to land to ensure there is consistent development (and service provision) across the entire area, regardless of ownership and also to achieve objectives over and above the standard subdivision requirements set out in the planning scheme. Examples of this include those related to native vegetation discussed earlier in this report, bushfire protection measures, and other objectives.

Where a DPO is applied, a planning permit is exempt from notice and appeal, provided it is consistent with the approved development plan, which in turn must be consistent with the DPO schedule in the Scheme. Therefore, if a DPO is applied and development is in accordance with the approved development plan, the subdivision application will not be advertised.

**Alternative Options**

Council could decide not to seek authorisation from the Minister for Planning to prepare the proposed Amendment to the Mount Alexander Planning Scheme. This would preclude the Amendment from progressing any further.

This is not preferred given the strategic justification for the proposed Amendment that identifies the subject land as located within the urban boundary.

**Financial and Resource Implications**

This Amendment is being prepared at the expense of the landowner. Officer time has been required to review documentation provided, and to administer the Amendment process, including the exhibition of the amendment.

Should a Planning Panel be required, Council will enter into A Memorandum of Understanding with the land-owner, requiring payment of costs for the Panel. However, there will still be officer time needed to administer and prepare for Council’s submission to the Panel.

Resources required to administer this Amendment are contained within the Strategic Planning budget.

Once the Amendment is approved, it is likely to lead to planning permit applications for subdivision applications, and for dwelling development (given the BMO affecting the land). Planning permits for development are a natural function of growth.
Consultation

Consultation has occurred with the landowner, their consultant planner, and Council’s Natural Environment Officer.

A statutory exhibition will be required as part of the Amendment process. The Amendment must be made available to view publicly for at least one calendar month. As part of the statutory exhibition period, affected and adjoining landowners will be notified, as well as a notice placed in Council’s column of the newspaper.

The statutory exhibition period is considered to be the appropriate time for Council to consult with the community and external organisations, including the Department of Environment, Land, Water and Planning and the Country Fire Authority.
MOUNT ALEXANDER PLANNING SCHEME

SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11.

RESIDENTIAL DEVELOPMENT PLANS – REAR 74 FRYERS ROAD

1.0 Requirement before a permit is granted

Where no development plan has been approved, the responsible authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the development plan.

2.0 Conditions and requirements for permits

- All residential development must be serviced with reticulated water and sewerage and underground reticulated electricity.
- All development must be serviced with sealed roads and underground storm water drainage to the satisfaction of the responsible authority.
- A Statement of Compliance in respect of subdivision of land must not be issued unless appropriate arrangements for the provision and funding of necessary physical and social infrastructure reasonably necessary for development to occur are made to the satisfaction of the Responsible Authority.

3.0 Requirements for development plan

Development plans must include the following as appropriate:
- A development concept plan for the whole area to which DPO11 applies showing the road layout and significant features.
- Details of proposed staging and anticipated timing of development.
- An indicative lot layout showing areas.
- Building envelopes and areas nominated for defendable space.
- Arrangements for the preservation of existing vegetation within the development plan area that is identified for retention and initiatives to achieve regeneration of vegetation in appropriate locations where it can be appropriately managed without compromising resident safety.
- The retention of mature remnant native trees within road reserves and areas of public space where possible.
- Provision of a net gain offset for any vegetation removed or left in public open space.
- Incorporation of water sensitive urban design principles.
- Linkages between the land and any road, bicycle, pedestrian and public transport facilities providing connections to surrounding urban areas, having regard to the Mount Alexander Shire Council’s Walking and Cycling Strategy 2010-2020.
- Safe pedestrian and cycling links within the land and to external roads and paths. Pedestrian and cycling paths should be shared where practical, and cycling lanes painted on roads should be avoided.
SCHEDULE 2 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2

REAR 74 FRYERS ROAD VEGETATION PROTECTION AREA

1.0 Statement of nature and significance of vegetation to be protected

The vegetation to be protected comprises large Box Ironbark mature trees (large mature trees) as identified in the Table 1 of the report "74 Fryers Road, Campbells Creek 17011 (1.1) Flora and Fauna, May 2017" by Brett Lane and Associates. Such trees are rare in the Castlemaine area due to past mining and logging activities.

2.0 Vegetation protection objective to be achieved

To protect the nominated large trees on the land for environmental reasons and because they are valued by the local community. To encourage future subdivision and development to be designed in a manner which protects the trees by locating them on larger private blocks or in road reserves.

3.0 Permit requirement

A permit is required to remove, destroy or lop native vegetation.

An application must include the following information:

- Identification of the native vegetation to be removed, destroyed or lopped, and the reasons why this is necessary.
- Details of proposed planting of replacement vegetation.

4.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The vegetation protection objectives of this schedule.
- The reason for the proposed removal, destruction or lopping of native vegetation and the practicability of alternate options which do not require removal, destruction or lopping of native vegetation.
- Whether there is any reasonable alternative means of siting buildings and works in order to conserve the native vegetation of the area.
- The need for a report, by a properly qualified person and to the satisfaction of the responsible authority, on the vegetation and habitat significance of the vegetation to be removed.
- The need for replacement vegetation of an appropriate species.
ECO 29 AWARDING OF CONTRACT RS8017-2015NV FOR PROVISION OF RECRUITMENT NEUTRAL VENDOR MANAGED SERVICE FOR THE PERIOD 1 NOVEMBER 2017 TO 9 NOVEMBER 2018.

Responsible Director: Director Corporate and Community Services
Responsible Officer: Executive Manager Business Performance
Original Document: DOC/17/34255

Executive Summary

MAV Procurement acting on behalf of Victorian councils tendered for the Provision of Recruitment Neutral Vendor Managed Services in an aim to:

1. Establish a sole supplier to deliver value for money through a combined spend arrangement for Victorian councils in the purchasing of temporary staff services; and
2. Utilise the whole of sector purchasing power to establish a Preferred Supplier Deed that delivers best price and best value for money for both regional and metropolitan councils throughout Victoria.

Council regularly engages staff from a number of agency service providers. Until recently Council had access to contracted rates for these service providers through the Victorian Government Purchasing Board, MAV Procurement or Procurement Australia Contracts. Utilising this new contract from the MAV will provide cost savings and other efficiencies to Council.

RECOMMENDATION

That Council:

1. Award Contract RS8017-2015NV for Provision of Recruitment Neutral Vendor Managed Service to Comensura Pty Ltd for their tendered schedule of rates;

2. Authorise the Chief Executive Officer to sign and affix the Common Seal to the Customer Services Agreement between Council and Comensura Pty Ltd for Contract RS8017-2015NV for Provision of Recruitment Neutral Vendor Managed Service for the period 1 November 2017 to 9 November 2018; and

3. Authorise the Chief Executive Officer to approve the extension of Contract RS8017-2015NV for Provision of Recruitment Neutral Vendor Managed Service for two by two year periods should that option be exercised.

MOVED COUNCILLOR MACHIN

That the recommendation be adopted.

SECONDED COUNCILLOR NIEMAN

CARRIED.
Context

The recruitment of temporary agency staff within Council is currently performed through a number of recruitment agencies and the ability to effectively monitor the use of temporary staff and administer associated tasks such as reporting, performance and cost control is limited.

Until recently Council have had access to contracted rates for service providers through various third parties which addressed the financial aspects, utilising this contract will provide cost benefits and other efficiencies to Council, and ensure continued compliance with the spend thresholds as per the Local Government Act.

These issues are common to many Councils in local government. To address this issue MAV Procurement acting on behalf of Victorian Councils tendered for the Provision of Recruitment Neutral Vendor Managed Services with the aim of engaging a service provider that would in essence act as a broker and provide value to Council by:

- Negotiating services and favourable rates with reputable third parties for the provision of temporary personnel;
- Establishing performance and compliance monitoring processes ensuring legislative, certification, training screening and/or competency and capability requirements are met; and
- Implementing and maintaining systems and process that councils are able to quickly and efficiently submit
- Manage orders for temporary personnel; and provide for approval management, monitoring, timesheet management, billing and reporting (across staff, council and sector levels).

The tender was advertised on the MAV Tenderlink portal and in The Age newspaper on Saturday 25th July 2015. At the close of tenders at 2pm, 14 August 2015, two tenders were received from Comensura Pty Ltd and Drake International. Officers have reviewed our internal processes, and believe Council is now in a position to appoint a contractor.

The tender advertised for a period of three (3) years commencing from 9 November 2015, with an option to extend for two by two year terms.

Policy and Statutory Implications

Statutory powers and implications

The Local Government Act 1989 (the Act) provides relevant direction to local government in regards to procurement and contracts. Section 186 of the Act requires Councils to undertake competitive market testing processes before entering into contracts for purchase of goods or services or for the carrying out of works for the value of $150,000 or above. The Act imposes specific restrictions on Council in regard to entering such contracts.

Important provisions within Section 186 include minimum standard processes for giving public notice of the purpose of contracts in excess of the value of $150,000. Nothing in Section 186 of the Act requires Council to accept the lowest tender or to accept any tender.

Clause 208 of the Act – ‘Best Value Principles’ requires local governments to comply with the Best Value principles, specifically the need for Council services to meet quality and cost standards, and provides a number of factors that may be looked at when applying the principles.
All goods and services purchased by Council must be compliant with the Occupational Health and Safety Act 2004, the Dangerous Goods Act, Equipment (Public Safety) Act 1987, and associated regulations and codes of practice whenever applicable.

Issues

Tenders were received from the following tenderers.

_Tenderers – Table 1_

<table>
<thead>
<tr>
<th>Tenderer</th>
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<tbody>
<tr>
<td>Comensura Pty Ltd</td>
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<tr>
<td>Drake International</td>
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</table>

Tenders were evaluated according to the criteria listed in Table 2.

_Compliance and Qualitative Criteria – Table 2_

<table>
<thead>
<tr>
<th>Compliance Criteria</th>
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<tbody>
<tr>
<td>Compliance Statement</td>
</tr>
<tr>
<td>Provision of Pricing Schedule</td>
</tr>
<tr>
<td>Provision of References</td>
</tr>
<tr>
<td>Confirmation of acceptance of MAV Contract Management Fee</td>
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<tr>
<td>Confirmation of availability to provide demonstration and overview of system offered including implementation methodology and on-boarding and ongoing management of third party suppliers</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Qualitative Criteria</th>
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<tbody>
<tr>
<td>Corporate Responsibility</td>
</tr>
<tr>
<td>Technical</td>
</tr>
<tr>
<td>Management of Third Party Suppliers</td>
</tr>
<tr>
<td>Services Offered – Methodology</td>
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<tr>
<td>Contract Marketing and Implementation</td>
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<tr>
<td>Supply Agreement</td>
</tr>
</tbody>
</table>

The tender evaluation panel (TEP) considered tender submissions against the Compliance Criteria, Qualitative Criteria and demonstration of system and model rollout methodology as an overall value proposition to participating Councils.

The comparative scoring showed that two tenders achieved acceptable scores above the 50% band.

The recommended sole supplier represents a combination of capability to deliver the services in accordance with the specification of this request and presents value to the participating member Councils.
The recommended sole supplier, Comensura Pty Ltd provides for a neutral vendor management system that meets the needs as dictated by the specification.

Alternate Options

Council could decide not to award contract RS8017-2015NV for Provision of Recruitment Neutral Vendor Managed Service. Therefore the status-quo would continue which results in Council not obtaining as favourable rates, a lower degree of performance monitoring and a decentralised process for the reporting of agency staff.

Financial and Resource Implications

An analysis of agency staff by job category highlighted a strong requirement for technical staff, outdoor staff and aged care office based staff.

Council spend over the possible term of the contract would be over the $1,000,000 CEO delegation. There is no specific budget for agency staff and this is funded from individual budgets as required. The requirements for agency staff can vary greatly due to a number of factors. This may be due to staff shortages, unexpected leave, project works or flooding/storm events where additional staff are required to assist with clean up and repairs.

Comensura Pty Ltd have indicated cost savings of approximately 12% against current service provider rates.

Consultation

MAV procurement led the tender process on behalf of Victorian Councils. The evaluation panel also included staff from Frankston City Council, Yarra Ranges Council and Greater City of Dandenong.
10. DELEGATES REPORTS

Councillor Henderson

Councillor Henderson attended the MAV Rural and Regional Forum on 9 August 2017 and provided an overview of the key topics covered, being: the Local Government Act review with a first draft expected to be available in December 2017; the impact of the valuation reform which could see annual valuations as against the current biannual valuations; challenges in the aged care sector following the introduction of the National Disability Incentive Scheme; and the outcomes of the recent Inquiry into the governance at the City of Ararat following their process for making changes to differential rates.

Meetings Attended by CEO and Mayor

The Chief Executive Officer tabled meetings attended by himself and the Mayor for the period 19 July to 15 August 2017.

The Mayor and the CEO spoke separately, noting significant events of the past month.

<table>
<thead>
<tr>
<th>Meeting</th>
<th>CEO</th>
<th>Mayor</th>
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</thead>
<tbody>
<tr>
<td>Meeting with Powercor to look at detailed costings for undergrounding of Maldon power.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>MaineFM interview 1 of 2</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with a community member to discuss a planning matter</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Festival of Failure</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Regional Partnership Pre-Assembly Engagement Workshop, Castlemaine</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with DELWP senior staff to discuss Amendments C56 and C90 to the Mount Alexander Planning Scheme for Diamond Gully with Jason Taylor, Director Sustainable Development.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with a community member to discuss a planning matter</td>
<td></td>
<td>✓</td>
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<tr>
<td>Meeting of Southern Loddon Mallee Region CEO's</td>
<td>✓</td>
<td></td>
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<tr>
<td>Meeting with Anne Brosnan, Executive Officer of Goldfields Local Learning and Employment Network with Lisa Knight, Director Corporate and Community Services.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with community representatives to discuss management models for the Phee Broadway Theatre with Cr Bronwen Machin and staff.</td>
<td>✓</td>
<td></td>
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<tr>
<td>Meeting with Harcourt Progress Association representatives to discuss the upgrade of Harcourt Roundabout and renewal of the Railway Station Building.</td>
<td>✓</td>
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</tr>
<tr>
<td>Attend Kids Thrive philanthropy workshop at Maldon Primary School</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Attend Mount Alexander Health &amp; Social Services Alliance</td>
<td></td>
<td>✓</td>
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<tr>
<td>Meeting with David Boake, General Manager of Flowserve, and tour of Castlemaine factory with David Leatham, Manager Economy and</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting</td>
<td>CEO</td>
<td>Mayor</td>
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<td>------------------------------------------------------------------------</td>
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<tr>
<td>Culture.</td>
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<tr>
<td>Maldon Inc meeting</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with RSPCA CEO, Dr Liz Walker, senior staff and volunteers to discuss future of Castlemaine animal shelter.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with Malcolm Lazenby, Global Leadership Foundation to plan for leadership development of senior staff.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>VicRoads Country Roads forum</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Introduction to Glynn Roberts, new Director of Castlemaine State Festival, and draw the winner for CSF fundraiser</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Meeting of Executives from Coliban Water and Mount Alexander Shire Council.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with landowner and real estate agent to discuss possible future development of a retirement village.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Castlemaine Art Museum community meeting</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Workshop on youth leadership with the Student Representative Council of Castlemaine Secondary College 1 of 2.</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>MaineFM interview 2 of 2</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Welcome speech to Japanese exchange students</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with Paul Frye, Castlemaine Secondary School Principal, and Beth Mellick, School Council President to discuss the potential to share sporting facilities.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with Paul Frye, Castlemaine Secondary School Principal, School Council President and Rebecca Dempsey, Workspace CEO, to consider the draft lease on Etty Street campus.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Networking meeting with Rod Fyffe, councillor at City of Greater Bendigo.</td>
<td>✓</td>
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<tr>
<td>Opening of Beautiful Breasts exhibition in Castlemaine Library foyer.</td>
<td></td>
<td>✓</td>
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<tr>
<td>Book launch for Sarah's Search - A Silk Odyssey.</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Fryerstown Hall celebrations and book launch</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Farewell dinner for Japanese exchange students.</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Meeting with Simon Wetherill (Worldwide Sports Management) regarding design and development of aquatic facilities.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with Mount Alexander Sustainability Group to discuss progress of the Waste To Energy feasibility study with Jason Taylor, Director Sustainable Development.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Meeting with Marg Allan, DELWP Regional Director, to discuss matters of mutual interest.</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>ABC radio interview.</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
### Meetings

<table>
<thead>
<tr>
<th>Meeting</th>
<th>CEO</th>
<th>Mayor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting with RSL, Athenaeum Library and DELWP to discuss property User Agreements.</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Maldon Community Centre AGM</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Maldon Streetscape Project Steering Committee Meeting</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Follow up meeting with RSPCA volunteers.</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Presentation to Loddon Mallee Regional Development Australia committee regarding Mount Alexander Shire’s Council Plan and priorities.</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Workshop on youth leadership with the Student Representative Council of Castlemaine Secondary College 2 of 2.</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>Introduction to Vince Haining, Acting CEO of Central Goldfields Shire Council.</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Bi-annual meeting with Mal Kersting, VicRoads Regional Director, and other senior staff.</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Bi-monthly meeting with Maree Edwards MP to discuss matters of mutual interest.</td>
<td>✔</td>
<td>✔</td>
</tr>
</tbody>
</table>

#### 11. NOTICE OF MOTION

Nil.

#### 12. URGENT SPECIAL BUSINESS

Nil.

#### 13. MEETING CLOSE

Meeting closed at 7.49 pm.