MINUTES

FOR THE ORDINARY MEETING OF COUNCIL
HELD ON
TUESDAY 28 JUNE 2016
AT 7.32 PM IN THE
CHEWTON SENIOR CITIZENS CENTRE,
201 MAIN ROAD (PYRENEES HIGHWAY), CHEWTON.
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**SEPARATE ATTACHMENTS:**
- Confidential Attachment BET 07A: Joint Letter Request for Change in Road Signage in Munro Court and Dudley Street, Castlemaine
- Separate Attachment COM 43B: Mount Alexander Shire Council Long Term Financial Plan 2016-2026
- Separate Attachment COM 44A: Mount Alexander Shire Council Budget 2016/2017
ACKNOWLEDGEMENT OF COUNTRY

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

1. PRESENT

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

Officers:    Acting Chief Executive Officer (Vicky Mason), Acting Director Corporate
               Support (Bradley Thomas), Acting Director Sustainable Development
               (Rebecca Stockfeld), Acting Director Sustainable Communities (David
               Leathem)

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST/CONFLICTS OF INTEREST

Nil

4. MINUTES

4.1. SPECIAL MEETINGS OF COUNCIL 7 JUNE AND 14 JUNE 2016, ORDINARY
      MEETING OF COUNCIL 14 JUNE 2016

The unconfirmed minutes of the Special Meetings of the Mount Alexander Shire Council
on 7 June 2016 and 14 June 2016 and the Ordinary Meeting held at 7.30 pm on 14 June
2016 at the Mount Alexander Shire Civic Centre have been circulated to Councillors.

The unconfirmed minutes have also been posted on Council’s website, pending
confirmation at this meeting.

RECOMMENDATION

That the Minutes of the Special Meetings of the Mount Alexander Shire Council
held on 7 June 2016 and 14 June 2016 and the Minutes of the Ordinary Meeting
held on 14 June 2016 be confirmed.
MOVED COUNCILLOR TELFORD

That the recommendation be adopted.

SECONDED COUNCILLOR COLE

CARRIED.

Councillor Telford thanked all the submitters that spoke at the Special Meeting of Council on 14 June 2016.

5. PUBLIC QUESTION TIME

MOVED COUNCILLOR REDDEN

That standing orders be suspended at 7.33 pm.

SECONDED COUNCILLOR CORDY

CARRIED.

a. Mr Ron Cawthan, Acting Chairman Camp Reserve Committee of Management.

Mr Cawthan queried whether Council wanted the Reserve managed by a Section 86 Committee.

Mr Cawthan stated he did not believe that the Masterplan approved by Council has been followed, noting that the safety and footpath works about to be undertaken are not in the most appropriate location. Mr Cawthan thanked Council outdoor staff for looking after the facility.

- The Acting Chief Executive Officer noted that Council had met with the Committee and noted that the Committee had not formally raised any issues in regards to the placement of safety and footpath works.
- Councillor Redden asked for further details regarding the footpath. Mr Cawthan noted that the design has the path going along Gingell Street, however Mr Cawthan stated it should go along the creek side of the Reserve.

b. Mr Ken Madden, Wesley Hill Facilities Committee of Management.

Mr Madden noted that there is an excessive number of dogs being walked by owners on the Wesley Hill Recreation Reserve off lead. Mr Madden also noted the announcement of $1.9M from the Liberal Government for the redevelopment of the facility and wanted to thank Council for its support.

c. Mr Michael Reeves

Mr Reeves noted in The Long Term Financial Plan 2016 – 2026 that there was a minor administration error on page 30.

- The Acting Director Corporate Support advised he will rectify the error and update the table on page 30 of the Long Term Financial Plan and thanked Mr Reeves for noting the error.
d. Miss Lucy Souter

Miss Lucy Souter presented a petition with 78 signatures requesting the relocation of the screen in the kids section of the Castlemaine Library.

- Councillor Henderson thanked Miss Souter for the petition and noted that a report will be presented to the next Ordinary Meeting of Council on 12 July 2016.

**MOVED COUNCILLOR MACHIN**

That standing orders be resumed at 7.51 pm.

**SECONDED COUNCILLOR CORDY**

CARRIED.

6. **PETITIONS AND JOINT LETTERS**

A petition was received during public question time at this Meeting.

7. **COMMITTEE REPORTS**

7.1. **AUDIT AND RISK ADVISORY COMMITTEE**

The unconfirmed Minutes of the Audit and Risk Advisory Committee meeting held on 2 June 2016 are at Attachment 7.1A.

**RECOMMENDATION**

That the unconfirmed Minutes of the Audit and Risk Advisory Committee meeting be noted.

**MOVED COUNCILLOR COLE**

That the recommendation be adopted.

**SECONDED COUNCILLOR MACHIN**

CARRIED.
AUDIT AND RISK ADVISORY COMMITTEE MEETING
UNCONFIRMED MINUTES - 2 JUNE 2016
9.00 AM IN THE COUNCIL CHAMBERS
CASTLEMAINE

1. PRESENT

COMMITTEE MEMBERS

Ken Belfrage (Chair), Alan Honey, Nicole Cox; Councillor Christine Henderson (Mayor), Councillor Chris Cole.

Officers: Acting Chief Executive Officer (Vicky Mason); Director Corporate Support (Lucy Roffey); Acting Manager Finance (Carolyn Ross - Items 6.1, 6.2, 6.3), Manager Governance and Customer Service (Suellen Pepperell - Items 7.1, 9.4); Risk and Safety Officer (Peter Brooks - Item 7.1);

Visitors: Cr Bronwen Machin, Andrew Zavitsanos (Crowe Horwath); Phillip Delahunty (RSD).

2. APOLOGY

Garry Johnstone

3. DECLARATIONS OF INTEREST / CONFLICTS OF INTEREST

NIL

4. ACCEPTANCE OF MINUTES

The unconfirmed notes of the Advisory Committee Meeting held on Thursday 3 March 2016 at the Council Chambers have been circulated to Committee members and were confirmed by the Committee.

5. MATTERS ARISING FROM MINUTES

Actions undertaken in relation to matters arising from the meeting were noted.
ACTION: A copy of the updated Councillor Code of Conduct to be forwarded to Independent Committee Members when adopted by Council.

6. AGENDA ITEMS

6.1. MONTHLY FINANCIAL MANAGEMENT REPORT TO END APRIL 2016

The Audit and Risk Advisory Committee noted the Financial Management Report to the end April 2016.

ACTION: The Committee requested that the list of debtors with balances outstanding more than 150 days should be referenced by debtor account number.

6.2. INTERIM MANAGEMENT LETTER YEAR ENDING 30 JUNE 2016

The Audit and Risk Advisory Committee noted the Interim Management Letter Year Ending 30 June 2016 and management’s responses.

6.3. VAGO AUDIT STRATEGY YEAR ENDING 30 JUNE 2016

The Audit and Risk Advisory Committee noted the VAGO Audit Strategy for the year ending 30 June 2016.

It was advised by the auditors that the date for the audit of the annual financial statements is set for 15 August 2016.

7. RISK MANAGEMENT REPORTS

7.1. RISK MANAGEMENT REPORT

The Audit and Risk Advisory Committee noted the Risk Management Report.

8. CHIEF EXECUTIVE OFFICER REPORT

There was no Chief Executive Officer report for the meeting.

9. INTERNAL AUDIT REPORTS

9.1. INTERNAL AUDIT PROGRESS REPORT

The Audit and Risk Advisory Committee noted the Internal Audit Progress Report.

9.2. DRAFT STRATEGIC AUDIT PLAN 2016 - 2019

The Audit and Risk Advisory Committee noted the Internal Audit Strategic Audit Plan 2016-2019.
ACTION: The Committee noted that Accounts Payable and Rates Management had not been reviewed for some time and should be considered for inclusion in the strategic audit plan.

9.3. STATUS OF INTERNAL AUDIT RECOMMENDATIONS

The Audit and Risk Advisory Committee noted the status of outstanding recommendations from internal audits.

9.4. INTERNAL AUDIT PURCHASING CARDS

The Audit and Risk Advisory Committee endorsed management’s responses to the recommendations in the Internal Audit Report Purchasing Cards.

9.5. INTERNAL AUDIT FRAUD MANAGEMENT AND PREVENTION

The Audit and Risk Advisory Committee endorsed management’s responses to the recommendations in the Internal Audit Report Fraud Management and Prevention.

9.6. INTERNAL AUDIT REVIEW OF COUNCIL MEETING PROCEDURES

The Audit and Risk Advisory Committee endorsed management’s responses to the recommendations in the Internal Audit Report Review of Council Meeting Procedures.

ACTION: The Report will be updated following additional recommendations by the Mayor. A revised copy of the Report will be forwarded to the Committee.

9.7. IN CAMERA SESSION - INTERNAL AUDITORS

There were no issues raised by the Internal Auditors.

10. OTHER ITEMS

10.1. AUDIT AND RISK ADVISORY COMMITTEE SELF-ASSESSMENT

The Audit and Risk Advisory Committee noted the Self-Assessment Report and responses.

ACTION: The Committee recommended the email addresses for the Director Corporate Support and the Chair. Audit and Risk Advisory Committee be included at the start of the paper to encourage any questions prior to the meeting on complex matters or to request further information.

11. MEETING CLOSED AT 11.30 AM.

12. NEXT MEETING 1 SEPTEMBER 2016 AT 9.00 AM.
8. ASSEMBLIES OF COUNCILLORS

8.1. ASSEMBLIES ON 7 JUNE (12.00 PM, 2.00PM AND 5.30 PM ) AND 14 JUNE (6.00 PM) 2016

RECOMMENDATION

That the Records for the Assemblies of Councillors on 7 June at 12.00 pm, 2.00 pm, 5.30 pm and 14 June at 6.00 pm 2016 be entered into the record of this meeting (Attachments 8.1, 8.2, 8.3 and 8.4).

MOVED COUNCILLOR TELFORD

That the recommendation be adopted.

SECONDED COUNCILLOR COLE

CARRIED.
ASSEMBLY OF COUNCILLORS RECORD
7 JUNE 2016
AT 12.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTELTON AND LLOYD STREETS, CASTLEMAINE.

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1. PRESENT

Councillors: Tony Bell, Chris Cole, Christine Henderson, Bronwen Machin and Sharon Telford

Officers: Acting Chief Executive Officer (Vicky Mason).

2. APOLOGIES

Councillor Tony Cordy and Councillor Michael Redden

3. PURPOSE OF THE MEETING

The purpose of the meeting was for the Acting Chief Executive Officer to brief Councillors on issues and matters of interest which impact the Shire and which may be considered by Council in the future and for Councillors to raise issues of importance.

<table>
<thead>
<tr>
<th>Matter Discussed</th>
<th>Councilor Conflict?</th>
<th>Councillor Name</th>
<th>Councillor left meeting?</th>
<th>Time left</th>
<th>Time Returned</th>
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<tbody>
<tr>
<td>Maldon Twilight Festival</td>
<td>No</td>
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<td>Future of Shire News</td>
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<td>Campbells Creek Fence</td>
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<td>Preparation for Lisa Chester's visit</td>
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<tr>
<td>Chinese delegation</td>
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<td>Submission to Infrastructure Victoria</td>
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4. RECORD OF CONFLICT OF INTEREST

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

5. MEETING CLOSE

Meeting closed at 1.15 pm.
ASSEMBLY OF COUNCILLORS RECORD
7 JUNE 2016
AT 2.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
CORNER LYTTLETON AND LLOYD STREETS, CASTLEMAINE.

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1. **PRESENT**

Councillors: Tony Bell, Chris Cole, Tony Cordy, Christine Henderson, Bronwen Machin, and Sharon Telford.

Officers: Acting Chief Executive Officer (Vicky Mason), Director Corporate Support (Lucy Roffey), Director Sustainable Development (Jason Taylor), Acting Director Sustainable Communities (David Leathern), Manager Finance (Bradley Thomas, Items 6.1 and 6.2), Manager Healthy Environments (Ben Bowman, Item 6.3), Acting Manager Liveable Communities (Gaynor Atkin, Item 6.4 and 6.7), Natural Environment Officer (Kylie Stafford, Item 6.5), Emergency Management Coordinator (Jason Amos, Item 6.6).


Rob Carolinie Twin Prism Consulting

2. **APOLOGIES**

Councillor Michael Redden

3. **PURPOSE OF THE MEETING**

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

<table>
<thead>
<tr>
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<th>Councillor Name</th>
<th>Councillor left meeting?</th>
<th>Time left</th>
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<tbody>
<tr>
<td>5.1 Supporting Vulnerable People in an Emergency</td>
<td>No</td>
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<td>5.2 Off Lead Dog Park</td>
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<td>5.3 Road Issues</td>
<td>No</td>
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<td>5.4 Economic Development</td>
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<td>5.5 Advocacy – Vaughan Tarlita Bridge</td>
<td>No</td>
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<td>5.6 Draft Memorandum of Understanding with Country Women's Association</td>
<td>No</td>
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<td>5.7 Events in Market Building</td>
<td>No</td>
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<tr>
<td>6.1 Long Term Financial Plan</td>
<td>No</td>
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<td>6.2 Submissions to Budget 2016/2017</td>
<td>No</td>
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<tr>
<td>6.3 Deputation From The Loddon Mallee Waste Resource Recovery Group</td>
<td>No</td>
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<tr>
<td>6.4 Refugee Welcome Zone update</td>
<td>No</td>
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<td>6.5 Honeycomb Reserve Management Plan</td>
<td>No</td>
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<tr>
<td>6.6 Endorsement Neighbourhood Safer Place - Place of Last resort Sub Plan</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 5.20 pm.
ASSEMBLY OF COUNCILLORS RECORD
7 JUNE 2016
AT 5.30 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**

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   Officers: Manager Organisational Development (Sarah Noel)

2. **APOLOGIES**

   Councillor Michael Redden.

3. **PURPOSE OF THE MEETING**

   The purpose of the meeting was a scheduled meeting to discuss the Appointment of a Chief Executive Officer

<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>Appointment of a Chief Executive Officer</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 5:50 pm.
ASSEMBLY OF COUNCILLORS RECORD
14 JUNE 2016
AT 6.00 PM IN THE
COUNCIL CHAMBER,
MOUNT ALEXANDER SHIRE CIVIC CENTRE
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1. **PRESENT**

   Councillors: Tony Cordy, Chris Cole, Tony Bell, Christine Henderson, Bronwen Machin and Sharon Telford

   Officers: Acting Chief Executive Officer (Vicky Mason), Director Sustainable Development (Jason Taylor), Acting Director Sustainable Communities (David Leathem) and Manager Finance (Bradley Thomas).

2. **APOLOGIES**

   Councillor Michael Redden

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 14 June 2016 and to discuss matters of interest which impact the Shire. The matters itemised below reflect those items that were on the Agenda that were discussed by Councillors during the briefing session.

<table>
<thead>
<tr>
<th>Matter Discussed</th>
<th>Councillor Conflict?</th>
<th>Councillor Name</th>
<th>Councillor left meeting?</th>
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<tbody>
<tr>
<td>ECO 36 Planning Permit Application PA217/2015 - Use and Development of a Dwelling at Crown Allotment 32 and 34A Section D Parish of Chewton - 703 Pyrenees Highway Chewton</td>
<td>No</td>
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<tr>
<td>ECO 37 Planning Permit Application 135/2015 - Six Lot Subdivision at Lot 1 P9502544K, 25 Maldon Road, McKenzie Hill</td>
<td>No</td>
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<td>ECO 38 Planning Permit Application 326/2015 - Use and Development of a Dwelling on PC356865U, 60 Harold Road, Elphinstone</td>
<td>No</td>
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<tr>
<td>ECO 39 Planning Permit Application 319/2014 - Use and Development of a Dwelling at Lot 1 TP868665, 160 Nevena Road, Yandoit Hills</td>
<td>No</td>
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<tr>
<td>ECO 40 Planning Permit Application 164/2015 - 8 Lot Subdivision at CA 7 and CA 8 SECTION 1, TOWNSHIP OF NEWSSTEAD, 18 PANMURE STREET, NEWSSTEAD</td>
<td>No</td>
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<tr>
<td>COM 38 Adoption of Corrected Mapping for Planning Scheme Amendment C060 - Forest Street To Forest Creek Heritage Assessment</td>
<td>No</td>
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<tr>
<td>COM 39 Adoption of Climate Change Action Plan 2016-2020</td>
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<tr>
<td>Matter Discussed</td>
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<tr>
<td>CCM 40 Mount Alexander Shire Council Honeycomb Bushland Reserve Environmental Management Plan 2016</td>
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4. **RECORD OF CONFLICT OF INTEREST**

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

5. **MEETING CLOSE**

   Meeting closed at 8.52 pm.
9. OFFICER REPORTS

9.1. A VIBRANT HEALTHY COMMUNITY (VIB)

VIB 10 ENDORSEMENT OF NEIGHBOURHOOD SAFER PLACE - PLACE OF LAST RESORT SUB PLAN

Responsible Director: David Leathem, Acting Director Sustainable Communities
Responsible Officer: Jason Amos, Emergency Management Coordinator
Original Document: DOC/16/22177

1. Purpose

The purpose of this report is to present Councillors with the updated Mount Alexander Neighbourhood Safer Places – Places of Last Resort Sub Plan for endorsement.

Refer to:


2. Background

The 2009 Victorian Bushfires Royal Commission’s Interim Report recommended that Neighbourhood Safer Places – Places of Last Resort (NSP’s) be identified and established to provide persons in bushfire affected areas with a place of last resort during a bushfire.

An NSP is an area or premises that provide some protection from direct flame contact and radiant heat. It is an existing location and not a purpose-built, fire-proof structure. An NSP may be a local sports field or park, or it may be located within a community facility such as a hall.

In response to the recommendation, Mount Alexander Shire Council developed the Mount Alexander Neighbourhood Safer Places – Places of Last Resort Sub Plan (NSP Sub Plan). The NSP Sub Plan was last updated in 2010.

The NSP Sub Plan is a legislated requirement under the CFA Act (1958) and contains guidelines which have been developed by the Municipal Association of Victoria to assist Councils in identifying, designating, establishing, maintaining and decommissioning Neighbourhood Safer Places – Places of Last Resort (NSP’s).

At the Ordinary Meeting of Council held on 13 October 2015, Councillors moved a motion to authorise the CEO to endorse future administrative changes to the Municipal Emergency Management Plan and sub plans. However, due to the length in time since the NSP Sub Plan was last reviewed, it is felt appropriate that this update follows the full endorsement procedure through Council.
3. **Policy and Statutory Implications**

The NSP Sub Plan strongly aligns with the following Council priorities and actions:

Annual Plan 2015-2016: *integrate fire management planning in partnership with local and regional agencies and conduct seasonal inspections to mitigate the risk of fire; and supporting our community in preparing and responding to emergency events through partnerships with communities, agencies and neighbouring municipalities.*

The NSP Sub Plan also aligns with the Victorian Bushfires Royal Commission’s Interim Report recommendation that the Victorian Government introduced the:

- *Emergency Services Legislation Amendments Act 2009 (Vic) - which amends the Country Fire Authority Act 1958 (Vic); and*
- *Emergency Management Act 1986 (Vic).*

These amendments require the Country Fire Authority (‘CFA’) to certify NSP’s against the CFA’s Fire Rating Criteria and Municipal Association of Victoria guidelines.

The development and subsequent review of the Mount Alexander NSP Sub Plan has been undertaken in accordance with the following sections of the CFA Act (1958):

- 50E - Country Fire Authority Assessment Guidelines
- 50F - Municipal Council Neighbourhood Safer Places Plan
- 50G - Municipal councils to identify and designate neighbourhood safer places
- 50H - Appropriate signage for designated neighbourhood safer places
- 50I - Maintenance of designated neighbourhood safer places
- 50J - Annual assessment of designated neighbourhood safer places
- 50K - Municipal fire prevention officer to provide up to date list of designated places to Authority

4. **Issues**

The review of the NSP Sub Plan ensures that its content is accurate and current. Amendments are administrative only and are not related to legislative change. They include:

- Removal of NSP’s that have been decommissioned;
- Additional information relating to Victory Park and Mostyn Street NSP in Castlemaine;
- Additional information regarding CFA’s NSP online business system used by Council to manage annual inspections of NSP’s; and
- Update of mapping and photographs of each NSP.

Each NSP location within Mount Alexander Shire is reviewed annually between June and September by designated Council and CFA Officers. Council also inspects these sites monthly during the designated Fire Danger Period.
The review of the NSP Sub Plan has not resulted in any changes to current NSP’s located within the municipality.

5. **Financial and Resource Implications**

Costs relating to the maintenance of the NSP Sub Plan or subsequent maintenance of actual NSP’s are managed through role of the Municipal Fire Prevention Officer and the existing Municipal Fire Management Project budget.

The Municipal Fire Prevention Officers position is currently funded by Council until December 2016. The ongoing funding of the Municipal Fire Prevention Officers is subject to the approval of the draft 2016/2017 Budget.

6. **Consultation**

The review of the NSP Sub Plan has involved consultation and engagement with members of the Mount Alexander Municipal Fire Management Planning Committee and the Mount Alexander Municipal Emergency Management Planning Committee including:

- Country Fire Authority;
- Department of Environment, Land, Water and Planning;
- Victoria Police;
- State Emergency Service;
- Parks Victoria;
- VicRoads;
- Department of Economic Development, Jobs, Transport and Resources; and
- Department of Health and Human Services.

Following the consultation process, the NSP Sub Plan was presented to and endorsed by the Mount Alexander Municipal Fire Management Planning Committee on 18 May 2016 and the Mount Alexander Municipal Emergency Management Planning Committee on 1 June 2016.

7. **Conclusion**

The review, amendment and preparation of the Mount Alexander Neighbourhood Safer Places – Places of Last Resort Sub Plan has been undertaken in accordance with legislative requirements.

**RECOMMENDATION**


**MOVED COUNCILLOR CORDY**

That Council:

1. **Endorse the updated Mount Alexander Neighbourhood Safer Places – Places of Last Resort Sub Plan; and**
2. Request advice from the CFA with respect to identifying suitable Neighbourhood Safer Places for other communities such as Harcourt and Sutton Grange.

SECONDED COUNCILLOR REDDEN

CARRIED.
9.2. BETTER COMMUNITY FACILITIES (BET)

BET 07 RESPONSE TO JOINT LETTER FROM RESIDENTS OF MUNRO COURT AND DUDLEY STREET CASTLEMAINE

Responsible Director: Director Sustainable Development
Responsible Officer: Technical Officer
Original Document: DOC/16/21468

1. Purpose

The purpose of this report is to provide a response to the joint letter received by Council on 26 May 2016 regarding no through road signage at Munro Court and Dudley Street Castlemaine.

Refer to:

Confidential Attachment BET 07A: Joint letter from residents -Request for Change in Road Signage in Munro Court and Dudley St, 19 May 2016.
Attachment BET 07B: Photographs, Existing signage in Dudley Street and Munro Court, June 2016.

2. Background

On 26 May 2016 Council received a joint letter with 10 signatures of residents of Munro Court and Dudley Street Castlemaine regarding through traffic. The letter states that many vehicles enter Dudley Street and Munro Court, they believe, seeking through access to Langdon Street and Cochrane Court. Langdon Street was formerly named Dudley Street, and is a continuation of the same road reserve that is separated by a creek.

The letter states that the traffic poses an unacceptable risk to young children, and causes damage to Council’s infrastructure when large vehicles are unable to turn around.

The letter requests that Council install a ‘Road Ends’ sign prominently in Dudley Street and relocates the street sign for Munro Court and install a red ‘No Through Road’ sign on the street sign.

3. Policy and Statutory Implications

Statutory powers and implications

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

1. Petitions and Joint Letters

(1) A petition or joint letter presented to the Council may lie on the table until the next ordinary meeting of the Council. No motion other than to receive the petition or joint letter may be accepted by the Chairperson at the meeting at which it is presented.
(2) The Council must receive a report on any petitions or joint letters at the next ordinary meeting of the Council or another meeting to be determined by the Council.

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

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

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


In general, signage is managed to reduce unnecessary duplication, in order to assist to improve driver recognition of signage. Existing signage that does not comply with the guidelines does not have to be removed, but all new signage installed must be consistent with the guidelines, including a reflective surface.

Residents have requested a ‘Road Ends’ sign, and red ‘No Through Road’ sign. ‘Road Ends Signs’ are no longer used, with ‘No Through Road’ and ‘Road Closed’ signs being available for use where ‘Road Ends’ signs would have previously been used. All ‘No Through Road’ signs have been replaced with one consistent ‘No Through Road’ sign (VicRoads sign G9-18), with increased sizing applied for traffic speeds over 70km/h.

4. Issues

A traffic count from 2015 shows that the average daily vehicle count on Dudley Street (between Barker Street and Baker Street) is 137 vehicles per day. Houses in Munro Court are expected to generate up to 80 vehicle movements per day, and Dudley Street connects as a through route to North Street, so 137 vehicles per day is well within expected traffic levels. No large trucks were recorded during the period of the traffic count.

The letter has requested a ‘Road Ends’ sign be installed prominently on Dudley Street. ‘Road Ends’ do not comply with standards and are no longer used, and a ‘No Through Road’ sign is considered the most appropriate sign. A ‘No Through Road’ sign already exists on Dudley Street and is shown on the attachment to this report. The sign is displayed prominently and compliant with the current signage guidelines.

Additionally there is a further sign in Dudley Street near the corner of Barker Street stating ‘No Through Road Local Traffic Only’. Any traffic still passing by both these signs is because drivers are choosing to disregard, or are oblivious, to the signage. Installing an additional sign is unlikely to make a difference to traffic volumes on the street.

The letter also requests relocation of the existing ‘Munro Ct’ sign, and states that it should have a red ‘No Through Road’ sign below it. Dudley Street turns a 90 degree angle into Munro Court, and the street sign for Munro Court is obscured from view until drivers are 50 metres from the corner.
The ‘No Through Road’ sign requested by residents is no longer available, and has been replaced by larger more prominent ‘No Through Road’ sign which is already displayed along Dudley Street. A photo of the ‘Munro Ct’ sign is included in the attachments to this report. Adding additional signage at this location is anticipated to have no effect on drivers mistakenly using Munro Court.

The street sign could be relocated 3-4 metres north to be clearer to drivers earlier, although it is unknown whether this will deter drivers. This is a low cost response that should provide drivers with a better indication that this is a court.

5. **Financial and Resource Implications**

   Relocating the existing street sign can be completed within existing resources.

6. **Consultation**

   No consultation has been undertaken to respond to this petition. Relevant guidelines and standards have been considered and are discussed in section 3 of this report.

7. **Conclusion**

   Council has received a joint letter from residents of Dudley Street and Munro Court, Castlemaine requesting a change to signage to discourage through traffic from entering their dead end street. The changes the petition requests do not comply with signage guidelines.

   Officers have investigated the issues raised and found there to be a prominent and compliant ‘No Through Road’ sign already displayed in Dudley Street.

   The writers have also requested the street sign for Munro Court be relocated to be more prominent for traffic traveling along Dudley Street. Relocation of the sign will ensure its visibility from a distance of greater than 50 metres, and can be done at low cost to Council.

**RECOMMENDATION**

**That Council:**

1. **Respond to the first signatory to the joint letter advising that the signage requested does not comply with signage guidelines, that an existing ‘No Through Road’ sign is prominently placed on Dudley Street and that the street sign for Munro Court will be relocated; and**

2. **Relocate the existing sign for Munro Court further north to ensure visibility for traffic along Dudley Street.**

**MOVED COUNCILLOR MACHIN**

That the recommendation be adopted.

**SECONDED COUNCILLOR REDDEN**

CARRIED.
Photographs - Existing signage in Dudley Street and Munro Court

Photo 1: Existing No Through Road sign in Dudley Street Castlemaine (at corner of Baker Street)

Photo 2: Existing location of street sign for Munro Court. Officer recommendation to move sign further north to be visible to traffic coming up the street from further distance.
9.3. A THRIVING LOCAL ECONOMY (ECO)

ECO 41 PLANNING PERMIT APPLICATION 297/2015 - USE AND DEVELOPMENT OF A DWELLING AND OUTBUILDING AND REMOVAL OF NATIVE VEGETATION AT CA 15 & CA 16 (PART), SEC C PARISH OF MALDON, 1271 FOGARTY’S GAP ROAD, MALDON

Responsible Director: Director Sustainable Development
Responsible Officer: Manager Development Services
Original Document: DOC/16/21905

1. Purpose

The purpose of this report is to enable Council to make a determination on Planning Permit Application 297/2015 for the use and development of a dwelling and outbuilding and removal of native vegetation at CA 15 & CA 16 (Part), Sec C Parish of Maldon, 1271 Fogarty’s Gap Road, Maldon. The application has been referred to Council for a decision as officers are recommending refusal.

Refer to:

Attachment ECO 41A: Context and site aerial PA297-2015
Attachment ECO 41B: Final plans submitted with application A297-2015

2. Background

The application was lodged on 2 December 2015 and seeks approval for use and development of a dwelling and an outbuilding and removal of native vegetation on land within the farming zone.

The subject site is located approximately 3.35 kilometres to the north east of Maldon on the eastern side of Bendigo-Maldon Road. The site consists of two regular shaped parcels of land with an area of approximately 1.2 hectares. The site is generally flat but slopes slightly from the south east to the north west.

The property is currently vacant of any structures and is mainly covered by bushland vegetation. The site is fenced with post and wire fencing and vehicle access is afforded from an existing access gate off Fogarty’s Gap Road. No services are currently connected to the site.

The subject site is located within the Farming Zone and is covered by the Bushfire Management Overlay (WMO), Restructure Overlay (RO) and Significant Landscape Overlay (SLO1).

A watercourse runs north approximately 35 metres west of the site’s western boundary. Two large waterbodies are also present approximately 250 metres north west and 230 metres west of the subject site.

Surrounding land consists of a mix of broad acre grazing land and vegetated bushland. Dwellings are located approximately 280 metres north west, 470 metres south and 570 metres east of the site. A mining operation is also located on the west side of the Bendigo-Maldon Road.

The subject site is located alongside a Road Zone Category 1 (RDZ1) and a Road Zone Category 2 (RDZ2).
The dwelling and outbuilding are proposed to be set within a building envelope 21 metres from the northern boundary and 9 metres from the eastern boundary.

The dwelling is proposed to have 4 bedrooms, kitchen, dining room, lounge room, laundry, 2 bathrooms, a separate toilet and a verandah with a total floor area of approximately 240.7 square metres. The dwelling is proposed to be made of weatherboard with a roof made from colourbond materials.

The outbuilding is proposed to have a floor area of approximately 128 square metres with a height to eaves of approximately 3.420 metres and an overall height of approximately 4.205 metres. The outbuilding is proposed to be used for storage of domestic equipment.

3. **Policy and Statutory Implications**

**State Planning Policy Framework (SPPF)**

**Clause 11.04-5 Environment and Water**

The objective of this clause is to protect natural assets and better plan our water, energy and waste management systems. It includes strategies to protect and restore natural habitats in non-urban areas.

**Clause 11.05-3 Rural productivity**

The policy objective for rural productivity is to manage land use change and development in rural areas to promote agriculture and rural production. It includes strategies to prevent inappropriately dispersed urban activities in rural areas and limit new housing in rural areas including directing housing growth into existing settlements.

**Clause 12.01-1 Protection of biodiversity**

This clause includes strategies which aim to protect and conserve Victoria’s biodiversity, including habitat for flora and fauna.

**Clause 12.01-2 Native vegetation management**

The objective of this clause is to ensure that permitted clearing results in no net loss in the contribution made by vegetation to Victoria’s biodiversity. Strategies used are to employ the three step approach of ‘avoid, minimise, offset’ when considering applications to remove native vegetation.

**Clause 12.04-2 Landscapes**

The policy objective for landscapes is to protect landscapes and significant open spaces that contribute to character, identity and sustainable environments. It includes strategies to improve landscape qualities and environmental performance in non-urban areas includes ensuring that natural key features are enhanced.

**Clause 13.05 Bushfire**

This clause aims to strengthen community resilience to bushfire. Strategies aim to prioritise protection of human life over other policy considerations in areas at risk of bushfire.

**Clause 14.01-1 Protection of Agricultural Land**
This clause aims to protect productive farmland which is of significance in the local or regional context and also protect unplanned loss of agricultural land due to permanent changes in land use.

**Clause 14.02-1 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.

**Local Planning Policy Framework (LPPF)**

**Clause 21.02 Vision and framework plan**

This clause contains some of the guiding policy linking the municipal vision, derived from Mount Alexander Shire Council Plan, to the land use and development planning vision for the Shire.

The policy identifies a hierarchy of urban centres, their role being defined by levels of population, services and physical characteristics. Maldon is considered a district centre that services the township and other rural areas.

Its identity is characterised by being bounded with areas of native vegetation which provide the backdrop to the town.

**Clause 21.04-1 Biodiversity**

This clause outlines the current state of the Shire’s biodiversity, much of this focusing on native vegetation. Some of the key threats to biodiversity in the Shire is identified as being related to clearing of vegetation for agriculture, urban and other uses.

**Clause 21.05-5 Bushfire**

This policy recognises the significant bushfire risk which exists throughout much of the Shire. Relevant strategies aim to minimise the risk of bushfire to life and property.

**Clause 21.04-3 Rural and landscape character**

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

**Clause 21.06-1 Protection of agricultural land**

Policy within this clause recognises the prominent role that agriculture plays in the Shire. This policy identifies the broad agricultural quality of land within the Shire, rated on a state wide basis.

Strategies to implement the objectives of this clause include:
Promote agriculture and horticulture as the primary land uses in the Shire unless other land uses are strategically justified.

Discourage fragmentation of agricultural land if they are likely to lead to a non-agricultural use.

**Clause 21.06-3 Water**

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

**Clause 21.11 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.

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

The policy basis for this clause builds on other Municipal Strategic Statement objectives of:

- Clause 21.03 to provide for rural living development in identified areas.
- Clause 21.03 to ensure that rural living development is economically sustainable.
- Clause 21.06 to protect the land resources relied upon by agriculture.

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

**Zoning**

**Clause 35.07 Farming Zone (FZ)**

As the land is less than 40 hectares, the use of land for a ‘dwelling’ is a section 2 use. A permit is required for a section 2 use under clause 35.07-1 of the farming zone.

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

The proposed buildings and works are within stated setbacks under Clause 35.07-4 which require a permit under the farming zone, specifically, setbacks to waterways, boundaries and a road in a road zone.

**Overlays**

**Clause 42.03 Significant Landscape Overlay (SLO1)**

A permit is required under the SLO to construct a building or construct or carry out works.
A permit is required under the SLO for the removal, destruction or lopping of all trees with a diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

**Clause 44.06 Bushfire Management Overlay (BMO)**

A permit is required under the BMO to construct a building or construct or carry out works associated with accommodation. A dwelling is a defined sub-category of accommodation under the planning scheme.

**Clause 45.05 Restructure Overlay (RO)**

Under the RO Clause 45.05-2 a permit is required to construct or extend a dwelling or other building.

A permit granted on this site must be in accordance with a restructure plan, Maldon North (B) Restructure Plan, July 2013.

**Particular provisions**

**Clause 52.17 Native Vegetation**

A permit is required under clause 52.17 to remove destroy or lop native vegetation unless specifically exempt under the table to clause 52.17-7 or exempt under another clause within the planning scheme.

The table to clause 52.17-7 includes exemptions for specific amounts and type of vegetation removal to allow for the construction of new dwellings in the farming zone. The maximum extent of vegetation to be removed under this exemption on contiguous land in the same ownership over a five year period must not exceed:

- 300 square metres of native vegetation which does not include a tree.
- 5 native trees if each tree has a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 1 native tree if the tree has a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

Clause 52.48-5 includes exemptions to obtain permission to remove vegetation to create defendable space around a dwelling if a number of conditions are met. Removal of vegetation around the proposed dwelling to create defendable space meets the stated conditions. However, there are no exemptions that apply to creation of access to the dwelling site or the installation of wastewater disposal area.

**4. Issues**

**Farming Zone**

The proposed use and development of a dwelling on the site is inconsistent with the purpose and decision guidelines of the farming zone which aims to protect agricultural land.

The purpose of the Farming Zone includes to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of the land for agriculture. A dwelling on land zoned Farming is explicitly a non-agricultural activity.

There has been no agricultural use of the land proposed as part of the application. The application does infer that the heavily vegetated state of the property and size
of the lot results in the lot being unable to be used for viable agricultural production.

The application recognises that surrounding land uses are predominantly agricultural. However, the application fails to acknowledge the potential impact that the intrusion of dwellings into agricultural areas can have on the ongoing operation of existing bona-fide agricultural uses. The purpose and decision guidelines of the farming zone place strong emphasis on ensuring that dwellings do not prejudice agricultural activities of a property or surrounding properties. In this instance, it is agreed that the traditional agricultural potential of the land may be limited, however this does not mean that the use of the land for a dwelling is a default or appropriate alternative.

Decision guidelines of the farming zone also require consideration of environmental issues which include protection of biodiversity, revegetation of land and the impact of a development on flora and fauna. Given the vegetated state of the site, there are limited areas where a dwelling and associated infrastructure can be located without requiring removal of vegetation. In this instance, the proposed dwelling, outbuilding, access and wastewater disposal area will require removal of vegetation on the site. The application has not demonstrated how the proposal meets or addresses the environmental decision guidelines of the farming zone and the impact of vegetation removal on flora, fauna and water quality.

In this instance use and development of a dwelling would potentially impact on the use of adjacent land for agriculture and has the potential to lead to a proliferation of dwellings in the area. Additionally, the application has not demonstrated how the proposal addresses the environmental considerations of the farming zone.

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

The SPPF and LPPF place a strong emphasis on protecting agricultural land zoned Farming for on-going agricultural use, and avoiding dwellings which would adversely affect this preferred outcome.

There is a clear theme throughout state and local policies particularly Clause 11.05-3, 14.01-1, 21.02, 21.06-1 and 22.04, to protect productive agricultural land from inappropriate land uses and development. The Shire contains limited areas of good quality agricultural land and loss of any existing areas to residential uses is identified as a key land use issue for the Shire.

Although there are a limited number of dwellings in the surrounding locality, the area is still typified by broad scale agricultural land use and bushland. The proposal is considered contrary to policy which aims to protect agricultural land, which includes adjoining agricultural land, and to focus residential development within existing townships.

A number of policies within the SPPF and LPPF aim to protect and enhance biodiversity and native vegetation within the state and the Shire. Whilst some of the vegetation removal required by the proposal would be exempt from a permit, not all of the vegetation removal would be exempt. The application has not recognised this requirement and no information relating to the amount or extent of vegetation proposed or required to be removed has been provided.

The proposal does not demonstrate application of the three step approach to the removal of native vegetation and as such is considered inconsistent with policy.
objectives which aim to protect and enhance biodiversity and native vegetation of the Shire.

**Vegetation removal**

As outlined above, some of the vegetation required to be removed will be exempt under the table to clause 52.17-7 and also under clause 52.48-5 for creation of defendable space.

However, there are areas of vegetation that are not exempt from a permit. No assessment has been made to indicate which trees are proposed to be removed, either exempt or non-exempt. The application has not demonstrated how the three step approach of ‘avoid, minimise, offset’ has been applied.

The Land Capability Assessment provided with the application states that clearing of some trees will be required to accommodate the wastewater envelope. No information has been provided which outlines the extent of removal or if removal has been avoided or minimised.

Additionally, no information has been provided as to the extent of vegetation that may be required to create access in accordance with CFA requirements to accommodate emergency vehicles.

It is considered that the application is not consistent with the purpose and objectives of clause 52.17 and other state and local planning policy which aims to protect and enhance biodiversity and native vegetation of the Shire.

**Significant Landscape Overlay (SLO1)**

The SLO1 relates to the Maldon Landscape Area. Key features of the area include both man-made and natural elements. Objectives and decision guidelines of the SLO1 predominantly relate to visual impacts of development and vegetation removal with reference to environmental contribution that vegetation has in the landscape area.

The application is generally in accordance with the purpose and decision guidelines of the SLO1 in relation to visual impact of the development on the landscape. The dwelling is modest in scale and screened from view from surrounding roads.

The application has not provided adequate information to assess the impact of the removal of vegetation in relation to visual impact or environmental impact. As outlined above, some vegetation removal will be exempt from requiring a permit. However, no information has been provided as to the extent of removal that is necessary or the resulting impact of such removal. As such, the proposal cannot be said to adequately respond to the objectives and decision guidelines of the SLO1, as such is contrary to the purpose and decision guidelines of the SLO.

**Bushfire Management Overlay (BMO)**

The general purpose of the BMO is to ensure that development only occurs in areas where risk to life and property from bushfire can be reduced to an acceptable level. An application under the BMO must demonstrate how the development meets the requirements of clause 52.47 Planning for Bushfire.

A Bushfire Management Statement was submitted with the application which demonstrated how the development responds to and complies with relevant policy
within clause 52.47. The application was referred to the Country Fire Authority (CFA) who did not object to the application.

The development responds to the purpose of the BMO and relevant clauses and can reduce risk from bushfire to an acceptable level.

Restructure Overlay (RO6)

The restructure overlay identifies small sites which require ‘restructuring’ prior to development occurring in order to reduce environmental impacts of dwellings and other development. Restructuring usually refers to a requirement to consolidate a number of small lots.

The RO6 relates to two small areas of land to the north of Maldon which contain a number of smaller land holdings. The RO6 includes a plan of how individual lots must be restructured/consolidated, and also a statement of what is allowed on the future consolidated lot. For the subject site, the RO6 stipulates that the two parcels constituting the site may be consolidated and developed with a single dwelling.

The RO6 includes the objectives:

- To encourage the restricting and consolidation of lots which have been assessed as ‘high risk’ in the Rural Land Capability Study.
- To limit the number of dwellings in an area with minimal social and engineering infrastructure and which is outside of the Maldon Township Boundary and which is not part of an identified rural living area.
- To discourage the inappropriate development of dwellings on small lots.

This clause also contains requirements that must be submitted with applications for dwellings. An application for a dwelling must include a plan indicating a building and effluent disposal envelope and be accompanied by a Land Capability Assessment (LCA). An application must also be accompanied by an Environmental Management Plan (EMP) which demonstrates how the environmental features on and off the site will be maintained.

Although the proposal is consistent with the RO6 in relation to what is allowed on the consolidated lot, the application fails to satisfy other relevant objectives and application requirements of the RO6. Consistency with the restructure plan for the lots is only one of many considerations under the RO6.

The RO6 includes objectives and decision guidelines relating to environmental protection and also protection of agricultural land. As outlined above in discussion under the Farming Zone and the SPPF and LPPF, it is not considered that the site is suitable for residential development.

The application has included a plan with building and effluent envelopes and has been accompanied by a Land Capability Assessment. However, the application has not been accompanied by an Environmental Management Plan as required by the RO6. As outlined above, the application has failed to provide key information necessary for the adequate assessment of the environmental conditions of the site and the impacts resulting from the development.

On the balance of consideration, the proposal does not meet the requirements of the Restructure Overlay.
5. **Financial and Resource Implications**

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

6. **Consultation**

*Advertising*

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

No submissions were received.

*External Referrals*

- Country Fire Authority
  - No objection subject to conditions
- Vic Roads
  - No response

*Internal Referrals*

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

7. **Conclusion**

Council has received an application for use and development of a dwelling and an outbuilding and removal of vegetation at CA 15 & CA 16 (Part), Section C Parish of Maldon, 1271 Fogartys Gap Road, Maldon. The site is located within the Farming Zone and is covered by the Bushfire Management Overlay, Significant Landscape Overlay and Restructure Overlay.

The purpose of the Farming Zone is to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of the land for agriculture. The use the subject site for a dwelling has potential to adversely affect the ongoing use of adjacent land for agriculture.

The application has not demonstrated how the proposal responds to the requirements of the Significant Landscape Overlay in protecting vegetation on site for both its visual and environmental value.

The application is not consistent with the purpose and decision guidelines of the Restructure Overlay and the objectives of the RO6 as conformity with specific environmental and agricultural policy has not been demonstrated.

The application is considered to be contrary to a variety of State and Local Planning Policy relating to protection of agricultural land and environmental protection.

The application has been assessed against the provisions of the planning scheme and does not meet the requirements.

It is recommended that this application be refused.
RECOMMENDATION

That Council:

Issue a Notice of Refusal to Issue a Planning Permit for use and development of a dwelling and an outbuilding and removal of vegetation at CA 15 and CA 16 (Part), Section C Parish of Maldon, 1271 Fogartys Gap Road, Maldon on the following grounds:


2. The proposed use and development is contrary to the purpose and decision guidelines of the Farming Zone.

3. Use and development of a dwelling would not support and enhance agricultural production.

4. The use and development of a dwelling would adversely affect the operation and expansion of adjoining agricultural uses and has the potential to lead to a proliferation of dwellings in the area.

5. The development is contrary to the purpose and decision guidelines of the Significant Landscape Overlay and the objectives and decision guidelines of Schedule 1 to the Significant Landscape Overlay.

6. The development is contrary to the purpose and decision guidelines of the Restructure Overlay.

7. The development is contrary to the purpose and decision guidelines of Clause 52.17 Native Vegetation.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR TELFORD

CARRIED.
1. **Purpose**

The purpose of this report is to enable Council to make a determination on an application for use and development of land for stone extraction at Crown Allotments 73C, 73D, 73E, 73F, 73G Section 1 and Crown Allotment 11D, Section 2 Parish of Campbelltown. On 21 April 2016 the applicant lodged a review of the application with the Victorian Civil and Administrative Tribunal (VCAT) for Council’s failure to grant a permit within the prescribed time. The matter has been listed for a hearing on 26 September 2016, with a compulsory conference on 15 July 2016. The purpose of this report is to enable Council to determine their position, and to provide that position to VCAT prior to the scheduled hearing. The application has fifteen (15) outstanding objections.

Refer to:

- Attachment ECO 42A: Context and site aerial
- Attachment ECO 42B: Final plans submitted with application

2. **Background**

The application was lodged on 26 February 2013 and seeks approval for the use and development of land for stone extraction on six parcels of land within the farming zone. The application has been referred to Council for a determination to establish Council’s position for the compulsory conference and subsequent hearing at VCAT.

The subject site lies approximately 15.5 kilometres to the south of Newstead on the western side of Werona-Kingston Road. The site comprises 6 parcels of land with a combined area of 59.46 hectares.

A formed section of Robinson Road abuts the majority of the site’s northern boundary. Unmade road reserves abut a smaller section of the northern boundary and the full length of the eastern and southern boundaries.

The site is undulating, containing three defined hilltops. Two existing dams are located on the site. A small agricultural building is located proximate to the northern boundary at the east of the site. The site contains primarily pasture grasses but also contains a few larger patches of trees in addition to scattered vegetation.

The site is located within the Farming Zone with no overlays. The surrounding area is dedicated broad scale agriculture. Several dwellings are located near the junction of Robinsons Road and Werona-Kingston Road directly to the east of the site. The next nearest dwellings are located more than 1 kilometre to the north.
The application proposes to access the site by upgrading a short unmade section of Robinson Road to the north. The extraction areas are located to the west of the site, accessed via an internal access way. Extracted stone is to be used for garden supplies and road construction. Extraction of stone is proposed by way of heavy bulldozer and excavator. No explosives are proposed to be utilised for extraction. Crushing, screening and stockpiling is proposed to occur onsite.

3. Policy and Statutory Implications

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

Clause 12.01-2 Native vegetation management

The objective for this clause is to ensure permitted clearing of native vegetation results in no net loss made by native vegetation to Victoria’s biodiversity. Strategies include to apply the three stage approach of ‘avoid, minimise, offset’ when approaching the management of native vegetation.

Clause 13.04 Noise abatement

The objective of this clause is to assist in the control of noise on sensitive land uses. Planning should consider relevant EPA guidelines relating to noise control. Interim Guidelines for Control of Noise from Industry in Country Victoria (Environment Protection Authority, 1989) are the relevant guidelines for consideration in the current application.

Clause 14.02 Water

This clause aims to protect, maintain and restore the quality of water in the State. A range of strategies are outlined relating to land use and development in order to protect important features from contamination and degradation.

Clause 14.03 Resource exploration and extraction

The objective of this clause aims to encourage extraction of natural resources in accordance with acceptable environmental standards and to provide planning approval that is consistent with relevant legislation.

Strategies include to:

- Protect the opportunity for extraction;
- Recognise possible need to provide infrastructure for extraction;
- Clearly define buffer areas to sensitive uses and to apply practical technology to limit effects on sensitive uses.

The objective for this clause is to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community. Strategies within this clause promote the need for different types of housing including higher density development and connectivity with the activity centres via alternate forms of transport like cycling and walking to reduce motor vehicle congestion and increase activity within these centres.

Local Planning Policy Framework (LPPF)

Clause 21.04-1 Biodiversity
This clause identifies the range of plants, animals and ecosystems which contribute to the Biodiversity of the Shire. Native vegetation is recognised as a key element to protecting and enhancing biodiversity within the Shire.

Clause 21.05-4 Noise and air

This clause recognises the conflict which can occur between industrial and other sensitive land uses. The policy focuses on defined industrial and residential areas but is applicable to all industrial and sensitive uses.

Clause 21.06-3 Water

This clause provides a local policy context to the State Planning Policy outlined above. The clause highlights that the majority of the Shire is located within declared open potable water supply catchment areas. Objectives include to improve the quality of water in the Shire and to increase environmental flows.

Zoning

Clause 35.07 Farming Zone (FZ)

The use of land for stone extraction requires a permit under clause 35.07-1. A permit is also required for buildings and works associated with a section 2 use.

Overlays

Not Applicable – There are no overlays on this site.

Particular provisions

Clause 52.06 Car Parking

Before a new use commences, car parking must be provided with the rate outlined in the table to clause 52.06-5. If the use is not listed, car parking must be provided to the satisfaction of the responsible authority. Stone extraction is not a use listed in the table, therefore car parking must be provided to the satisfaction of Council.

Clause 52.08 Earth and energy resources industry

The purpose of this clause is to encourage land to be used and developed for exploration and extraction of earth resources in accordance with acceptable environmental standards, to ensure mineral and other extraction is not a prohibited use in planning schemes and to ensure planning controls are consistent with other relevant legislation.

This policy states a permit for stone extraction must comply with Section 77T of the Mineral Resources (Sustainable Development) Act 1990.

Application requirements are also outlined which details information which must be submitted with an application for mineral extraction.

Clause 52.09 Stone extraction and extractive industries interest areas

The purpose of this clause is to ensure that the extraction of stone does not adversely affect the environment or amenity of the area during or after extraction, to ensure areas can be appropriately rehabilitated and to ensure resources, which may be required for use, are protected from inappropriate development.
The clause contains similar application and referral requirements as outlined in clause 52.08. A number of decision guidelines are outlined which require consideration of a number of amenity and environmental issues.

This clause also contains a policy statement which states:

A permit for the use and development of land for stone extraction must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit for the use and development of land for stone extraction must include conditions which are consistent with the requirements specified in Clause 52.09-7.

Additional mandatory conditions relating to setbacks, screen planting and provision of parking are also outlined in this clause.

Clause 52.17 Native vegetation

The purpose of this clause is to ensure permitted clearing of native vegetation results in no net loss in the contribution made by native vegetation to Victoria’s biodiversity and to manage native vegetation to minimise land and water degradation. The three step approach of ‘avoid, minimise, offset’ in relation to removal of native vegetation is applied to achieve stated objectives.

The clause outlines various ‘pathways’ for applications to remove native vegetation. Applications in the moderate or high risk-based pathways must meet a variety of application requirements to identify vegetation and site conditions, demonstrate how vegetation removal is being avoided, assess the impacts of vegetation removal and provides strategies for offsets.

4. Issues

Consistency with purpose of the farming zone

The purpose of the farming zone is to support and enhance the use of land for agriculture and to ensure inappropriate land uses, such as dwellings, do not prejudice the use of land for agriculture.

The references to non-agricultural uses primarily relates to preventing establishments of dwellings on small lots which is a recognised threat to the viability of agriculture. The proposed use will not reduce the ability of adjoining uses to continue to be used for agricultural activities. Similarly, the areas proposed for extraction will be rehabilitated, returning the area to a farming use.

Overall, there is support within the planning scheme for stone extraction in areas, such as land within the farming zone particularly those which are distanced from areas zoned for residential or other sensitive uses.

Capacity of the road network to accommodate increased heavy vehicle movements.

The site is accessed via Werona-Kingston Road, which is a local road controlled by Council. The application proposes to upgrade a small unmade section of Robinsons Road in order to access the site.
A Traffic Impact Assessment was supplied with the application which outlined current traffic movements on Kingston-Werona Road and the proposed increase in traffic movements as a result of the proposal. The state of the existing road network and recommendations for the proposal are also provided.

A traffic count was undertaken as part of the assessment which identified an average of 54 vehicles utilising the road per day over a seven day period, 3.4 per cent of which are heavy vehicles.

The report concludes that the proposal would generate an increase of 50 movements per week (25 entries and 25 exits), including staff travel and site deliveries.

The report recommends that tree trimming is undertaken to increase sightlines to a safe distance, in line with approved standards, and that a basic right and left hand turn is incorporated into the proposed intersection and quarry entrance.

The report offers a good assessment of the existing traffic conditions in the area. However, the state of the road pavement condition along the proposed Werona-Kingston Road route is variable and in many locations below standard to accommodate a 13 per cent increase in traffic, the majority being heavy vehicles. Regardless, road upgrades can be undertaken to improve the safety an operation of the road and accommodate the additional traffic.

The site is in a rural area, which can typically experience a range of heavy vehicle traffic due to existing agricultural activities. In this regard, it is not considered that a moderate increase in heavy vehicle traffic is unsuitable or out of character for the area, but appropriate measures should be undertaken to ensure the network is safe for users.

The application was referred to Council’s infrastructure department who have listed conditions to be placed on any permit issued.

Native vegetation removal

The application was submitted with a native vegetation assessment report which provides the majority of assessment and details required by clause 52.17.

The removal of vegetation on the site is categorised in the moderate risk-based pathway due to the area of vegetation proposed to be removed rather than the conservation significance of the vegetation. The proposed removal of vegetation is categorised has a Low Conservation Significance ranking.

The location of the proposed extraction sites appear to have been chosen to fall within predominantly clear areas, requiring minimal amounts of tree removal. The location of stage two does include broader areas of native grasses and herbs.

The report recommends vegetation offsets be provided on-site by way of protection of higher quality vegetated areas and outlines an offset plan including ongoing management regime for the offset sites. While the offset areas were identified on plans submitted with the report, specific dimensions of the areas were not provided.

Overall, it is considered that the applicant has applied the three step approach to avoid, minimise and then offset vegetation removal. Further detailed plans would be required to precisely locate vegetation removal areas, including that which may be required by construction of the access driveway, and to locate the offset areas.
Impact on the amenity of the area

The proposed excavation site is located on the western and northern slopes of hills within the site. The nearest dwellings are located approximately 600-700 metres to the east, near the junction of Robinson Road and Werona-Kingston Road. The next nearest dwellings are located approximately 1 kilometre to the north of the excavation sites on Werona-Kingston Road.

The primary concerns related to the proposal in terms of amenity to the area are creation of noise, dust and vehicular traffic. These issues are discussed in the section below.

In summary, it is considered that amenity impacts can be addressed by the proposal, however further detail should be supplied by the applicant to demonstrate how these will be addressed in detail.

The application was referred to EPA who recommended further assessment on impacts of dust as a result of the operation. The proposal must meet the requirements of EPA Publication 1911 Protocol for Environmental Management: Mining and extractive industries. The proposal requires the least onerous assessment of air quality impacts due to its small size and relatively remote location. Detailed assessment has not been provided by the application and should be undertaken prior to the use or development commencing

Outstanding objections to the application

Fifteen submissions have been received and not withdrawn. The objector’s concerns can be summarised as follows:

Inconsistency of the proposal with the purpose of the farming zone.

Officer response

As outlined above, the proposal is not considered inconsistent with the purpose of the farming zone. Planning policy aims to support resource extraction in suitable areas and subject to environmental standards. Most areas of extraction are located within farming zones as these areas can accommodate appropriate buffer distances to sensitive uses.

The purpose and decision guidelines of the farming zone do not specifically support resource extraction. However, resource extraction is not a discouraged land use in the zone, such as dwellings are. Further to this, Clause 52.08 of the planning scheme has a stated purpose of ensuring that resource extraction is not a prohibited use in the scheme.

On the balance of policy, it is considered that the farming zone is, generally speaking, an appropriate location for resource extraction subject to environmental standards being met.

Proximity to dwellings.

Officer response

The location or proximity to dwellings is not generally an issue in itself unless the proximity results in acceptable environmental standards not being met.

Creation of dust as a result of the operation.
Officer Response

Dust control and management have been addressed within the work plan submitted with the application. The application was also referred to the EPA who commented on the issue of dust management.

While impacts could result from the proposal, appropriate measures can be implemented to address such impacts.

There are a significant number of operating mines within the state who implement satisfactory dust management measures. Further detail on management measures should be supplied by the applicant to demonstrate how this issue will be addressed for the specific operation. Assessment should be in line with assessment required under EPA Publication Protocol for Environmental Management: Mining and extractive industries.

*Impact on water quality as a result of runoff and siltation dam failure.*

Officer Response

The work plan was referred to Goulburn-Murray Water as the authority responsible for administering the Catchment and Land Protection Act 1994 and who are the authority responsible for approval of dams on rural properties. Appropriate construction and management measures have been required to ensure water quality can be maintained.

*Excessive noise as a result of operations.*

The proposal is a small scale extraction operation. No blasting is proposed as part of the activity, which can be a source of noise and vibrations. Extraction will be mechanical by way of a bulldozer and excavator. These machines are consistent in size and operating volume as many other agricultural vehicles.

The proposed hours of operation for the site are between 7am and 6pm weekdays and 7am to midday on Saturdays. These are hours of operation which can include extraction, crushing and customer loading. Extraction and crushing are only proposed on intermittent basis within these proposed hours of operation.

The operation must also comply with relevant state environmental guidelines, being *Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011).*

The intermittent frequency of extraction and crushing, required compliance with state environmental standards combined with setback distances and natural topographical features of the site should act to limit impact of noise on surrounding land uses to an acceptable level, however further detail should be supplied by the applicant to demonstrate specific measures and estimated noise levels at receiving sensitive uses.

*Road conditions are unsatisfactory for increased heavy vehicles.*

Issues relating to road conditions and safety are addressed above under section 4 of this report. It is generally considered that with some upgrades and improvements, the road network will be able to be made safe for the proposed increase of vehicles as a result of the proposal.
Heavy vehicles currently use the road network and are relatively commonplace in rural environments. Vehicles accessing the quarry, in any capacity, are legitimate road users who must abide by existing rules and regulations.

**Inability to defend the property from fire.**

The operation will be required to have its own on-site fire management measures in place and would be recommended to implement a bushfire safety plan, though this is not a requirement of the planning scheme.

**The operation will result in reduction of land value.**

It is generally and widely accepted that potential impact on property values, whether positive or negative, is not a consideration of planning.

**Impact on environment and landscape.**

The proposal will clearly have an impact on both the environment and the landscape of the site as any development does. Consideration is given to the scale of the impact and whether it is appropriate on the balance of policy directives within the planning scheme.

Planning policy provides strong support for encouraging extractive industries that operate in accordance with acceptable environmental standards. The application has included an assessment of the impact on native vegetation and offered appropriate management measures. Additionally, water quality will be maintained and protected through appropriate construction and maintenance of dams on site and wash down areas. Rehabilitation measures have been proposed for the extraction sites. These measures could be further developed to identify specific measures in each location.

The extraction site will also alter the visual landscape in the area. The sites are located in areas which largely minimise this impact on surrounding areas, being on the western and lower slopes of hills on the site. It should be noted that any extractive industry will have some impact on the landscape and that this impact cannot be totally avoided, but should be minimised to a reasonable level.

5. **Financial and Resource Implications**

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

6. **Consultation**

**Advertising**

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

**External Referrals**

- Department of Primary Industries
  - No response
- Department of Economic Development, Jobs, Transport and Resources
  - No response
- Goulburn-Murray Water
  - No response
- North Central Catchment Management
No objection. No conditions

- **Environmental Protection Authority**
  No objection. Recommended conditions

- **Coliban Water**
  No objection. No conditions

- **VicRoads**
  No response

**Internal Referrals**

- **Infrastructure Unit**
  No objection subject to conditions

- **Environmental Officer**
  No response

### 7. Conclusion

Council has received an application for the use and development of land for stone extraction at Crown Allotments 73C, 73D, 73E, 73F, 73G Section 1 and Crown Allotment 11D, Section 2 Parish of Campbelltown, 372 Robinson Road, Werona. The applicant has lodged an application for review at VCAT for failure to determine the matter within the specified time frame.

This report enables Council to determine their position, and to provide that position to VCAT prior to the scheduled hearing.

Fifteen objections have been received relating to a number of issues including consistency with the farming zone, location near dwellings, amenity impacts, road conditions, land values and environmental impacts.

The proposal has been assessed on the information provided. A number of referral responses have not been received from external referral authorities. It is considered that the proposal could demonstrate consistency with the provisions of the planning scheme subject to additional pieces of information and assessment being provided.

It is recommended that Council advise VCAT, the applicant and objectors that the proposed use and development of land for stone extraction is supported, subject to conditions.

**RECOMMENDATION**

That Council advise the Victorian Civil and Administrative Tribunal, the permit applicant and objectors that it would have issued a Notice of Decision to Grant a Planning Permit for use and development of land for stone extraction at Crown Allotments 73C, 73D, 73E, 73F, 73G Section 1 And Crown Allotment 11D, Section 2 Parish Of Campbelltown, 372 Robinsons Road, Werona, subject to the following conditions:

1. **PLANS REQUIRED**

1.1 Before the use/development starts amended plans to the satisfaction of the responsible authority must be submitted and approved by the responsible authority. Once approved the plans will form part of the permit. Any changes to the Work Plan as a result of the amended plans must be incorporated into an
amended Work Plan and approved by the responsible authority. Plans must include:

- Precise locations and extent of vegetation removal and proposed offset locations in accordance with the requirements of ‘Native Vegetation’ conditions below.
- Detailed rehabilitation plans, generally in accordance with the rehabilitation plan provided, but amended to show:
  - Staging of rehabilitation areas.
  - Quantity and species of vegetation to be used in revegetation/rehabilitation areas. Vegetation must be indigenous to the locality and appropriate to the site’s Ecological Vegetation Class. Vegetation rehabilitation must provide plants that will mature to a range of heights.
  - Visual presentation of terminal face treatment and rehabilitation for areas.
  - The location and scale of buildings and fixed plant and equipment, elevations of all buildings and a schedule of construction materials, external finishes and colours and signage;
  - Details of earth bunding and batters.

2 NATIVE VEGETATION

2.1 Prior to the commencement of the use and/or development, an amended native vegetation assessment, generally in accordance with that supplied with the application, must be provided to the responsible authority. Once approved, the assessment will be endorsed as part of the permit and recommendations included in the Work Plan. The amended assessment must include:

- An amended plan, dimensioned and drawn to scale, that indicates:
  - The locations/areas of vegetation proposed to be removed to accommodate areas including, but not limited to, extraction areas, access driveways, car parking, earthen embankments.
  - The precise location and area of offset areas to be protected and maintained.
  - An amended offset calculation and offset management plan as a result of any changes due to the above assessment.

2.2 Prior to the commencement of the use, an agreement under Section 173 of the Planning and Environment Act 1987 must be entered into between the owner of the subject land and the responsible authority, to the subject titles to which offset areas apply, to the effect that:

- The owner must undertake must undertake native vegetation protection and management measures as outlined in the approved Offset Management Plan.

2.3 The 173 Agreement must be registered on title at the cost of the owner.

3 NO LAYOUT ALTERATION

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

3.2 The use and development of the subject land must at all times be in accordance with the Approved Work Plan, including variations, No 1432 and the specific conditions attached thereto.

4 CONSTRUCTION

4.1 Construction works on the site must only occur between 7.00am and 6.00pm Friday and 7.00am to midday Saturday (not including public holidays).
5 HOURS OF OPERATION
5.1 The use hereby permitted must only operate between the following times:
7.00am – 6.00pm Monday to Friday.
7.00am – midday Saturday.
No operation on Sunday or Public Holidays
The responsible authority may give its consent for the quarry to operate at other
times for the purpose of managing equipment breakdowns or other unforeseen
circumstances.

6 RESTRICTION ON EXTRACTION AND CRUSHING TIMES
6.1 Extraction and crushing must only be undertaken between the following times:
8.00am – 5.00pm Monday to Friday.

7 MAXIMUM VOLUMES
7.1 Except with the prior written consent of the responsible authority, the maximum
volume of material to be transported from the site as part of operations must not
exceed 20,000 tonnes per annum.

8 NOISE CONTROL
8.1 Noise emitted from the site must not exceed the recommended levels as set out in
Noise from Industry in Regional Victoria (NIRV; EPA Publication 1411, 2011) or as
amended.

9 DUST CONTROL
9.1 Prior to the commencement of the use or development, air quality assessment
must be undertaken and provided to the satisfaction of the responsible authority.
The assessment must be undertaken in accordance with EPA Publication 1911
Protocol for Environmental Management: Mining and extractive industries as a
level 3 assessment. Results and recommendations must be included in the
amended Work Plan and implemented on-site to the satisfaction of the responsible
authority.
9.2 Dust generated by the use must be monitored in accordance with the endorsed
plan. Any failure to meet the standards of the State Environmental Management
Policy (Air Quality Management) must be notified to the Environment Protection
Authority and works/actions specified by that Authority to bring the use into
compliance must be carried out to the satisfaction of the responsible authority.
9.3 Nuisance dust must not be discharged beyond the boundaries of the premises.

10 WATER QUALITY
10.1 Any direct or indirect discharge to a watercourse must not exceed the water quality
objectives of the State Environment Protection Policy (Waters of Victoria), and
must not cause pollution.
11 COUNCIL INFRASTRUCTURE REQUIREMENTS

11.1 Prior to the commencement of the proposed development, the permit-holder must submit to, and be approved by, Council’s Infrastructure department a plan of the preferred truck/transport routes to and from the site. When approved this will be endorsed and form part of the permit.

11.2 Prior to the commencement of any works, the applicant must submit detailed road, and access construction plans associated with the development to the satisfaction of Council’s Infrastructure department.

11.3 Prior to the commencement of the use the permit-holder must carry out, or cause to be carried out, all internal and external road works to the satisfaction of Council’s Infrastructure department in accordance with approved plans. Pavement depths are in accordance with the subgrade conditions and latest Austroads Publications. All works must be undertaken at the permit-holder’s cost and must include:

- Survey the existing condition of the shoulders and roads on the nominated truck routes and (submit a report regarding that survey to the responsible for its approval)
- Which survey must: (i) involve deflection testing (at 100 metre intervals) along the entire length of the nominated truck route; (ii) note and record (using appropriate visual imagery); of the condition of the pavement and shoulders; of any failed, weak, damaged, worn or notable areas of pavement or shoulder; any areas where the condition of shoulders are considered inadequate; and any bridges, culverts or waterway/creek crossings that need to be upgraded to achieve the desirable load limits and 20 year design life for the design standard for equivalent Standard Axles as per AustRoads pavement design guides; (b) prepare and submit to the responsible authority for its approval detailed Road Engineering Plans depicting the necessary road rehabilitation works for those parts of the approved truck route and that are likely to fail within a 20 year timeframe having regard to the surveys and testing required above.
- All roads to have a trafficable width of 6 metres with four metre sealed width:
- Identify the extent of road along the approved truck route that is to be rehabilitated;
- Detail any necessary upgrades to bridges, culverts, drainage infrastructure to achieve the applicable 20 year design standard and the desirable load limits.
- Upgrade the unmade government road from site access to the Werona Kingston Road with trafficable width of 6 metres and sealed width of 4 metres with intersection works to the Werona – Kingston Rd includes tree trimming and clearing works in Werona Kingston Rd to ensure adequate safe sight distances at the intersection.
- The permit holder must carry out the rehabilitation works in accordance with the approved Road Engineering Plans to the satisfaction of the responsible authority prior commencement of the use, and at the cost of the permit holder.

11.4 The permit holder must, to the satisfaction of the responsible authority maintain and repair any defects in the works carried out within any public road or road reserve along the approved truck route for a period of two years following the completion of the works required by the endorsed Road Engineering Plans.

11.5 The permit holder and their contractors shall ensure that all trucks and heavy vehicles servicing the quarry shall arrive at and depart from the quarry via the road routes specified in the quarry Route Plan. No other roads shall be used including roads in the adjoining shires.
11.6 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 the commencement of any works.

12 NATIVE VEGETATION ASSESSMENT

12.1 Prior to the commencement of any road improvement/upgrade works associated with the development the permit-holder must engage a suitably qualified person to undertake a field based assessment of native vegetation and associated habitats that occur in road reserves at locations where road works are proposed or required.

12.2 Prior to the commencement of any works, the permit holder must submit site /construction management plans to the satisfaction of the Responsible Authority demonstrating appropriate measures to put in place to protect the native vegetation and associated habitats identified in the native vegetation assessment report. All works undertaken during the construction and development stage must be in accordance with the management plan to the satisfaction of the Responsible Authority.

12.3 The permit holder will be responsible for obtaining any necessary permits or consents for any native vegetation removal that may be necessitated by the required road works and for providing any required offsets.

13 ENVIRONMENTAL HEALTH REQUIREMENTS

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

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

14 SITE REHABILITATION AND END USE

14.1 Site closure and rehabilitation works must occur in accordance with the approved Rehabilitation Plan as detailed in the approved Work Plan unless with the further written consent of the Responsible Authority. Works to include:

a) Progressive rehabilitation, as the approved expansion of the quarry proceeds, to the satisfaction of the Responsible Authority.

b) At the end of the life of the quarry, the site must be left in a safe and stable manner and in a form that will blend with the surrounding landscape by implementing the following measures:

- All topsoil must be stored onsite for use in site rehabilitation.
- Overburden must be stockpiled separately for future use, and where possible, overburden must be placed in layers in worked out areas of the site.
- Progressively batter all terminal faces as soon as practical.
- Creating a self-sustaining landform and ongoing vegetation of rehabilitated areas. The site must be vegetated using indigenous species sourced from the local area, be of local provenance and be appropriate to the site’s Ecological Vegetation Class.
MOVED COUNCILLOR REDDEN

That standing orders be suspended at 8.11 pm.

SECONDED COUNCILLOR CORDY

CARRIED.

a. Ms Vanessa Burgess, representing the objectors.

Ms Burgess thanked Council for the opportunity to speak. Ms Burgess advised she is speaking on behalf of a number of objectors that live in the area. Ms Burgess stated the objectors do not believe the application adequately addresses the size of the facility, the significant transport increases, and further potential for growth of the facility.

Ms Burgess stated that the objectors believe that if there is approval of this development it will significantly decrease the amenity of the area. There will be increased traffic and that this will decrease the quality of the road surface, thus increasing the safety risk of transport. Ms Burgess stated the objectors believe it will decrease the value of properties. Ms Burgess also advised that the application is not consistent with farm zone principles.

b. Mr Alistair Longmine.

Mr Longmine stated he disagreed with the findings of the work authority plan. Mr Longmine believes the development would have a negative impact on the quality of his farm land, and the water sources due to the dust movements. Mr Longmine is currently farming sheep and cattle and has a successful farm which he believes will be adversely affected by the development.

c. Mr John Phillips.

Mr Phillips stated he currently breeds thoroughbred race horses at his property which is near the proposed site. Mr Phillips stated it is important that clear air is available and believes that the dust from the development area will affect the air and this will impact on the animals.

d. Ms Vanessa Burgess, representing Mr Noel and Ms Di Cotter.

Ms Burgess stated Mr and Ms Cotter breed sheep on their property and they are concerned about the quality of air.

e. Mr Nicolas Rushworth

Mr Rushworth stated he is looking to build and move into the area. Mr Rushworth is worried about the lack of detail in the consultants reports presented to Council. Mr Rushworth is of the opinion that explosives would be required and can’t see this detailed in the reports presented.
MOVED COUNCILLOR MACHIN

That standing orders be resumed at 8.34 pm.

SECONDED COUNCILLOR CORDY

CARRIED.

MOVED COUNCILLOR REDDEN

That Council:

Issue a Notice of Refusal to Issue a Planning Permit for use and development of land for stone extraction at Crown Allotments 73c, 73d, 73e, 73f, 73g Section 1 And Crown Allotment 11d, Section 2 Parish Of Campbelltown, 372 Robinsons Road, Werona, on the following grounds:


2. The proposed use and development is contrary to the purpose and decision guidelines of the Farming Zone;

3. The proposed stone extraction use and development would adversely affect the operation and expansion of adjoining agricultural uses;

4. The development is contrary to the purpose and decision guidelines of Clause 52.17 Native Vegetation; and

6. The proposal would result in visual impact that is at odds with the scenic character of the area and would detract from the landscape values of the area.

SECONDED COUNCILLOR MACHIN

CARRIED.
9.4. BUILDING SUSTAINABLE COMMUNITIES (COM)

COM 43 ADOPTION OF COUNCIL LONG TERM FINANCIAL PLAN 2016-2026, INCORPORATING THE STRATEGIC RESOURCE PLAN

Responsible Director: Director Corporate Support
Responsible Officer: Manager Finance
Original Document: DOC/16/19079

1. Purpose

The purpose of this report is to present to Council for adoption the Long Term Financial Plan 2016-2026, incorporating the Strategic Resource Plan.

Refer to:

Attachment COM 43A: Key Strategic Directions of the Long Term Financial Plan 2016-2026

Separate Attachment COM 43B: Mount Alexander Shire Council Long Term Financial Plan 2016-2026

2. Background

The Long Term Financial Plan (LTFP) sets out Council’s objectives and recommendations for ensuring that Council is, and remains, financially sustainable. Council is required under the Local Government Act (1989) (the Act) to prepare a Strategic Resource Plan which is the key medium-term financial plan produced by Council on a rolling basis that summarises the resourcing forecasts for at least four years. This Strategic Resource Plan forms part of the Council Plan.

The LTFP expresses in financial terms the activities that Council proposes to undertake over the short, medium and long term and will guide the future strategies and actions of Council to ensure that it continues to operate in a sustainable manner.

Council has adopted a number of key strategic plans from 2009 to 2016 as outlined in the Council Plan 2013–2017. These strategic plans have been considered in developing the LTFP.

This LTFP has been developed within prudent financial sustainability guidelines by maintaining operating surpluses, a positive underlying result and a working capital ratio greater than 100% over the life of the LTFP. In addition borrowings are maintained within the Victorian Auditor General’s guidelines.

The State Government has introduced the Fair Go Rates System (FGRS) effective from 1 July 2016 and this rating system caps rate increases, potentially at CPI levels. This LTFP has been updated based on available data as at December 2015 including the approved rate cap for 2016/2017 of 2.5% and the estimates of CPI from the Department of Treasury and Finance (DTF). The previous LTFP was modelled on rate increases of 4.0% per annum.

The overall impact of changes to the rate model is that the previous LTFP total of rates revenue from 1 July 2016 to 30 June 2025 was $191.5 million. In the current model for the same period the total is now $179.6 million. Therefore there has been a reduction in revenue of $11.9 million between models, which is a 6.2% reduction in rates revenue across those nine years.
3. **Policy and Statutory Implications**

Council is required to prepare a Strategic Resource Plan (SRP) under Section 126 of the Local Government Act (1989).

Section 126 of the Act states that:

- the SRP is a plan of the resources required to achieve the council plan strategic objectives
- the SRP must include the financial statements describing the financial resources in respect of at least the next four financial years
- the SRP must include statements describing the non-financial resources including human resources in respect of at least the next four financial years
- the SRP must take into account services and initiatives contained in any plan adopted by council and if the council proposes to adopt a plan to provide services or take initiatives, the resources required must be consistent with the strategic resource plan
- council must review their SRP during the preparation of the council plan
- council must adopt the SRP not later than 30 June each year and a copy must be available for public inspection at the council office and internet website.

While compliance with the legislation can be achieved with the development of long-term (four-year) financial statements, the ten-year approach adopted by Council is more comprehensive, while complying with the statutory requirements to prepare an SRP. The plan should be read in conjunction with the Annual Budget 2016-2017.

It is a requirement in the Act (new in 2014) that Council “must take into account services and initiatives contained in any plan adopted by council and if the council proposes to adopt a plan to provide services or take initiatives, the resources required must be consistent with the strategic resource plan”. This requirement is met in Section 2.2 of the LTFP where key strategies adopted by Council are noted, including the treatment of financial commitments from these strategies and plans in the LTFP.

4. **Issues**

The ability to increase rate revenue is a significant factor in determining whether Council is potentially at risk. Council’s rating effort has been satisfactory when benchmarked against the large rural group. The previous LTFP assumed rate increases of 4.0% per annum, however as a result of the rate capping policy, the model has been updated based on the current Essential Services Commission CPI estimates and efficiency savings as indicated in the below table:

<table>
<thead>
<tr>
<th>Year</th>
<th>Rate Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>16/17</td>
<td>2.50%</td>
</tr>
<tr>
<td>17/18</td>
<td>2.85%</td>
</tr>
<tr>
<td>18/19</td>
<td>2.80%</td>
</tr>
<tr>
<td>19/20</td>
<td>2.75%</td>
</tr>
<tr>
<td>20/21</td>
<td>2.75%</td>
</tr>
<tr>
<td>21/22</td>
<td>2.75%</td>
</tr>
<tr>
<td>22/23</td>
<td>2.75%</td>
</tr>
<tr>
<td>23/24</td>
<td>2.75%</td>
</tr>
<tr>
<td>24/25</td>
<td>2.75%</td>
</tr>
<tr>
<td>25/26</td>
<td>2.75%</td>
</tr>
</tbody>
</table>
The model has also assumed $1.1 million in additional rates as part of a rate variation application in 2018/2019 (funding of the Aquatic Centre) and $840,000 as part of a rate variation application (for Flood Management works) 2017/2018.

If a rate variation is unsuccessful, alternative revenue sources would need to be found or expenditure reduced in other areas if the projects are to proceed.

Other key updates to the LTFP since the plan was adopted in 2015 and as discussed during Budget Briefings include:

- Update of annual rate increases based on new State Government rate capping policy and subsequent amendments to expenditure to maintain financial sustainability, Waste charges remained at 7% till end of 2019/2020 then reducing overtime to 4.5%;
- Update of costs associated with the Landfill Masterplan;
- Implementation of recommendations and works arising from the Castlemaine and surrounds flood management plan;
- Development of an indoor leisure centre;
- Capital Works projects associated with the Maldon Visitor Centre;
- Average 2.00% increase in operational grants over 10 years;
- Employee costs are factored to grow at 3.5% per annum for the 10 years of the model. Employee numbers are assumed to not change during the model however the increase of 3.5% takes into account negotiation of new Enterprise Agreements, legislative changes (Superannuation increases), and projects to obtain a 3.5% increase.
- Materials and services at 2.5% for the 10 years; and

It should be noted the following items are not included in the LTFP, as they are either not completed or adopted plans or concepts, or they cannot be reliably measured at this time:

- Further calls on the Defined Benefits Superannuation Scheme;
- Local Recreation Reserves Strategy 2016–2026 – which will guide Council decision making for the effective provision, management and development of recreation facilities and services for the following minor reserve; and
- Public Open Space Strategy 2016-2031 - the aim of the strategy is to guide the planning, future provision, development and preservation of open space across the Shire for the next 15 years as well as providing Council with guidelines for a developer contribution program and management.
- Climate Change Action Plan 2016-2020 – which builds on previous work. It also relates strongly to the Mount Alexander Shire Council Environment Strategy 2015-2025, particularly the priority area seeking to ‘Integrate our response to climate change’. The action plan outlines a considerable program of work across all parts of Council to respond to climate change.
- Impact of Service Reviews - Over a period of three years, all services across Council will be reviewed using Council’s Service Review Framework.

5. **Financial and Resource Implications**

The financial key performance indicators are all within best practice targets (low or medium risk), with the exception of the investment gap in 2016/2017, 2021/2022,
2022/2023, 2024/2025, and 2025/2026 where renewal capital works is below the target. However, to accommodate the aspirations and requirements for other capital works projects as detailed in the prior section, revenue and borrowings assumptions would need to be revisited.

It should be noted that there is capacity to borrow throughout the 10 years and remain within acceptable risk levels.

The plan will be reviewed as service reviews are completed, and in response to the proposed Council Plan 2017-2022.

6. **Consultation**

The Annual Budget contains the SRP, which is sourced from the LTFP. The Annual Budget is subject to a Section 223 consultation process.

The Section 223 public consultation process has been completed in accordance with the Act. The Proposed Budget 2016/2017 was on public exhibition for the statutory period of 28 days. Thirty-eight submissions were received and a Special Meeting of Council was held on 14 June 2016 to hear submitters, where nine submitters attended the meeting to speak to their submissions.

7. **Conclusion**

The LTFP has been revised to incorporate updated financial information and new strategies adopted since the previous update in 2015. The LTFP incorporates the requirements of the Act in regard the annual adoption of a SRP.

**RECOMMENDATION**

That Council:

1. **Adopt the Long Term Financial Plan 2016-2026 incorporating the Strategic Resource Plan; and**

2. **Make copies of the Long Term Financial Plan 2016-2026 incorporating the Strategic Resource Plan available to the public at the Civic Centre and on Council’s website.**

MOVED COUNCILLOR TELFORD

That the recommendation be adopted.

SECONDED COUNCILLOR COLE

CARRIED.
## Key Strategic Directions of the Long Term Financial Plan 2016-2026

The following table highlights the key strategies of this LTFP.

<table>
<thead>
<tr>
<th>Section</th>
<th>Strategic Direction</th>
</tr>
</thead>
</table>
| **Section 3: Mount Alexander Shire Financial Indicators** | That Council:  
- continues to benchmark with other Victorian councils and those within the large rural category;  
- review financial indicators of Local Government Performance Reporting Framework (LGPRF);  
- applies the outcomes of this LTFP to the Annual Budget 2016/2017; and  
- maintain operating surpluses and a positive underlying result over the life of the LTFP (not all individual financial years). |
| **Section 4: Service Provision and Planning** | That Council continues the service review process in 2016/2017 that it commenced in 2015/2016. The process is conducted via a strategic service planning framework incorporating annual budget, departmental operational plans, capital works evaluation and long term financial plan leading to a determination of the appropriate range and levels of service for the community. |
| **Section 5: Capital Works** | That Council:  
- maintains its capital works commitment at levels that meet or exceed the targets established in this LTFP;  
- focuses capital works on maintaining a critical renewal level based on maintaining a minimum service level with the next priority on renewal, upgrade and expansion; and  
- ensures any new or upgrade of assets come from Council adopted Asset Management Plans and Service Plans. |
| **Section 6: Asset Management** | That Council:  
- having established its critical renewal investment levels, completes detailed Service and Asset Management Plans for all classes of Council assets incorporating service level assessments;  
- as part of the development of its Service Plans, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio; and  
- adopts as policy prioritising funding of infrastructure renewal before constructing new assets. |
| **Section 7: Long-term Borrowing Strategies** | That Council:  
- based on compliance with the State Government Prudential Guidelines, borrows funds to meet defined benefit superannuation top-up calls or for capital expansion projects (such as The Aquatic Centre, or flood management works) that provide intergenerational equity; and  
- retains its indebtedness ratios in the low to medium |
<table>
<thead>
<tr>
<th>Section</th>
<th>Strategic Direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victorian Auditor General risk ratings.</td>
<td></td>
</tr>
<tr>
<td>Section 8: Restricted Assets</td>
<td>That Council ensures sufficient funds are available to meet operational needs, retaining a positive cash position after deducting restricted assets.</td>
</tr>
</tbody>
</table>
| Section 9: Rating and Other Revenue Strategies | That Council:  
- retains capital improved value (CIV) as its valuation base;  
- in 2016/2017 adopts a 2.5 percent increase in total revenue for general rates and municipal charges and an 7.0 percent increase in total revenue for waste collection including funding the cost of disposal of domestic waste, recycling collection and the environment levy;  
- pursues recurrent grant funding and strategic capital funding aligned with Council Plan objectives, including benchmarking of results with other Councils;  
- implements the Pricing Policy including undertaking a detailed analysis on the level of existing fees and charges;  
- implements recommendations of Councils Rating Strategy 2016-2021; and  
- Complete a rate variation request for major projects such as the new Indoor Aquatic Centre, and works associated with implementation of the Flood Management Plan. |
| Section 10: Strategic Financial Plan | That Council reviews its revenue options for its strategic financial model to fund the Council Plan, capital expenditure and service delivery through the annual budget process. |
1. **Purpose**

The purpose of this report is for Council, having considered submissions made on the Proposed Budget 2016/2017, adopt the Budget 2016/2017, declare the differential rates for the 2016/2017 financial year, adopt the fees and charges included in the Budget and give public notice of that decision in accordance with the Local Government Act 1989.

Refer to:

Separate Attachment COM 44A: Budget 2016/2017

2. **Background**

The Budget has been prepared having considered Council priorities and commitments as outlined in the Council Plan 2013 – 2017 and Council’s Long Term Financial Plan 2016 - 2026.

Council resolved to give public notice in accordance with Section 129(1) of the Local Government Act 1989 of its intention to adopt the Proposed Budget 2016/2017 at the Ordinary Meeting of Council held on 26 April 2016.

Public notice was given in the Midland Express and the Proposed Budget 2016/2017 was made available for inspection at various locations throughout the Shire, and on Council's website with submissions in writing being received up until 5.00 pm on Wednesday 1 June 2016.

Thirty six submissions were received by the closing time, and two late submissions were received prior to the Special Meeting of Council to hear submissions on 14 June 2016. Nine submitters attended the Special Meeting to speak to their submissions.

3. **Policy and Statutory Implications**

Section 127 of the Local Government Act states that Council must prepare a Budget for each financial year.

Section 129 of the Act states that Council must give public notice that a Budget has been prepared and that a person has a right to make a submission under Section 223 of the Act.

Section 130 of the Act states that Council must adopt the Budget by 30 June each year and must submit a copy of the Budget to the Minister for Local Government by 30 June each year.

Council must comply with Part 8 of the Act when setting rates and charges on rateable land. The valuation of properties is conducted in accordance with Part II of the Valuation of Land Act 1960.
4. **Issues**

*Proposed Changes*

Council has received advice from the Department of Infrastructure and Regional Development during the public advertising period that it will increase the allocation of funding to Council under the Roads to Recovery Program in 2016/2017 from the advertised budget to $621,000 to $1,699,274. This amounts to an additional funding of $1,078,274. Council will allocate this additional funding on the following projects:

- Construction of Gabion Wall at Harcourt-Sutton Grange Road - $310,000
- Gravel Road Resheeting – Additional allocation of $200,000
- Watchbox Road Rehabilitation – Additional allocation of $220,000
- Design and specification of roads for construction in subsequent financial years - $180,000
- Design and Specification of Finnings Road Bridge - $35,000
- Design and construction of White Quartz Road Bridge - $20,000

*Consideration of Submissions*

The following issues were raised in the submissions received:

- Affordable housing within the region;
- Additional funding for weed control;
- Support for works on the Campbells Creek Rail Trail;
- Additional funds to implement the Harcourt Landscape Masterplan;
- Introduction of a Hard rubbish collection;
- Funds to support development of a Welshman’s Reef Environmental Management Plan;
- Additional funding for cycling facilities;
- Alternate location for the Maldon Visitor Centre;
- Reinstate the same level of funding for the Castlemaine State Festival;
- Sealing of gravel roads;
- Off-lead dog park;
- Funding for additional drainage, footpath and cycling works;
- Continue funding cleaning at the Maldon Community Centre;
- Support for funding to implement the Reconciliation Action Plan;
- Reinstate funding for the Community Directory;
- Additional funding for environmental projects;
- Development of a cultural and heritage projects; and
- Reinstate Phee Broadway Theatre to previous operational level, and fund a technician position to support productions.

5. **Financial and Resource Implications**

The advertised budgeted operating result for the 2016/2017 year was a surplus of $511,000, which is a decrease of $1.56 million over the 2015/2016 budget. However, given the proposed additional Roads to Recovery Funding the adjusted surplus will be $1.59 million.

The underlying result, which excludes items such as capital grants and non-cash contributions, is budgeted at $201,000, an increase of $180,000 Budget 2015/2016. This will remain unchanged as the additional Roads to Recovery Funding is a capital grant and excluded from the underlying result calculation.

The cost of services delivered for the 2016/2017 year is expected to be $32.06 million which is an increase of $559,000 over the 2015/2016 budget. This is due to carry-forward projects from 2014/2015 being completed in 2015/2016; total expenditure in 2016/2017 is $449,000 less than forecast for 2015/2016.

Cash and investments as advertised were expected to decrease by $1.60 million during the year to $8.43 million as at 30 June 2017. The cash balance at 30 June 2016 includes a number of reserves for future capital works including the swimming pool reserve and waste reserve (cash and investments are forecast to be $10.03 million as at 30 June 2016). The adjusted cash balance is now budgeted at $8.54 million.

Borrowings of $1.20 million are proposed to fund current and future waste related capital works. After making loan repayments Council’s total borrowings will be $4.85 million as at 30 June 2017.

6. **Consultation**

The Section 223 public consultation process has been completed in accordance with the Act. The Proposed Budget 2016/2017 was on public exhibition for the statutory period of 28 days.

Thirty-eight submissions were received and a Special Meeting of Council was held on 14 June 2016 to hear submitters, where nine submitters attended the meeting to speak to their submissions.

7. **Conclusion**

Having prepared and put on public display the Proposed Budget 2016/2017 and having received and heard from submitters and considered all submissions received, Council is now able to formally adopt the Budget 2016/2017.
RECOMMENDATION

That Council having received heard and considered submissions on the Proposed Budget 2016/2017:

1. Adopt the Budget 2016/2017, including an additional $1,078,274 in capital grant funding, and $965,000 in additional capital expenditure from the advertised proposed budget;

2. Give notice of this decision to adopt the Budget 2016/2017, in accordance with Section 130(2) of the Local Government Act 1989;

3. Note that $21,549,000 is to be raised by the application of rates and charges declared under Section 158, Section 159 and Section 162 of the Local Government Act 1989;

4. Formally declare the Rates Levies and Annual Service Charges for the 2016/2017 rating year as follows:

   i. In accordance with Section 158, Section 159 and Section 162 of the Local Government Act 1989, the following rates and charges are declared for the rating year commencing 1 July 2016 and ending 30 June 2017.

   ii. An amount of $21,549,000 (or such other amount as is lawfully raised as a consequence of this resolution) be declared as the amount which Council intends to raise by general rates, municipal charge and annual service charges, which amount is calculated as follows:

   - General Rates $15,662,000
   - Municipal Charge $2,094,000
   - Service Charges $3,733,000
   - Supplementary Rates $60,000
   - Total $21,549,000

5. Declare a General Rate in respect of the 2016/2017 Financial Year;

6. Further declare that the General Rate be raised by the application of Differential Rates;

7. Respectively declare a Differential Rate for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared:

   - General Rate

       The general rate applies to all rateable land except that which is classified under another differential rate.

   - Farm Rate
All rateable land that is used solely for the purpose of farming as defined in Section 2(1) of the Valuation of Land Act) save and except for properties which have an area of 20 hectares or less (excluding properties which qualify as a single farm enterprise)

- Land Management Rate

All rateable land which has previously satisfied Council’s Farm Rate criteria and have satisfied Council’s guidelines for land management activities over a 12 month period.

- Vacant Land Rate

All vacant rateable residential land that does not have a dwelling.

- Commercial Rate

All commercial rateable land, being land that is occupied for the principal purpose of carrying out the manufacture or production of, or trade in, goods or services.

- Recreational Rate

The Recreational Rate applies to all rateable land upon which sporting, recreational or cultural activities are conducted and including buildings which may be ancillary to such activities. These properties have a rate of zero set in accordance with the Cultural and Recreational Lands Act 1963.

- Trust for Nature Covenant Rebate

A Trust for Nature Covenant Rebate applies to that portion of land that is covered by the Covenant. Municipal charge still applies.

8. Determine each differential rate by multiplying the Capital Improved Value of each rateable land (described at Point 7 of this resolution) by the relevant percentages of Capital Improved Value indicated in the following table:

<table>
<thead>
<tr>
<th>Differential Rate</th>
<th>2016/2017 rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Rate</td>
<td>0.003520</td>
</tr>
<tr>
<td>Farm Rate</td>
<td>0.003520</td>
</tr>
<tr>
<td>Commercial</td>
<td>0.004576</td>
</tr>
<tr>
<td>Land Management</td>
<td>0.003168</td>
</tr>
<tr>
<td>Vacant Land</td>
<td>0.007040</td>
</tr>
</tbody>
</table>

9. Record that it considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions;

10. Confirm that no amount is fixed as the minimum amount payable by way of General Rate in respect of each rateable land within the municipal district;
11. Declare a Municipal Charge of $188.00 for all rateable land save and except for those rateable properties which qualify for an exemption as single farm enterprises;

12. Declare an Annual Service Charge, for the collection and disposal of refuse, in respect of the 2016/2017 Financial Year;

   The annual service charges be in the sum of, and based on the criteria, set out below:

   • The Annual Service Charge (140 litre Garbage Bin and Recycling Bin) of $550.00 will apply to properties where a garbage collection service is provided and the capacity of their refuse bin is 140 litres; and

   • The Annual Service Charge (80 litre Garbage Bin and Recycling Bin) of $395.00 will apply to properties where a garbage collection service is provided and the capacity of their refuse bin is 80 litres.

13. Adopt the following arrangements for interest on rates and charges:

   • Declare that interest is to be charged in accordance with Section 172 of the Local Government Act 1989, on any amounts of rates and charges which have not yet been paid by the date fixed by the Minister in accordance with section 167 of the Local Government Act 1989; and

   • That the interest to be charged is at the rate fixed under Section 2 of the Penalty Interest Rates Act 1983, that applied on the first day of July immediately before the due date for payment calculated from the date on which the instalment was due.

14. Authorise the Director Corporate Support to levy and recover general rates and charges and the annual service charges described earlier in this resolution, in accordance with the Local Government Act 1989.

15. Adopt the Fees and Charges for the 2016/2017 Financial Year as itemised in the annexed Budget 2016/2017 to this resolution; and

16. Authorise the Chief Executive Officer to amend Fees and Charges as required during the 2016/2017 financial year.

MOVED COUNCILLOR REDDEN

That the recommendation be adopted.

SECONDED COUNCILLOR COLE

CARRIED.
1. **Purpose**

Council is required under Section 125 of the Local Government Act to review its Council Plan on an annual basis.

2. **Background**

Council adopted the Council Plan 2013 - 2017 at its Ordinary Meeting of Council on 25 June 2013, in accordance with the Local Government Act 1989, and have reviewed the Council Plan annually as required by legislation. No amendments to the Council Plan have been proposed from these annual reviews.

Council prepares an Annual Plan each year that outlines key projects to be undertaken to meet the objectives of the Council Plan. The Annual Plan will be finalised and adopted by Council in July, after feedback from the community on the Budget 2016/2017 has been considered and the Budget adopted.

3. **Policy and Statutory Implications**

   **Statutory powers and implications**

   Section 125 of the Local Government Act requires that “At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan”.

   If any adjustment is made to the Council Plan, the community may make a submission under Section 223 of the Act. Any adjustment to the plan must be advised to the Minister within 30 days of making the adjustment.

4. **Issues**

In reviewing the Council Plan each year, Council need to consider if any adjustment is required to the Vision, Principles and Goals outlined below.

**Vision**

Mount Alexander Shire – A thriving community working together to create a sustainable and vibrant future.

**Principles**

Mount Alexander Shire Council:

- Listens to its communities, respects their views and responds openly and responsibly.
- Insists on integrity, equity and fairness in delivering services and facilities.
- Is guided by the desire for a sustainable and vibrant future.
- Is a progressive, innovative and confident leader.
- Is an advocate for our Shire and collaborates with others for the benefit of our region.

**Goals**

1. **A Vibrant Healthy Community**

   We will have a healthy, resilient and involved community. We will develop activities that advance our heritage, sports, culture and the arts.

2. **Better Community Facilities**

   We will maintain and renew our facilities to provide better buildings, roads, footpaths, tracks and trails, parks and gardens, for our community.

3. **A Thriving Local Economy**

   We will promote our Shire as a great place to invest, innovate and do business. We will encourage tourism in our Shire by showcasing our heritage, environment and local creative industries.

4. **Building Sustainable Communities**

   We will demonstrate leadership in sustainability. We will foster the ongoing development of environmentally responsible, liveable communities across the Shire.

5. **Financial and Resource Implications**

   There are no financial and resource implications arising from this review.

6. **Consultation**

   An extensive consultation process was undertaken in development of the Council Plan 2013-2017.

   Councillors review actions underway or completed against the proposed actions outlined in the Council Plan, which included Annual Plan projects as well as a number of other actions completed that were not identified in the Annual Plan.

7. **Conclusion**

   Council is required under Section 125 of the Local Government Act to review its Council Plan on an annual basis. There are no changes recommended to the Council Plan 2013-2017.

**RECOMMENDATION**

MOVED COUNCILLOR MACHIN
That the recommendation be adopted.
SECONDED COUNCILLOR TELFORD
CARRIED.
10. DELEGATES REPORTS
   Nil

11. NOTICE OF MOTION
   Nil

12. URGENT SPECIAL BUSINESS
   Nil

13. MEETING CLOSE
   Meeting closed at 9.23 pm