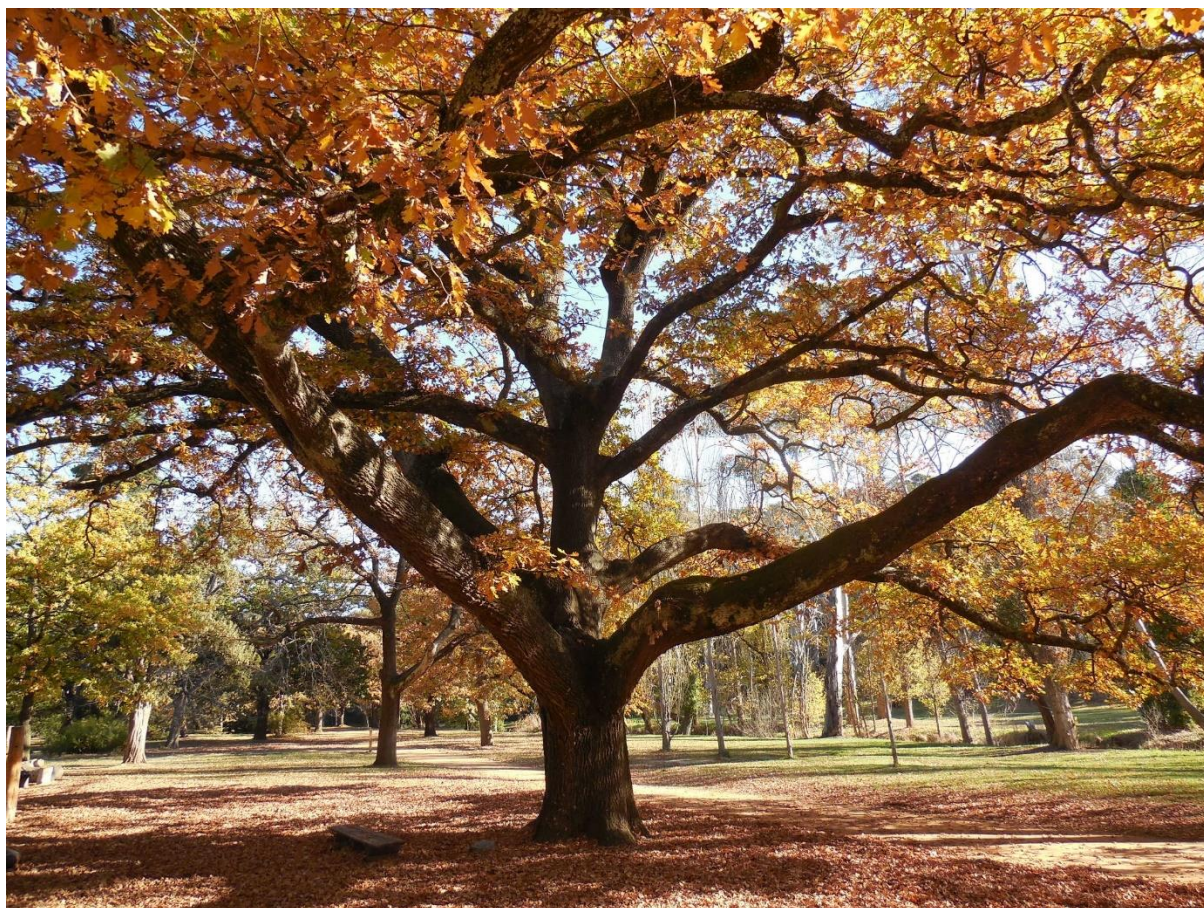

MINUTES



FOR THE MEETING OF COUNCIL

To be held on Tuesday 21 March 2023

**Commencing at 6.30 PM in the
Mount Alexander Shire Council Chamber,
Civic Centre**

**Corner Lyttleton Street and Lloyd Street, Castlemaine VIC
3450.**

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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.**

**Council Meetings are audio and video recorded and are made available to the public via
electronic media including YouTube.**

1. PRESENT – meeting started 6.32pm

Councillors: Rosie Annear, Tony Cordy, Stephen Gardner, Christine Henderson, Bill Maltby and Gary McClure.

Officers: Chief Executive Officer (Darren Fuzzard), Director Corporate and Community Services (Lisa Knight), Director Infrastructure and Development (Michael Annear, via Zoom), Manager Governance and Risk (Leanne Brown).

2. APOLOGIES/LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST AND CONFLICTS OF INTEREST

Nil.

4. CONFIRMATION OF MINUTES

4.1. Meeting of Council – 21 February 2023

The unconfirmed minutes of the Meeting of the Mount Alexander Shire Council held at 6.30 pm on 21 February 2023 at the Mount Alexander Shire Civic Centre have been circulated to Councillors.

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

RECOMMENDATION

That the Minutes of the Meeting of the Mount Alexander Shire Council held on 21 February 2023 be confirmed, subject the following amendment for Item 13 of the Minutes:

Council closed the Ordinary Meeting of Council 21 February 2023, in accordance with Section 66 (2)(a) of the Local Government Act 2020, in order to consider confidential information, as it contained as defined in the Local Government Act under Section 3, Definitions – Confidential Information:

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.**
- (f) Personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.**

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR MCCLURE

CARRIED.

5. ACKNOWLEDGEMENTS

Nil.

6. PUBLIC TIME

MOVED COUNCILLOR MALTBY

That standing orders be suspended at 6:32 pm.

SECONDED COUNCILLOR HENDERSON

CARRIED.

a) John Lewis – read by Mayor Annear.

The desperate need for women's change rooms and facilities at Camp Reserve was highlighted at the February Meeting of Council. Has the council considered acquiring and installing demountable, modular change room units at the Reserve that would provide a solution to this need now, and through until new, permanent sporting facilities can be constructed? If not, can Council make a commitment to consider this with a view to the immediate improvement of amenities to support women's sport?

- The Director Infrastructure Development (DID) advised investigation into the potential use of modular change room units for needs across Council's recreation reserves, including but not limited to Camp Reserve is currently being undertaken and Council will be informed of the outcome in the near future.

b) John Carruthers – read by Councillor Henderson.

Statement:

A large petition has been submitted for tonight's meeting. The vast majority of the community in Castlemaine supports new change rooms at Camp Reserve. That includes members of the Gold Camp Castlemaine group. But what we don't all seem to agree upon is the optimal location for those rooms taking all factors into account. That's the problem; not the support or otherwise for new rooms which is a Red Herring.

Question:

What plans or options has the council developed over the past 15 years to alleviate the crisis in adequate facilities for cricket and netball players while longer-term plans for the Reserve were developed? If so, can those contingency plans be tabled?

- The DID advised that in June 2019 Council adopted the Resourcing Recreation Framework to inform decision making on investment in sport and recreation facilities within our Shire. The framework includes nine weighted investment principles under three focus areas of community, governance and facility. The principles are used to inform decisions on planning, managing or developing sports and recreation facilities, determining funding and advocacy priorities and partnerships, and working with

communities and volunteers to build capacity. The Resourcing Recreation Framework is available on Council's website.

- It was noted the petition referred in Mr Carruthers statement was submitted at the Meeting of council 21 February 2023 and would be addressed at Item 7.1 of this Agenda.

c) Colin Moore (CASSOC) – read by Councillor Cordy.

As we all are aware, in December 2022, VCAT granted a permit for a new supermarket development on Forest St, Castlemaine. The VCAT determination came with 73 conditions. The ratepayers and general public have an interest in how these conditions are monitored and enforced. Will Council consider creating an information section on its Shape website that keeps the public informed about how these conditions are being met going forward?

- The DID advised compliance with conditions in Planning Permits is primarily an issue between Council and the applicant. If members of the community alert Council to concerns related to non-adherence of permit conditions, these are followed up by Council's Planning Compliance Officer. He thanked Mr Moore for his suggestion of creating a page on Council's Shape page or website. This will be reviewed in line with our responsibilities for Planning Compliance.

d) Bev Phillips (Secretary of Maldon Urban Landcare Group)

Ms Phillips was advised that her question / statement would be disallowed in accordance with the Governance Rules 2023 as it related to a planning matter already listed on the Council Meeting Agenda.

MOVED COUNCILLOR MALTBY

That standing orders be resumed at 6:44 pm.

SECONDED COUNCILLOR CORDY

CARRIED

7. PETITIONS AND LETTERS

7.1. Camp Reserve Request for Upgrade of Facilities

Council received a petition on 21 February 2023 with 755 signatures requesting that the facilities at Camp Reserve be brought up to a modern standard to reflect the community's needs including the burgeoning female and LGBTQI+ community Football and Netball members who are currently forced to share the same facilities with men.

RECOMMENDATION

That Council:

- 1. Formally acknowledges receipt of the petition.**
- 2. Notes that the request contained in the petition was addressed in Item 9.2.2 of the Meeting of Council 21 February 2023.**
- 3. Writes to the lead petitioner to confirm the outcome of the above meeting.**

MOVED COUNCILLOR MALTBY

That the recommendation be adopted.

SECONDED COUNCILLOR MCCLURE

CARRIED.

8. COMMITTEE REPORTS

Nil.

9. OFFICER REPORTS

9.1. Community

Nil.

9.2. Environment

Nil.

9.3. Economy

9.3.1. PA303/2022 - BILL WOODFULL RESERVE FOUNTAIN STREET MALDON

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Michael Annear
Responsible Officer: Senior Statutory Planner, Anita Smith
Attachments:

1. Combined plans [9.3.1.1 - 8 pages]
2. BMP [9.3.1.2 - 24 pages]
3. Planning Report [9.3.1.3 - 19 pages]
4. Arborist report [9.3.1.4 - 7 pages]
5. NVIM Report [9.3.1.5 - 10 pages]

Executive Summary

The purpose of this report is to enable Council to make a determination on an application for the construction of all gender change facilities, associated landscaping and the removal of vegetation at Bill Woodfull Reserve, Fountain Street Maldon. The application has been referred to Council for a decision because the cost of works is 1.75 million dollars. The Council Officer recommendation is to approve the application.

The subject site is located within the Public Use Zone, Schedule 6 (Local Government) and is affected by a Bushfire Management Overlay, Erosion Management Overlay, Heritage Overlay and Significant Landscape Overlay pursuant to the Mount Alexander Planning Scheme (noting the works are outside the areas of the site impacted by the Heritage and Significant Landscape Overlays).

The application is exempt from public notice pursuant to Clause 52.31-2 of the Planning Scheme which provides an exemption to facilitate local government projects. It is noted that the proposal forms part of the Bill Woodfull Recreation Reserve Master Plan in 2011 and extensive public consultation has been undertaken by Council's Parks, Recreation and Community Facilities Team.

RECOMMENDATION

That Council resolve to issue Planning Permit PA303/2022 for the construction of all gender change facilities, associated landscaping and the removal of vegetation at Bill Woodfull Reserve, Fountain Street Maldon, subject to the following conditions:

AMENDED PLANS REQUIRED

1. **Before the development starts, amended plans (and documents) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the application plans, but further modified to show:**
 - a) **Deletion of the skylight on the southern façade.**
 - b) **Deletion of the safety barrier adjacent to the southern boundary where not required by the Building Regulations.**
 - c) **The material and finish of rainwater tanks to be corrugated steel with paint finish to match the roof finish.**
 - d) **A landscape plan in accordance with Condition 4 of this permit.**

COMPLIANCE WITH ENDORSED PLANS

- 2. The development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.**
- 3. The extent of vegetation to be removed, as shown on the endorsed plans and documents must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.**

LANDSCAPE PLAN

- 4. Before development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and three copies must be provided. The landscape plan must show:**
 - a) The locations of all landscaping works to be provided on the land.**
 - b) The locations of any trees to be retained or removed from the land (including details of species and size).**
 - c) A detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.**
 - d) Details of the proposed surface finishes of pathways, accessways, handrails, balustrading and fencing.**
 - e) Details of the irrigation system to be used on land following completion of the landscaping works.**
 - f) Tree protection zones for the mature endemic eucalyptus trees identified by the Maldon Urban Landcare Group to the satisfaction of Council's Heritage Advisor.**
 - g) Replacement planting of two trees of the same species on the north side of Fountain Street compliant with the defensible space requirements of the Endorsed Bushfire Management Plan.**
- 5. Before the building is occupied, all landscaping works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.**
- 6. All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority.**
- 7. Before the works starts, tree protection fence(s) must be erected around the tree(s) nominated for protection on the endorsed plans to define a Tree Protection Zone. The Tree Protection Zone must be erected at a radius of 12 times the diameter at breast height (DBH) to a maximum of 15 metres, but no less than two metres from the base of the trunk. The fence must be constructed of star pickets/ chain mesh/ or similar to the satisfaction of the Responsible Authority. The tree protection fence(s) must remain in place until the completion of the development unless otherwise agreed in writing by the Responsible Authority.**

GENERAL CONDITIONS

8. All external materials, finishes and paint colours are to be to the satisfaction of the Responsible Authority.
9. All new walls on or facing the boundary of an adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
10. All piping and ducting (excluding down pipes, guttering and rainwater heads) must be concealed from public view to the satisfaction of the Responsible Authority.

CFA

11. Endorsement of Bushfire Management Plan

Before the development starts, the Bushfire Management Plan prepared by Living Rural (Version 2.0 dated 22/12/2022) must be endorsed by the Responsible Authority. Once endorsed the plan must not be altered unless agreed to in writing by CFA and the Responsible Authority.

12. Bushfire Emergency Plan

Before the development is occupied, a suitably qualified person in emergency planning must prepare a Bushfire Emergency Plan. Once prepared, the site must be managed in accordance with the plan.

The Bushfire Emergency Plan must include:

- A clear statement of the plan's purpose and scope.
- Details on the site and any emergency features/equipment.
- A version control table and details on when and how the plan will be reviewed.
- Details the roles and responsibilities of the emergency control organisation (wardens).
- Outlines training requirements for the emergency control organisation (wardens) and how often exercises will be conducted.
- Details for onsite contacts, emergency services and neighbours.
- Contains appropriate "action statements" for:
 - Before the Fire Danger Period
 - During the Fire Danger Period – including details of how the bushfire threat will be monitored
 - When a Code Red Fire Danger Rating is forecast
 - When any other lower trigger point for action is forecast (as determined by the sites emergency control organisation/management)
 - When a bushfire threatens the site – including the trigger for sheltering in place or evacuation (as appropriate)
 - After the bushfire threat passes.
- Details on evacuating staff, visitors and guests from the site (if required).
- Details on sheltering in place (if required).

INFRASTRUCTURE CONDITIONS

13. Prior to commencement of any construction works associated with the development detailed access and drainage construction plans must be

submitted to and approved by Council. When approved, the plans will be endorsed and form part of the permit. The engineering plans must accord with the Infrastructure Design Manual. All works constructed or carried out must be in accordance with those approved plans and completed to a standard satisfactory to Council.

14. The whole of the development area, including landscaped and paved areas, must be graded and drained to the satisfaction of Council as the responsible drainage authority so as to prevent the discharge of water from the subject land across any road or onto any adjoining land.
15. The site stormwater discharge is not to be increased by the proposed development. The drainage system shall include provision of storm water detention system to limit flows downstream from the development to pre-development levels in accordance with the current Australian rainfall and Runoff – Flood Analysis and Design for a ten-year ARI (IDM Design standards - Section 19.3 Requirements).
16. Drainage design must incorporate integrated water management principles and comply with the requirements of amendment VC154 -Stormwater management of the Victorian Planning Provisions.
17. Prior to the design of any internal drainage system the owner/applicant must submit a Property Information Request and be issued a Legal Point of Discharge Permit to discharge stormwater.
18. If the existing vehicle crossing does not meet current Council standards, then it will need to be upgraded to the satisfaction and requirement of Council. No impending or redirection of existing surface flow is allowed to occur as a result of these works. Council's minimum standards are:
 - 6.0 m wide
 - Crossings must be positioned keeping a minimum of 3m clearance from the council trees located at the property frontages
 - 100mm minimum compacted thickness of road base gravel from edge of road to property line
 - Batters to be re-established either side of culverts to ensure free flowing.
19. The owner must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).
20. Prior to the commencement of any works on the road reserve the owner must submit a Minor Works in a Road Reserve application and be issued a permit to occupy the road for works.
21. Car spaces, access lanes and driveways must be kept available for these purposes at all times and maintained to the satisfaction of the Responsible Authority.

MANDATORY CONDITION REQUIRED BY THE BUSHFIRE MANAGEMENT OVERLAY

22. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defensible space, water supply and access, must be maintained to the satisfaction of the Responsible Authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION

Notification of permit conditions

23. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Native vegetation offsets

The total area of native vegetation permitted to be removed is 0.081 hectares, comprised of No large trees.

24. To offset the removal of 0.081 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a) A general offset of 0.048 general habitat units located within the North Central Catchment:
 - Management Authority boundary or Munt Alexander municipal district;
 - Have a Strategic Biodiversity Value score of at least 0.753;
 - Provide protection for at least no large trees; and
 - Must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Offset evidence

- b) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:
 - A security agreement signed by both parties; and
 - A management plan detailing the ten-year management actions and ongoing management of the site

to the satisfaction of the Department of Energy, Environment and Climate Action and approved by the Responsible Authority.

Every year, for ten years, after the Responsible Authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

- c) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

25. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Energy, Environment and Climate Action at loddonmallee.planning@delwp.vic.gov.au.

COLIBAN WATER

26. The owner is required to provide reticulated water and sewerage services to the development site and comply with any requirements arising from any effect of

the proposed development on Coliban Water assets. Services are to be provided in accordance with our specifications.

27. There are two critical water mains run through the subject property. The building structure has been proposed very close to this water main and it is not acceptable to Coliban Water. Hence, there are two options as given below to receive consent from Coliban Water for the proposed development.
 - a) The existing water mains located in the property must be realigned within or outside the property to ensure that there is an adequate clearance provided between the existing water mains and proposed building.
 - b) The proposed building must be redesigned or moved to ensure that there is an adequate clearance between the existing water mains and proposed building.
28. The developer is required to reach to an agreement with Coliban Water regarding the servicing arrangement for the subject property.
29. If opting for the realigning option, then the realignment project must be carried out through our developer installed works (DIW) process using a consultant registered with Coliban Water. In this case, the DIW project will work as an agreement and all the necessary advice will be provided during the project.
30. Based on the expected sewer inflows provided by the developer, the existing DN100 sewer main across the road has the capacity to service the property.

PERMIT EXPIRY

31. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.

PERMIT NOTES (For information only)

DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION NOTE: The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DEECA office (loddonmallee.environment@delwp.vic.gov.au).

Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.

MOVED COUNCILLOR GARDNER

That the recommendation be adopted.

SECONDED COUNCILLOR CORDY

CARRIED.

Summary

Application details:	Construction of all gender change facilities, associated landscaping and the removal of vegetation
Application No:	PA303/2022
Applicant:	Mount Alexander Shire Council
Land:	Bill Woodfull Reserve Fountain Street Maldon VIC 3463
Zoning:	Public Use Zone Schedule 6 (PUZ6) – Local Government
Overlays:	Bushfire Management Overlay (BMO) Erosion Management Overlay (EMO) Heritage Overlay Schedule 444 (HO444) Significant Landscape Overlay - Schedule 1 (SLO1)
Planning Policy Framework:	<ul style="list-style-type: none">• Clause 12.01-2S Native vegetation management• Clause 12.05-2S Landscapes• Clause 13.02-1S Bushfire planning• Clause 13.04-2S Erosion and landslip• Clause 13.05 Bushfire planning• Clause 15.01-1S Urban design• Clause 15.01-2S Building design• Clause 15.01-4S Healthy neighbourhoods• Clause 15.03 Heritage
Particular Provisions:	<ul style="list-style-type: none">• Clause 52.06 (Car parking)• Clause 52.17 (Native vegetation removal)• Clause 52.31 (Local government projects)• Clause 53.02 (Bushfire planning)• Clause 53.18 (Stormwater management in urban development)
Triggers:	<ul style="list-style-type: none">• Clause 43.01 of the Heritage Overlay - A permit is required for buildings and works and tree removal• Clause 44.06 of the Bushfire Management Overlay - A permit is required for buildings and works associated with Leisure and recreation.• Clause 44.01 of the Erosion Management Overlay - A permit is required for buildings and works and tree removal• Clause 52.17 (Native vegetation) – A permit is required for the removal of four native trees

Notice:	Exempt under Clause 52.31 (Local Government Projects)
Referrals:	<p>External Referral Authorities</p> <ul style="list-style-type: none"> • Coliban Region Water Corporation (Consent with conditions) • Department of Environment, Energy and Climate Action (Consent with conditions) • North Central Catchment Management Authority (No objection) • Country Fire Authority (Consent with conditions) • Goulburn-Murray Water (No objection) <p>Internal Referral Authorities</p> <ul style="list-style-type: none"> • Heritage Advisor (Consent with conditions) • Engineering Unit (Consent with conditions) <p>All recommended conditions have been included in the recommendation of this report.</p>
No. of Objections:	N/A
Consultation Meeting:	None
Key Considerations:	<ul style="list-style-type: none"> • Compliance with the Planning Policy Framework • Heritage implications of the proposal • Bushfire consideration • Appropriateness of the proposed tree removal • Consideration of erosion control

Context

Site and surrounds

The certificate of title describes the subject site as “Crown Allotment 12 Section B Township of Maldon Parish of Maldon” (the subject site).

The site is part of the Bill Woodfull Recreation Reserve (the Reserve) at Maldon, and approximately nine metres of the adjoining road reserve which has been fenced within and included as part of the recreation reserve.

The subject site is Crown Land used for public purposes including recreation, show grounds, swimming pool and gardens, managed by Mount Alexander Shire Council as Committee of Management.

The Reserve covers an area of 3.23 hectares, the land has an east to west very gentle incline of 20 metres across 322 metres. The majority of the land is already developed with sporting facilities including a substantial oval, football club rooms and change facilities, croquet green and clubrooms, playgrounds, public toilets, tennis courts, netball court, player shelters and storage facilities. Unsealed driveways and car parking connect the various sporting elements within the Reserve.

The area of the reserve to accommodate the proposed works is currently a vacant gravelled area of approximately 450m² located in the very west of the Reserve that has been previously cleared and excavated. The topography of the land at the proposed development site is characterised as gently sloping.

A masterplan prepared in 2011 identifies development of a change facility in this area of the Reserve.

Land adjoining the Reserve is developed and used for a variety of purposes including Crown land to the west and south-west managed by Parks Victoria. This land immediately adjacent is generally undeveloped. The Maldon Caravan Park adjoins the Reserve to the north, the nearest point is approximately 55 metres from the proposed development. The Maldon Police Station adjoins the Reserve to the north-east of the proposed development site and residential development to the south and south-east of the proposed development site is separated by a formal road reserve. The closest dwelling is approximately 30 metres from the proposed works.

The following provides an aerial illustration of the subject site.



Proposal

The application seeks approval for the construction of all gender change facilities that will incorporate change rooms, an accessible toilet, an administration office, first aid room and storage. The building is located adjacent to, and will service the existing netball courts.

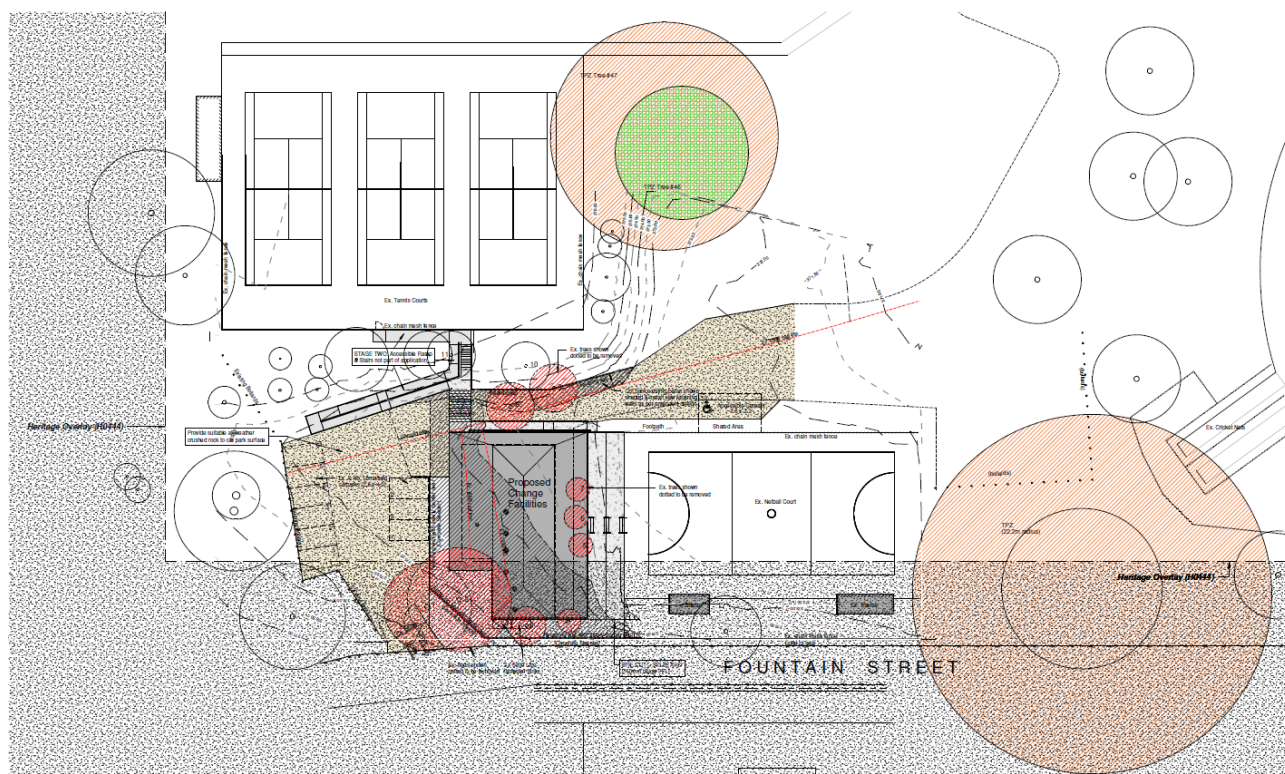
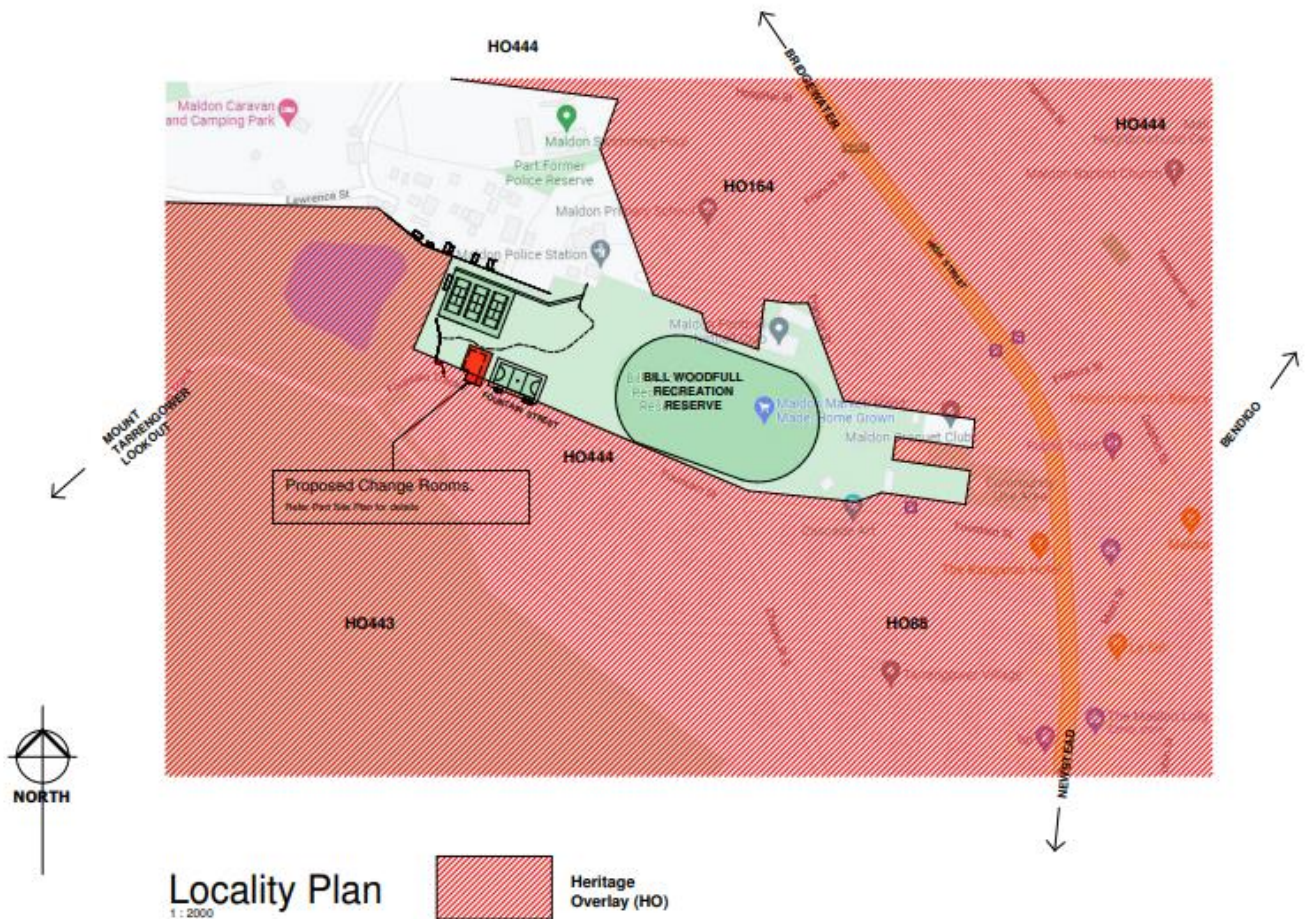
The proposed building is traditional in appearance. The building will be finished in brick and cement sheet with a hipped, colorbond roof. The proposed colours will be neutral tones.

The footprint is approximately 23.4 metres by 17.28 metres including verandahs. Additional viewing platforms extend another 4.5 metres from the east verandah. The maximum height of the proposed building is approximately 5 metres above natural ground level.

Ancillary development will include retaining walls, rain water tanks, informal car parking, the upgrade of the existing driveway, and landscaping.

Approval is sought for the removal of eleven trees including one exotic tree and ten native trees (with six identified as planted native trees).

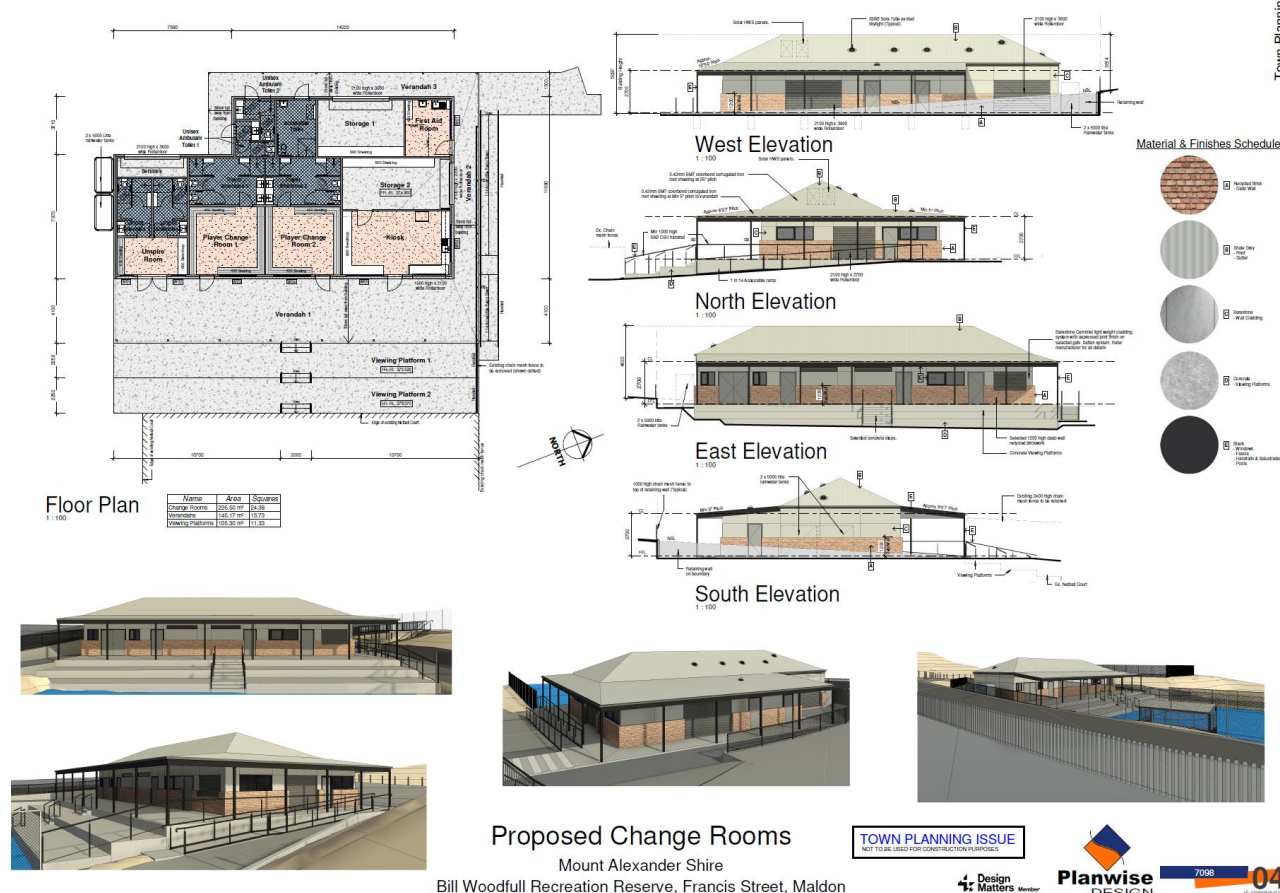
A complete set of the advertised plans have been attached to this report. The following selected plans have been taken from the advertised plans to illustrate the proposal.



Site Plan - Proposed
1:250



TOW
NOT TO BE



Issues

Compliance with the Planning Policy Framework

The proposal is considered to be consistent with the relevant sections of the Planning Policy Framework. In particular, the objective of Clause 15.01-4S (Healthy neighbourhoods) is to achieve neighbourhoods that foster healthy and active living and community wellbeing through the creation of:

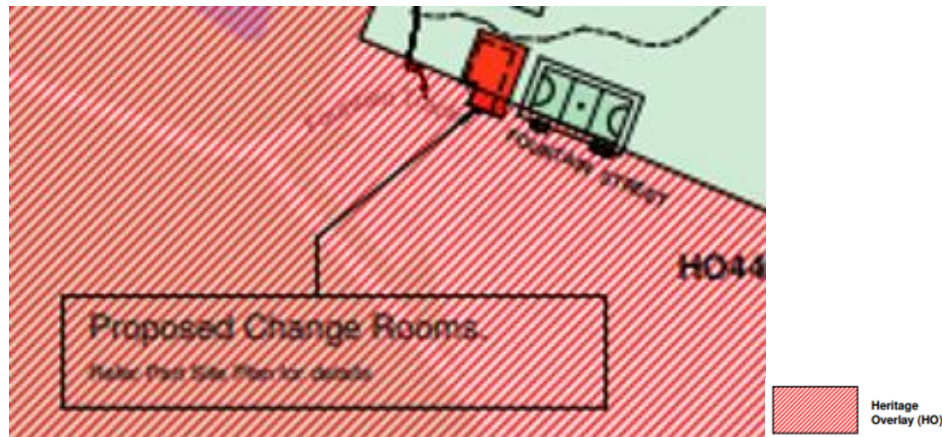
- *Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life.*
- *Streets with direct, safe and convenient access to destinations.*
- *Conveniently located public spaces for active recreation and leisure.*
- *Accessibly located public transport stops.*
- *Amenities and protection to support physical activity in all weather conditions.*

The proposed change room facilities will complement and form an improvement to the existing sporting facilities and Council infrastructure.

The design response of the proposed building considers bushfire risk, accessibility and the heritage significance of the site and surrounds.

Heritage implications of the proposal

The proposed site of the pavilion and associated works encroaches on part of the Fountain Street road reserve which is partially covered by a Heritage Overlay (HO444 – Maldon Historic Residential Area) as shown in the following enlarged portion of the locality plan.



The application was referred to Council's Heritage and Urban Design Officer for consideration and comment who determined that the application meets the objectives set out within the planning scheme and should be supported subject to conditions. The Heritage and Urban Design Officer advice has been incorporated into the assessment of the application, where the following has been taken into consideration and is of note:

- The Bill Woodfull Reserve includes Heritage Overlay Schedules HO07 and HO08, which are mapped as small dots on the eastern side of the Reserve and don't appear to relate to any structure or tree – these overlays are noted in the Schedule to the Heritage Overlay as 'House at 22 Adair Street' and 'House at 23 Adair Street'. It is understood these schedules are mapping errors and have been noted in the planning error list for review.
- Whilst the majority of the reserve is not located within a Heritage Overlay, the Applicant and officers have proactively considered the findings from the Maldon Central Historic Area Heritage Review, a Council project which recommends that the Bill Woodfull Reserve be included in the Maldon Historic Residential Area Precinct (HO445). This is a draft document, not yet adopted by Council or incorporated into the planning scheme.

The Maldon Historic Central Area Precinct Review (GML, 2022) outlines the significance of the reserve is as follows:

The site was the former Commissioner's camp, and from the 1850's was surrounded by civic infrastructure including public buildings, gardens and places for recreation. From 1865 the former Commissioner's camp paddock was subdivided into several smaller reserves that reflected the various existing building functions and land uses. This include the Public Gardens Reserve, Public Purposes Reserve (1878); a Tennis Club Reserve (undated); two State School Reserves (1873 and 1875); a Public Purposes Reserve (1930); a Police Reserve (1878), a Recreation Reserve (1878) and a Reserve for an Athenaeum Library (1889) (Township of Maldon 1960).

A Recreation Reserve and Police Reserve were gazetted in 1878. As part of the former Commissioner's camp paddock, Recreation Reserve has served as the heart of Maldon's sporting and recreational activities since the 1850s, when cricket was played at 'the Camp' in 1856. Maldon Football Club, formed in 1873, continues to play matches at the reserve and Maldon and Baringhup Agricultural Society held their shows at the reserve from 1894 through to the 1980s (MM&AA 2021). The reserve was named the Bill Woodfull Recreational Reserve in 1988 after prominent Australian cricketer and educator William Woodfull, who was born in Maldon in 1897 (MM&AA 2021). A variety of other community groups continue to make use of the reserve.

The assessment of this application includes an assessment against the Maldon Design Guidelines (1998) which is an incorporated document of the Mount Alexander Planning Scheme. The guidelines outline requirements for new buildings in the Maldon Historical Residential Area (Schedule HO444).

Consideration has also been given to the new set of Maldon Design Guidelines (May 2022). Whilst not currently incorporated in the Planning Scheme, the amended guidelines have been through an exhibition (public consultation) process, adopted by Council in its final form and are now with the Minister for consideration. Accordingly, the Guidelines are considered to be a 'seriously entertained policy' and must be considered in this assessment.

The main objective of the Maldon Design Guidelines for new building design is that new buildings and works complement the overall historic streetscape character of the surrounding area and neither dominate nor compete with the identified buildings and their historic characteristics.

The location of the proposed pavilion and associated existing parking is consistent with the Masterplan prepared by Michael Smith and Associates, although the car parking arrangements are different and improved upon.

The siting of the building is not considered to dominate the historic streetscape or the Reserve. The building faces the netball courts with the narrow façade (south) parallel to and facing Fountain Street. The carpark is located in the existing location and will be behind the new pavilion. There are no existing buildings on this portion of the Reserve. The building is sited to address the Reserve, whilst maintaining a presence on Fountain Street. The topography allows the pavilion to sit lower than the identified houses elevated above the street at 17 and 19 Fountain Street.

The pavilion is modest in size and sits low on the Fountain Street side due to the site cut. The viewing platforms anchor the building to the ground on the steeper north east side. The size of the pavilion is not considered to compete or dominate with the nearby buildings within Maldon's Historic Residential Area or those within the Reserve.

The building form is sympathetic to forms seen throughout Maldon including the Reserve.

The building is rectangular with a hipped roof (25 degree pitched). A generous verandah surrounds the building on the east and north and incorporates additional rooms on the east.

Skylights run along the western roof and one is located on the southern roof. Use of skylights should be minimised where there is an option for an alternate source of natural light and not be located on primary façade or prominent roof planes. The western roof skylights are located on the least prominent roof plane, the skylight on the Southern roof plane is prominent and detracts from the roof design. A condition has been included in the recommendation requiring the plans to be amended to remove this skylight.

The proposed materials and colours include walls with recycled brick base and cement sheet cladding above, shale grey roof and roof plumbing, black aluminium windows and details. The materials and finishes are sympathetic to, and a contemporary interpretation of, materials found throughout Maldon's Historic Residential Area and the Reserve.

The removal of the native mature Eucalyptus trees (Tree 1 and Tree 2) to be removed within the defensible space, define the edge of the reserve and contribute to the bushland setting and character of Fountain Street. A condition has been included in the recommendation of this report requiring replacement planting to compensate the removal of these trees with replacement trees of the same species. The removal of other small trees (Tree 3-9) is supported on heritage grounds.

The site also contains mature endemic eucalypts identified by Maldon Urban Landcare Group (illustrated by Figure 1 below) Conditions have been included in the recommendation of this report requiring the identification of these trees on the plans, in addition to the provision of tree protection measures to ensure the trees within proximity of the proposed works are adequately protected during construction.



Figure 1 - Location of mature endemic eucalypts

The proposed additional works including the carpark treatment, fencing, balustrading and pedestrian paths and installation of water tanks that generally provide an acceptable heritage response. Council's Heritage Advisor has recommended the following issues be addressed, that have been included as conditions in the recommendation of this report:

- The removal of the safety barrier (where not required by the Building Regulations) along the southern boundary which creates a cluttered appearance adjacent to existing boundary fencing. Removal of the safety barriers will improve the presentation of the works to Fountain Street.
- The provision of an appropriate landscape plan to allow the heritage implications of the landscaping to be considered by Council's Heritage Advisor. The landscape plan must include a proposed planting plan, replacement planting of two trees of the same species

on the north side of Fountain Street, as close to the original location as the bushfire management plan allows,

- Details of the proposed materials and details of handrails, balustrading, fencing.

Colour and finish of the proposed rainwater tanks to be corrugated steel with paint finish to match the roof finish.

Bushfire consideration

A formal Bushfire Management Statement prepared by Living Rural Central Victoria dated 22 December 2022 and an associated Bushfire Management Plan were submitted with the application. The report identifies the proposed building should be constructed at a standard of Bal-29. The report was referred to the CFA for consideration who consented to the application subject to conditions requiring endorsement and compliance with the Bushfire Management Plan which have been included in the recommendation of this report.

Appropriateness of the proposed tree removal

The application seeks approval for the removal of 11 trees. The following provides a summary of the type, health, size and planning provision for which a planning permit is required:

Tree No	Name	Permit requirement	Health	Age	Height	Diameter at breast height (DBH)
1	Eucalyptus macrocarpa (Grey Box)	Clause 52.17 (Native Vegetation)	Good	Mature	18 metres	61cm
2	Eucalyptus macrocarpa (Grey Box)	Clause 52.17 (Native Vegetation)	Good	Mature	25 Metres	110 cm
3	Schinus Molle (Peppercorn tree)	Erosion Management Overlay	Fair	Semi-mature	6 metres	15 cm
4	Eucalyptus macrocarpa (Grey Box)	Clause 52.17 (Native Vegetation)	Good	Semi-mature	8 metres	60 cm
5	Lagunaria Patersonia (Norfolk Island Hibiscus)	Erosion Management Overlay	Good	Juvenile	2 metres	45 cm
6	Hakea laurina (Sea Urchin Hakea)	Erosion Management Overlay	Good	Mature	3 metres	10 cm
7	Lagunaria Patersonia (Norfolk Island Hibiscus)	Erosion Management Overlay	Good	Semi-mature	4 metres	15 cm

Tree No	Name	Permit requirement	Health	Age	Height	Diameter at breast height (DBH)
8	Eucalyptus macrocarpa (Grey Box)	Clause 52.17 (Native Vegetation)	Fair	Semi-mature	15 metres	25 cm
9	Melaleuca Armillaris (Giant Honey Myrtle)	Erosion Management Overlay	Good	Mature	6 metres	60 cm
10	Melaleuca styphelioides (Prickly Paperbark)	Erosion Management Overlay	Poor	Mature	6 metres	30 cm
11	Melaleuca Styphelioides (Prickly Paperbark)	Erosion Management Overlay	Good	Mature	5 metres	35 cm

Of the trees to be removed, four were deemed to require approval under Clause 52.17 (Native vegetation) noting this does not include planted trees.

A key strategy identified in the Planning Policy Framework at Clause 12.01-2S (Native vegetation management) is to:

- *Avoid the removal, destruction or lopping of native vegetation.*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- *Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.*

The submitted planning report provides the following response in relation to the need to avoid and minimise the removal of native vegetation:

The location of proposed development is an existing recreation reserve that is used for organised sporting activities and passive recreation. Existing infrastructure on the reserve includes football club rooms and change facilities, tennis courts, a netball court, croquet green and club rooms, public toilets, playground, player shelters and storage. Additionally, some areas of the reserve in close proximity to big trees have been restricted to access.

This means there is little area suitable for development. The proposed change facilities are only useful if they can be located in close proximity to the existing netball and tennis courts.

There is very limited space remaining in the reserve for development. Council has a responsibility to ensure that any development is located outside the fall zones of existing trees. This location has been chosen to avoid proximity to other Eucalypts that have been assessed as significant.

In support of the application, a Native Vegetation Information Management report has also been provided. The Native Vegetation Information Management report provides an assessment of impacts to Victoria's biodiversity from the removal of native vegetation and provides details of offsets required to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.

The Native Vegetation Information Management report was referred to the Department of Transport and Planning who offered no objection.

Conditions have been included in the recommendation of this report requiring offsets to be provided in accordance with the recommendations of the report.

It is therefore considered that the removal of native vegetation as proposed is acceptable.

The eleven trees to be removed also require planning permission under the provisions of the Erosion Management Overlay and the Heritage Overlay. The heritage implications of the tree removal have been discussed above, whilst the erosion implications will be discussed as follows.

Consideration of erosion control

The subject site is located within an Erosion Management Overlay. The purpose of the overlay is to protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

Council is required to consider the risk of erosion, landslip or other land degradation and the measures to limit soil disturbance and prevent or manage erosion, run-off and drainage in relation to the proposed development and removal of vegetation.

The proposed development is not expected to negatively impact the ground or contribute to erosion or landslip of the area noting the slope of the land is considered to be gently undulating. In addition, the development area will be suitably stabilised with retaining walls and landscaping.

Whilst the removal of vegetation in areas prone to erosion is generally discouraged, conditions have been included in the recommendation of this report requiring the provision of a detailed landscape plan including replacement trees and ground cover planting. In addition, conditions relating to stormwater management and the need for stormwater to be connected to a Council nominated stormwater point of discharge will further reduce the risk of erosion.

Finance and Resource Implications

Cost of appeal to the Victorian Civil and Administrative Tribunal.

Alternate Options

Council could issue a Notice of Decision to Refuse the Planning Permit.

Communication and Consultation

The application is exempt from public notice requirements pursuant to Clause 52.31 (Local Government Projects) of the Mount Alexander Planning Scheme which states:

An application under any provision of this planning scheme to develop land by or on behalf of a municipal council is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

-
- *An application for a development with an estimated cost of more than 10 million dollars.*
 - *An application for a development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.*
 - *An application to remove, destroy or lop more than:*
 - *0.5 hectares of native vegetation other than a tree; or*
 - *15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level; or*
 - *5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.*

It is noted that the cost of works does not exceed 10 million dollars, and the application does not seek approval for more than 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level

The following provides a brief summary of the referral responses received.

North Central Catchment Management Authority and Goulburn-Murray Water offered no objection to the application.

Coliban Region Water Corporation

The application was referred to Coliban Water who identified that the proposed pavilion is proposed to be constructed over a critical water main. Following further consultation, Coliban Water provided consent to the application subject to:

- The provision of reticulated water and sewerage services;
- The relocation or redesign of the pavilion to provide appropriate clearances from the existing water main;
- The requirement of all Coliban Water assets to be protected by an easement.

Department of Environment, Energy and Climate Action

Provided their conditional consent to the application subject to conditions requiring:

- Contractors to be informed in relation to permit conditions in relation to native vegetation; and
- The provision of evidence that offsets have been secured in accordance with the submitted Native Vegetation Information Management report.

Country Fire Authority

Provided their conditional consent to the application subject to the preparation of an emergency Management Plans and endorsement of the submitted Bushfire Management Plan to ensure ongoing compliance.

Heritage Advisor

Comments from Council's Heritage Advisor have been discussed in detail in the issues section of this report.

Engineering

Provided their conditional consent to the application subject to:

- The submission of engineering plans;
- The management of on-site stormwater and drainage requirements including a requirement to ensure prevention of the discharge of water from the subject land across any road or onto any adjoining land;
- The upgrade of vehicle crossovers (if required); and
- Sediment pollution Control.

Legislation

Planning and Environment Act 1987

Strategy and Policy Impacts

Council Plan 2021-2025

Relevant Planning Policy implications have been discussed above.

Declarations of Conflict of Interest

Under section 130 of the *Local Government Act 2020*, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.2.ADOPTION OF ASSET VALUATION POLICY

This Report is For Decision

Responsible Director: Director Corporate and Community Services, Lisa Knight

Responsible Officer: Executive Manager Corporate Services, Carolyn Ross

Attachments: 1. Asset Valuation Policy [9.3.2.1 - 12 pages]

Executive Summary

The purpose of this report is to present the Asset Valuation Policy for re-adoption. This is the third version of the policy since its initial adoption in 2014.

RECOMMENDATION

That Council adopts the Asset Valuation Policy.

MOVED COUNCILLOR DRISCOLL

That the recommendation be adopted.

SECONDED COUNCILLOR MALTBY

CARRIED.

Context

The Asset Valuation Policy explains our core asset management practices when determining the cost and condition of assets. The adoption of the policy will have limited change on the operations within Council as this policy has been in place for several years. This revised version which has been updated into the new policy template, seeks to clarify information, moves the order of the presentation of information, and removes information that is unnecessary.

Issues

The purpose of this Policy is to:

- Provide the framework and guidance for Council to satisfy its obligations regarding the financial valuation of non-current assets, in accordance with relevant Australian Accounting Standards and State Government requirements.
- Assist Council to sustainably manage its financial commitment to non-current assets.

The adoption of this Policy will continue to commit Council to:

- Revaluing assets using “greenfield rates” and using fair-value accounting measures (required practice per accounting standards).
- Conducting a full revaluation (both unit rate and condition) on a rolling five-year basis if no material changes occur within this period. Where a material change may have occurred within the five-year valuation cycle, the policy provides direction.
- Not revaluing some asset classes, for example those that are held for short periods such as a motor vehicle.

Finance and Resource Implications

An annual budget allocation is required to undertake condition and unit rate assessments for an asset class on a rolling schedule. This is due to the significant amount of information and data to be collected, usually requiring specialist knowledge and, in some cases, specialist equipment.

Risk Analysis

Asset risk:

Council is required to keep a detailed asset register so that it can understand:

- What it is responsible for managing.
- The value of Council assets for financial reporting purposes.
- How should annual maintenance and renewal programs should be scheduled and what the cost should be.

The presence of an updated asset register therefore assists to mitigate this risk.

Financial risk:

Failing to record the existence of assets, as well as their condition, value, works, and disposal, could result in misstatement of financial reports and, an adverse audit opinion from the Victorian Auditor General.

Existing management, retention and updating of associated records therefore assists to mitigate this risk.

Climate Impact Statement

Extreme weather events can impact Council's infrastructure network. Having up to date asset information, particularly concerning condition, is important when understanding the impact of weather events.

Alternate Options

There are no alternate options.

It is best practice to adopt an Asset Valuation Policy that gives Council officers direction on their responsibilities and meets the requirements of Local Government Victoria Guidance Notes, audit recommendations, and accounting standards.

Communication and Consultation

Inform:

We will keep our community informed.

The draft policy was presented for endorsement by the Audit and Risk Committee at their November meeting. No feedback was received from the Committee.

Internal consultation was undertaken with staff responsible for asset management and accounting. Their feedback has been updated into the policy.

Legislation

Local Government Act 2020

Section 92 of the Act requires Council to develop, adopt, and keep in force an Asset Plan. This policy supports the Asset Plan and associated asset management documents of Council.

Strategies and Policy Impacts

Council Plan 2021-2025

We are engaging genuinely with the community.

We are always improving.

We are delivering together.

This policy supports delivery of the maintenance and improvement of our public assets.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.3.ADOPTION OF REVENUE AND DEBT COLLECTION POLICY

This Report is For Decision

Responsible Director: Director Corporate and Community Services, Lisa Knight
Responsible Officer: Executive Manager Corporate Services, Carolyn Ross
Attachments: 1. Revenue and Debt Collection Policy [9.3.3.1 - 6 pages]

Executive Summary

The Revenue and Debt Collection Policy was last adopted by Council in August 2020 and has now been reviewed, with the intent to review again in three years.

RECOMMENDATION

That Council adopts the Revenue and Debt Collection Policy.

MOVED COUNCILLOR DRISCOLL

That the recommendation be adopted.

SECONDED COUNCILLOR MALTBY

CARRIED.

Context

The Revenue and Debt Collection Policy was last adopted by Council in August 2020. The Policy seeks to establish a consistent approach to the collection of revenue and, where debt collection is undertaken, ensures that debt collection is undertaken in a consistent, professional, and ethical manner.

Issues

This updated version seeks to simplify the language and explanations used in the existing Policy. While no major changes have been made to the intent of the policy, minor changes include:

- Removing detailed reference to certain sections of the Local Government Act 1989, for example, arrangements and instalment dates for the payment of rates and charges are detailed in Section 167 of the Local Government Act. Reference to the Act, which is still our governing legislation in terms of rates and charges, is included in the metadata table on page 1 of the policy. This information was removed as the legislation concerning rates and rates collection is progressively being amended into the Local Government Act 2020.
- Reinforcing our practice that interest will be charged on all overdue property rates, where financial hardship has not been assessed.
- Allowing two additional finance staff to write off amounts less than \$100.
- Reinforcing our practice whereby only the Financial Services Coordinator and the Executive Manager Corporate Services can approve a complaint against a customer. As the costs of a complaint are significant and are added to the monies owed by the customer, this practice adds an additional review to the process.
- Adding approval for the Director Corporate and Community Services to lodge a caveat on a property title. Lodging a caveat would only be undertaken in circumstances where a significant amount of rates are owed. The cost of lodging a caveat is minimal (several hundred dollars) and registers Council's interest in the property to prospective purchasers.
- Replacement of the word "debtor" with that of "customer", as most people outside of a finance background may not readily know what the word "debtor" means.

Finance and Resource Implications

A role within the Finance Team is tasked with the responsibility of collecting revenue.

Risk Analysis

Financial risk:

This policy seeks to reduce the financial risk to Council by having clear and consistent guidelines around the collection of monies owed.

As of September 2022, 120 properties had an agreed payment arrangement in place, and 194 properties are with our debt collection agency for further follow up. These numbers are minimal in the overall terms of over 12,300 rateable properties.

Climate Impact Statement

No impact to the climate is expected to arise because of adoption of this policy.

Alternate Options

Adoption of a Revenue and Debt Collection Policy has not been mandated by legislation, but it is considered best practice to adopt one.

Communication and Consultation

Inform:

We will keep our community informed.

If adopted by Council, the policy will be available for public viewing on our website.

The draft policy was presented to the Audit and Risk Committee at their November meeting. The Committee endorsed the policy on the understanding that it needed to be strengthened with reference to conflict of interest. Accordingly, reference to Council's Conflict of Interest Policy has been added to the metadata table on page one of the policy, and section 3.4 includes the requirement for an officer approving a write-off greater than \$101 to confirm they have no conflict of interest.

Consultation was undertaken with finance team members, and managers and coordinators whose service is explicitly mentioned in the policy. Only minor feedback was received from the finance team.

Legislation

Local Government Act 1989

Part 8 of the Act concerns rates and charges on rateable land, including the payment of rates and charges, and charging interest on unpaid rates. This part of the Act also details specific mechanisms councils may use to collect rates e.g., section 177 requires the occupier to pay rent upon notice. As mentioned previously, this legislation is gradually being phased out and included in the Local Government Act 2020.

Local Government Act 2020

Local Government Act 2020 - Section 102 states that a council must prepare and adopt financial policies that give effect to the financial management principles. While the requirement for a Revenue and Debt Collection Policy has not been legislated, in the spirit of the principles-based Local Government Act 2020, such a policy is recommended by Local Government Victoria.

Section 313 of the Act permits the Secretary, a Council or a person authorised by Council to institute proceedings for the recovery of any municipal rates.

Strategies and Policy Impacts

Council Plan 2021-2025

Principle - We are delivering together.

-
- We are working across Council, government, local partners and across community to meet the varied needs of our region.

Declarations of Conflict of Interest

Under Section 130 of the *Local Government Act 2020*, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.4. 2022/2023 FINANCIAL REPORT - QUARTER 2

This Report is For Information

Responsible Director: Director Corporate and Community Services, Lisa Knight

Responsible Officer: Executive Manager Corporate Services, Carolyn Ross

Attachments: 1. Finance Management Report - December 2022 [**9.3.4.1** - 20 pages]

Executive Summary

The purpose of this report is to present the Finance Report for the quarter ended 31 December 2022. This report will be presented to the Audit and Risk Committee on 24 March 2023.

RECOMMENDATION

That Council notes the Finance Report for the six-month period to 31 December 2022.

MOVED COUNCILLOR CORDY

That the recommendation be adopted.

SECONDED COUNCILLOR MCCLURE

CARRIED.

Context

Regular review of financial performance and reporting of Council activities provides an overview as to how different programs and projects are being delivered. This reporting assists in monitoring Council's achievement of objectives in the Strategic Resource Plan, Financial Plan, and Annual Budget whilst ensuring that Council is financially sustainable in the long term.

The Finance Report is presented to Councillors at a Briefing Session and a Meeting of Council on a quarterly basis.

The Finance Report presented includes the following information:

- Income Statement
- Statement of Capital Works in Progress
- Balance Sheet
- Investments
- Financial Ratios
- Cash Flow Statement.

Issues

The Finance Report provides a snapshot of the year-to-date financial performance for the 2022/2023 financial year. The current budget includes the adopted carry forwards budgeted for capital projects, special projects, and operating items.

Finance and Resource Implications

The Finance Report gives a concise summary of the financial performance against budget of Council for the period.

Risk Analysis

Financial risk:

In developing the Annual Budget, Council is prudently and proactively managing its financial obligations, sustainability, and risk. This quarterly Finance Report provides information on the organisation's performance against budget and, where material variances occur, an explanation is provided.

Climate Impact Statement

In developing the Annual Budget, Council can choose to allocate funds to address the impacts of climate change directly or indirectly. As this report is an overview of Council financial performance per se, no overall consideration has been given to the impacts of climate change. However, there may be one-off or capital projects that address the impact of climate change. These projects may not be specifically discussed in this report, but they are subject to additional oversight processes within the organisation.

Alternate Options

There are no alternate options. A finance report must be presented on a quarterly basis as per the Local Government Act 2020 (the Act).

Communication and Consultation

Inform:

We will keep our community informed.

Explanations of major variances are provided by Council Officers responsible for the services and are summarised in the Finance Report.

Legislation

Local Government Act 2020

Section 97(1) of the Act requires the Chief Executive Officer to ensure that a quarterly budget report is presented to Council at a Meeting of Council which is open to the public.

Section 97(2) of the Act states that the quarterly budget report must include:

- A comparison of the actual and budgeted results to date.
- An explanation of any material variances.
- Any other matters as prescribed by the regulations.

As no within-year reporting regulations have been prescribed for the Act 2020, Officers have continued to use the same format of reporting as in previous quarters.

Strategies and Policy Impacts

Council Plan 2021-2025

- We are engaging genuinely with the community
- We are always improving
- We are delivering together

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

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

9.3.5.ANNUAL PLAN PROGRESS REPORT - QUARTER TWO 2022/2023

This Report is For Information

Responsible Director: Director Corporate and Community Services, Lisa Knight
Responsible Officer: Executive Manager Corporate Services, Carolyn Ross
Attachments: 1. Annual Plan Progress Report - Q 2 December 2022 [9.3.5.1 - 17 pages]

Executive Summary

This report provides an update on the status and progress of projects in the 2022/2023 Annual Plan to the end of December 2022.

RECOMMENDATION

That Council notes the Annual Plan Progress Report 2022/2023 – Quarter Two.

MOVED COUNCILLOR HENDERSON

That the recommendation be adopted.

SECONDED COUNCILLOR MCCLURE

CARRIED.

Context

The Annual Plan outlines the actions for 2022/2023 that will be implemented as priorities from the Council Plan 2021-2025. The quarterly progress report is prepared to inform Councillors and the community on progress against agreed actions.

Issues

The quarterly report will provide an update on the status of each project, its progress towards completion, date completed (if completed, and which is able to be compared to the target completion date), and an overall comment.

Finance and Resource Implications

Projects and initiatives contained in the Annual Plan are fully funded in the 2022/2023 Budget. Many projects are contained within the capital works program or funded as a one-off initiative. Several programs are also funded from an annual operating budget.

Risk Analysis

Financial risk:

Managing financial risk for the Annual Plan commences by allocating specific or operational funds to resource the delivery of Annual Plan actions. This quarterly report provides information to readers on Council's performance for both the achievement of Annual Plan actions as well as the consumption of allocated budget funds.

Climate Impact Statement

In preparing the Annual Plan, Council can choose to allocate funds to address the impacts of climate change directly or indirectly. In this report, where an Annual Plan action specifically addresses the impacts of climate change, a progress comment has been provided for information.

Alternate Options

There is no legislative requirement for Annual Plan reporting to be undertaken on a quarterly basis, however in the interests of transparency, regular reporting of such information to our community is good practice.

Communication and Consultation

Some of the individual projects within the Annual Plan involve community consultation or consultation with relevant stakeholders.

Inform:

We will keep our community informed.

Legislation

Local Government Act 2020

Council has adopted a Council Plan for 2021-2025 in accordance with Section 90 of the Local Government Act 2020 (the Act), together with a budget for 2022/2023, in accordance with section 94 of the Act.

The Council Plan sets out the aspirations of Council and the strategies and objectives to achieve Council's vision for Mount Alexander Shire: Working together for a healthy, connected shire. The budget allocates resources to the activities and services that Councillors have identified as important to achieve Council's vision.

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

- Our Principles – how we will work
- Our Pillars – what we want to achieve
- Our Objectives – to help us get there.

Strategies and Policy Impacts

Council Plan 2021-2025

Attached is a summary as at 31 December 2022 of actions included in the second year of the Council Plan 2021-2025.

Council has adopted a Council Plan for the period 2021-2025 and a Budget 2022/2023 in accordance with the Act.

Declarations of Conflict of Interest

Under Section 130 of the Local Government Act 2020, Officers providing advice to Council must disclose any interests, including the type of interest.

No conflicts of interest

The Officers involved in reviewing this report, having made enquiries with the relevant members of staff, report that there are no conflicts of interest to be disclosed.

10. DELEGATES REPORTS

MEETING	CEO	MAYOR
Attend online presentation by ReThink Sustainability regarding matters of common interest for Mount Alexander Shire (Michael Annear, Director Infrastructure and Development also in attendance)	✓	
Attended Bulortj Network – Middle Years Plan 2023-2026 workshop		✓
Attended Early Years Steering Group meeting		✓
Meeting with Lisa Chesters MP to discuss matters of common interest for Mount Alexander Shire	✓	✓
Attended Rural Councils Victoria meeting as Loddon Campaspe's CEO representative	✓	
Attended Castlemaine Gift		✓
Gold Central Vic radio interview	✓	
Meeting with Wesley Hill residents regarding traffic and safety concerns on Duke Street		✓
Attended Students Ideas Pitch / Chambers Take Over session with middle years students from local primary schools		✓
Meeting with Maree Edwards MP to discuss matters of common interest for Mount Alexander Shire	✓	✓
Meeting with representatives from Committee of Management and Department, Environment, Land, Water and Planning regarding La Larr Ba Gauwa Park (Michael Annear, Director Infrastructure and Development also in attendance)	✓	
Meeting with CEO, Dhelkaya Health to discuss matters of common interest for Mount Alexander Shire	✓	
Gold Central Vic radio interview	✓	
Meeting with local organisation regarding use of Etty Street site	✓	
Meeting with ThinkPlace regarding community engagement in local government		✓
Meeting with representative from Regional Zero Emissions forum to discuss Power Purchase Agreements and Virtual Power Plants	✓	✓
Attended Winters Flat Primary School Welcome to Country and leadership presentation		✓
Chaired Local Government employment law update session facilitated by LawSense	✓	

MEETING	CEO	MAYOR
Meeting with representative from Regional Development Victoria regarding Loddon Mallee Housing	✓	
Meeting with local residents regarding commercial killing of kangaroos		✓
Attended Autopia event run by Autoplex and presented prizes for model car show		✓
Gold Central Vic radio interview	✓	
Meeting with Deputy Secretary, Local Government and Director, Local Government Emergencies, Local Government Victoria to discuss last year's flood event and emergency management (Lisa Knight, Director Corporate and Community Services also in attendance)	✓	
Attended Public Sector Workplace Culture Two-Day Workshop	✓	
Attended Castlemaine Heritage Gap Analysis presentation and workshop		✓
Attended launch of Get Connected Mount Alexander		✓
Attended Regional Zero Emissions forum		✓
Meeting with representatives of a local business to discuss a possible development.	✓	✓
Attended Rural and Regional Councils Technology Shared Services forum	✓	
Attended North Primary School to discuss democracy and Local Government		✓
Attended Arcare opening of the Leviny Community wing		✓
Attended launch of Castlemaine Fringe Festival		✓
Attended unveiling of plaque for Felix Cappy		✓
Meeting with Chief Executive Officer, Haven, Home, Safe to discuss affordable housing (Clare Richards, Housing Solutions Broker also in attendance)	✓	
Gold Central Vic radio interview	✓	

Councillor Driscoll noted his recent Listening Post held at the Newstead RTC. Councillor Driscoll also advised that he attended and opened the Harcourt Applefest over the long weekend. He commended the event and the committee who runs the event. Councillor Driscoll spoke of meeting with Newstead 2021, a local group who wish to bring ideas to Council. He suggested that this be an opportunity for other smaller township community groups. He also noted attended the unveiling of a plaque commemorating Felix Cappy OAM.

Councillor Henderson advised that she attended Taradale Mineral Springs Festival. She noted that over 3000 attendees and that this was the first festival in three years due to COVID. She advised that it was a great day.

Councillor McClure noted that he was part of a Rotary team who had begun to clean up some of the graffiti on the fence adjacent to the Western Reserve, working under Council's direction. He thanked Council for its support in this program, particular around induction and supplying the materials for the cleaning. Councillor McClure did suggest that the Graffiti Policy looked at in the future, noting that only about 10% on the fence was offensive and the rest could be considered as art work.

Mayor Annear noted that she attended Students Ideas Pitch / Chambers Take Over session with middle years students from local primary schools and how much she enjoyed their input to the project. She spoke of attending the Winters Flat Primary School Leadership Ceremony. The Mayor advised that she also attended the Regional Zero Emissions Forum at the Town Hall and that she learnt a great deal. She advised that she also attended the opening night of the Castlemaine Fringe Festival which was very successful. Mayor Annear also noted how much she enjoyed attending Castlemaine Idyll and was looking forward to the Castlemaine State Festival.

The Chief Executive Officer (CEO) spoke of meeting with a commercial operator who offers services related to virtual power plants virtual power agreements, and he briefly explained the concept, with the results being to reduce power costs.

The CEO also noted attending a meeting with the Chief Executive Officer of Haven, Home, Safe to discuss affordable housing with Housing Solutions Broker also in attendance. He noted that Haven, Home, Safe were keen to work with Council around the matter of affordable housing.

11. NOTICES OF MOTION

Nil.

12. URGENT SPECIAL BUSINESS

Nil.

13. CONFIDENTIAL ITEMS

Nil.

14. MEETING CLOSE

Meeting closed at 7.21 pm.