

## **MINUTES**



**FOR THE MEETING OF COUNCIL  
Held on Tuesday 17 December 2024**

**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 Djaara country  
of which the members and elders of the Djaara 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.**

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## 1. PRESENT

Councillors: Tony Cordy, Matthew Driscoll, Lucas Maddock, Philip Walker, Rosalie Hastwell, Toby Heydon, Bill Maltby and Rosie Annear.

Officers: Chief Executive Officer (Darren Fuzzard), Director Infrastructure Development (Michael Annear), Director Corporate Services (Julie Landy), Director Healthy Communities (Lisa Knight), Manager Governance and Risk (Leanne Brown)

## 2. APOLOGIES/LEAVE OF ABSENCE

Nil.

## 3. DECLARATIONS OF INTEREST AND CONFLICTS OF INTEREST

Mayor Annear declared a General Conflict of Interest at Item 9.1.1 of the Agenda.

## 4. CONFIRMATION OF MINUTES

### 4.1. Meeting of Council - 15 October 2024

The unconfirmed minutes of the Meeting of the Mount Alexander Shire Council held at 6.30 pm on 15 October 2024 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 15 October 2024 be confirmed.**

### **MOVED COUNCILLOR DRISCOLL**

**That the recommendation be adopted.**

### **SECONDED COUNCILLOR MALTBY**

**CARRIED.**

### 4.2. Unscheduled Meeting of Council 26 November 2024

The unconfirmed minutes of the Unscheduled Meeting of the Mount Alexander Shire Council held at 6.30 pm on 26 November 2024 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.

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## **RECOMMENDATION**

**That the Minutes of the Unscheduled Meeting of the Mount Alexander Shire Council held on 26 November 2024 be confirmed.**

**MOVED COUNCILLOR DRISCOLL**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR MALTBY**

**CARRIED.**

## **5. ACKNOWLEDGEMENTS**

Nil.

## **6. PUBLIC TIME**

**MOVED COUNCILLOR MALTBY**

**That standing orders be suspended 6.37 pm.**

**SECONDED COUNCILLOR DRISCOLL**

**CARRIED**

Read by Councillor Cordy

a. Dean Hurlston

*“Dear Council,*

*Formal Question of Council for the next Council meeting.*

*Could you please answer the following?*

1. *What is the approximate cost per public COUNCIL meeting FOR Councillor and Staff MEALS, REFRESHMENTS AND BEVERAGES? (If applicable).*

*In good faith I will accept your answer in writing OR should you wish not to disclose, I will FOI the invoices, bills, etc.*

*Warm Regards,*

*Dean Hurlston”*

### **Director Corporate Services response:**

Thank you for your question.

There is some variation from month to month, but the approximate cost of meals and refreshments per public council meeting is between \$450 and \$500.

- 
- b. Carl Joost, Jen Blaise, (Friends of the Box-Ironbark Forests), Bron Willis (Harcourt Valley Landcare), Marie Jones (past-President Friends of the Box-Ironbark Forests, Connecting Country)

Mr Joost requested that Council consider including a Biodiversity Strategy and Action Plan in the forthcoming 2025/2026 budget. He noted the current biodiversity crisis, including decline and extinction in the region. Further, he noted that more decline and extinction occur in the region where there is not a biodiversity strategy in place.

Mr Joost made mention of other Council strategies with praise.

*"We ask that a 'Biodiversity Strategy and Action Plan' for the Mount Alexander Shire be included in the 2025/26 budget, including staff time dedicated to its development.*

*"Biodiversity" refers to the variety of life (plants, animals, fungi, micro-organisms) which form an intricate web and work together to maintain balance and support life. We are currently experiencing a world-wide scientifically recognised biodiversity crisis (since the 1970s, more than half of the abundance of wildlife on Earth has been lost). This is in large part due to habitat loss and degradation, which we can see continuing right here at our local level due to a lack of strategic direction and action.*

*Mount Alexander Shire Council (MASC) currently has no guiding document at the strategic level to ensure we are playing our part in protecting and improving biodiversity. This is despite the Council Plan and a number of MASC policy documents having a shared objective of protecting and enhancing nature (e.g. the Council Plan says, "Our community is growing in harmony with nature" and the Environment Strategy says, "A Shire known as a place for sustainability, with healthy ecosystems in a rural/bushland environment"). We have a high level of care within the community for our local environment, demonstrated by the results of past surveys on community concerns, and by over 10,000 hours of environmental volunteer work each year.*

*As well as being the responsible managers for council land with important biodiversity values, MASC has the power to connect with and support private landholders, businesses, other land managers, community groups, and other stakeholders across the region and play a significant positive role in this space. Mount Alexander Shire Council have recently shown great leadership by working with Harcourt Valley Landcare and initiating what we understand is the first town-wide biodiversity audit of its kind in Victoria, during a planning amendment.*

*Our shire is in a unique position to have positive impact beyond the sum of our parts due to the fact that our neighbouring councils (City of Greater Bendigo, Hepburn Shire Council, Macedon Ranges Shire Council) have adopted their own biodiversity strategies. By developing our own strategy which is fit-for-purpose for our local environment, businesses, and community, we will not only be benefiting our area but also filling a strategic and physical gap in the broader landscape, creating connections which will support threatened species to adapt to the changing climate.*

*A MASC Biodiversity Strategy and Action Plan will strengthen our shire and bring community and partners together with one vision to strategically protect and strengthen our biodiversity for future generations."*

Ms Willis spoke with praise for Council's recent work in partnership with Harcourt Valley Landcare in relation to a planning scheme amendment as well as the Harcourt Biodiversity Audit, which was the first of its kind as town-wide assessment. Ms Willis spoke of the challenges faced in conducting that audit and how this process could be made more efficient in the future, with a Shire-wide plan.

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Ms Jones spoke in favour of a Biodiversity Strategy and suggested a possible role that Connecting Country could play in terms of linking Council with environmental groups.

**Director Infrastructure and Development response:**

Thank you for your question and for highlighting biodiversity across our Shire.

Council Officers are currently preparing the scope of a project to develop a Biodiversity Strategy, which will provide direction for Council and partners for the management of Council owned and managed land as well as providing guidance for local developments. This is being proposed for the 2025/2026 Annual Plan and budget for consideration by Councillors.

**Director Corporate Services response:**

Thank you for your question. In addition to the information provided by Director Annear, I can confirm that this correspondence will be accepted as a budget submission, for consideration in the development of the 2025/2026 Council Budget. As such, you will be invited to an opportunity to present on your submission to Council. I anticipate that this will be in May next year, with the date for presentations to be confirmed and invitations issued to those who make a budget submission.

c. Luz Restrepo (Village Business, Migrant Women in Business)

Ms Restrepo spoke in favour of migrants in the Shire, who can connect and build together, an inclusive and creative Shire. Further to that, migrants can present opportunities for new voices to challenge the status quo.

Given that next year is a planning year for the new Council Plan, I would like to understand:

1. How Mount Alexander Shire Council intends to involve the community in shaping its priorities.
2. How new and returning councillors plan to explore innovative approaches to economic development. In particular, what strategies will be considered to support small businesses, micro-businesses, and businesses in small towns? These businesses are vital to driving our region's economy and ensuring the sustainability of small towns.
3. Whether councillors are considering strategies to promote diversity and inclusion. Specifically, are there plans to attract migrants, support their participation in the economy, and encourage migrant investment in the region?

I believe these are critical aspects to ensure our Shire thrives both economically and socially. I look forward to hearing your insights.

**Mayor Annear:**

Mayor Annear thanked Ms Restrepo for her submission and noted that Councillors were not in a position to provide a response to the matters raised, partly due to their not having had discussions on these matters as yet. Mayor Annear did encourage Councillors to provide Ms Restrepo with their own individual responses as they see fit. Mayor Annear called on the Director Healthy Communities to provide further insight.

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## Director Healthy Communities:

Thank you for your questions Luz.

1. The 2025-2029 Council Plan tender, which also incorporates the development of the 2025-2029 Municipal Health and Wellbeing Plan (MPHWP) and midterm review of the 10-year Community Vision, has recently closed. Council Officers are seeking to announce the successful candidate in early 2025. The candidate will work with Council Officers to develop timetables and schedules for engagement with stakeholders and this includes community members from across the Shire. Details include a series of community forums and online engagement via Shape Mount Alexander. Further details and information will be released publicly on our website and via our media channels early 2025.
2. The Economic Development Strategy was adopted by Council at the September Meeting of Council. This Strategy outlines six goals – many of which speak to initiatives to support small businesses, micro-businesses and businesses in small towns. Alignment also exists with various other strategies – and we will be considering the economic, commercial and social determinants of health in the 2025-2029 MPHWP and Council Plan.

There are future events or forums also planned including:

- 19 February 2025 - Careers Fair
  - 27 June 2025 – UN Micro Small Enterprises Day – supported also by Business Victoria and Workforce Australia.
3. There are a range of adopted strategies and planned initiatives that promote diversity and inclusion, including Councils' Statement of Commitment and Indigenous Roundtable, representation on various committees and reference groups by community members and agencies, Mount Alexander Shire Integrated Municipal Emergency Management Plan Committee (representation and publication /communications for emergencies for CALD communities), DiAP Action Group representation (inclusion of interpreters), response to the October 2022 Floods and support provided to our Solomon Islander community are just some examples. The 2025-2029 Council Plan will be another opportunity to discuss and seek potential priority areas and for Councillors to also seek feedback on areas of priority, including encouraging migrant investment in the region.

I am also happy to meet in 2025 if you would like to discuss further.

- d. Rowan Skewes (on behalf of Kath Coff, CEO Nalderun Aboriginal Education Corporation; Kelly-Ann Blake)

Mr Skewes read a statement from Kath Coff about the FLO (Flexible Learning Options) program at Castlemaine Secondary College (CSC).

Ms Coff's statement outlined the history of the FLO program, including the impacts of the program being suspended and the resulting occurrences of physical violence on campus amongst students. Ms Coff was approached to start the program up again to create a space where the kids who were being physically violent could spend time with Ms Coff.

Ms Coff's statement expressed concern that if there is not a way for students who struggle with the current system as it is, the impacts are felt by all. Many of the students who find benefit from FLO, come from places where they have experienced trauma or who are students who learn differently. Many previous students of FLO still live, work and contribute to the community and add to the diversity of the Shire. Ms Coff's statement encouraged support for the FLO program and CSC with an alternate classroom space,

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amid concern that there is much to be learnt from the past with respect to provide a space for students to feel safe and supported in their learning.

Mr Skewes read a statement from Kelly-Ann Blake, a parent of a recent FLO student.

Ms Blake's statement noted the importance of the FLO program to her First Nations son, who recently graduated Year 12 at CSC. The FLO program provided academic, social, emotional and wellbeing support for students. The program was conducive for students who were at risk of leaving school, due to neurodivergence or other social or economic factors.

The statement went on to outline Ms Blake's own experience as a student of a similar program at CSC in 1995, attributing her successful completion of high school and further education, to this program. Further, the positive impact of these programs on her and her son's life achievements.

The statement asked that she be heard with respect to the potential negative ramifications of discontinuing or making cuts to the FLO program.

e. Jarrod Wiese (FLO Coordinator)

Mr Wiese spoke of his experiences as FLO Coordinator, the advantages of the Etty Street campus, and the benefits and outcomes for students, particularly in regard to behaviour and attendance. He spoke of the educational environment and how teachers were able to support students' learning and beyond. Further, Mr Wiese spoke of how year on year the program increased its scope.

Mr Wiese expressed his disappointment upon learning of the changes to the FLO program, in particular the effect this may have on students' feelings of safety, stigma, disengagement and attendance. He also voiced concern for staff and their wellbeing.

**MOVED COUNCILLOR MALTBY**

**That the suspension of standing orders be extended by 3 minutes.**

**SECONDED COUNCILLOR WALKER**

**CARRIED**

f. Christine Henderson (President, Friends of the Box Ironbark Forest)

Ms Henderson advised that FOBIF had received communication from Friends of Campbells Creek, and gave context on the history of Campbells Creek including the fact that it is now home to a vulnerable species of very rare platypus. She noted the Campbells Creek is rare in that it has a continuous flow of water. In relation to treated water from Coliban Water's waste treatment plant, Ms Henderson expressed concern about the proposed upgrade to Coliban Water's facility and whether the Environmental Protection Agency (EPA) will allow continued release of treated water into the creek.

Ms Henderson asked what advocacy work is Council doing to ensure the continuation of water flow in Campbells Creek?

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**Director Infrastructure and Development:**

Director Annear advised that he is Council's representative on the project control group and the Council is supportive of the continuous flow of water in Campbells Creek, and working to advocate for this in the project control group and in the application to the EPA.

**MOVED COUNCILLOR MALTBY**

**That standing orders be resumed at 7.14 pm.**

**SECONDED COUNCILLOR HEYDON**

**CARRIED**

**7. PETITIONS AND LETTERS**

Nil.

**8. COMMITTEE REPORTS**

The North Central Goldfields Regional Library Corporation Board papers for the meeting held on 25 October 2024 are at Confidential Attachment 8.1.1.

**RECOMMENDATION**

**That Council notes the North Central Goldfields Regional Library Corporation Board papers for the meeting held on 25 October 2024.**

**MOVED COUNCILLOR DRISCOLL**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR WALKER**

**CARRIED.**

**Councillor Annear left the Chamber at 7:16 pm due to a declared conflict of interest.**

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## 9. OFFICER REPORTS

### 9.1. Community

#### 9.1.1. CASTLEMAINE SAFE SPACE - REPORT TO COUNCIL

This Report is For Information

Responsible Director: Director Healthy Communities, Lisa Knight

Responsible Officer: Executive Assistant to the Director Healthy Communities, Alison Baker

Attachments:

1. Memorandum of Understanding- MASC and Castlemaine Safe Space [9.1.1.1 - 3 pages]
2. Castlemaine Safe Space Update [9.1.1.2 - 4 pages]

#### **Executive Summary**

A Council budget allocation in 2023/2024 was made to Castlemaine Safe Space for \$30,000 (over 2 financial years) under a Memorandum of Understanding (MoU) between Castlemaine Safe Space and Mount Alexander Shire Council. The purpose of the MoU is for Castlemaine Safe Space to outline the level of support that Council provides to Castlemaine Safe Space during the term of the budget allocation and MoU, and describes how both organisations will communicate with each other.

The purpose of this report (shown at Attachment 9.1.1.2) is to provide an update to Council from Castlemaine Safe Space on the outcomes of progress and initiatives as at September 2024. Please note that this is the final report to be tabled by Castlemaine Safe Space under this funding arrangement.

#### **RECOMMENDATION**

**That Council notes the Castlemaine Safe Space September 2024 report.**

**MOVED COUNCILLOR DRISCOLL**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR WALKER**

**CARRIED.**

**Councillor Annear returned to the Chamber at 7:18 pm.**

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### **9.1.2. APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES TO COMMITTEES 2025**

This Report is For Decision

Responsible Director: Director Corporate Services, Julie Landy  
Responsible Officer: Governance Coordinator, Augustine Sheppard  
Attachments: Nil

#### **Executive Summary**

The purpose of this report is for Council to consider and determine which representatives it wishes to appoint to various internal and external committees for the coming 12 months.

#### **RECOMMENDATION**

That Council:

1. Appoints Mount Alexander Shire Council representatives to the committees as recommended in Table 1: External and Internal Committees 2025.
2. Notes the opportunity to attend the meetings of the Community Asset Committees as shown in Table 2.
3. Notes that the committees will be formally advised of their representative and details of the appointments will be made available on Council's website.

#### **MOVED COUNCILLOR CORDY**

That Council:

1. **Appoints Mount Alexander Shire Council representatives to the committees as recommended in Table 1: External and Internal Committees 2025, with the following amendments:**
  - a) **That Councillor Matthew Driscoll be appointed as representative and Councillor Lucas Maddock appointed as substitute to the Mount Alexander Shire Council Affordable Housing Trust.**
  - b) **That Councillor Bill Maltby be appointed as substitute to the Northern Victorian Integrated Municipal Emergency Management Planning Committee**
2. **Notes the opportunity to attend the meetings of the Community Asset Committees as shown in Table 2.**
3. **Notes that the committees will be formally advised of their representative and details of the appointments will be made available on Council's website.**

#### **SECONDED COUNCILLOR MALTBY**

**CARRIED.**

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## Context

Council annually considers and appoints delegates and representatives to various committees.

There are three types of committees:

|                 |  |   |
|-----------------|--|---|
| External        | Committees formed by other organisations or bodies | These committees require representation by Mount Alexander Shire Council (Mayor, Councillor/s, Officers)                    |
| Internal        | Committees formed by Council                       | The terms of reference or charter require the Mayor and/or Councillor/s as members.   |
| Community Asset | Community Asset Committees                         | Council establishes and appoints to Community Asset Committees under Section 65 of the Local Government Act 2020 (the Act). |

The representation requirements and the proposed representative(s) are outlined in the tables below.

**Table 1: External and Internal Committees 2025**

| Type     | Committee                             | Representation Requirements                          | Proposed Representative                                   |
|----------|---------------------------------------|--|---|
| External | A House of My Own Committee           | One Council representative                           | Deputy Mayor Heydon<br>Substitute:<br>Councillor Driscoll |
| External | Buda Historic Home and Garden         | One Council representative                           | Councillor Cordy<br>Substitute:<br>Deputy Mayor Heydon    |
| External | Calder Highway Improvement Committee  | One Council representative                           | Councillor Cordy<br>Substitute:<br>Councillor Walker      |
| External | Central Victorian Greenhouse Alliance | One representative (CEO, Councillor or staff member) | Director, Infrastructure and Development                  |
| External | Friends of Lolotoe Friendship Group   | One Council representative                           | Mayor Annear<br>Substitute:<br>Councillor Hastwell        |

| <b>Type</b> | <b>Committee</b>  | <b>Representation Requirements</b>             | <b>Proposed Representative</b>   |
|-------------|---|--|--|
| External    | Municipal Association of Victoria   | One Council representative plus one substitute | Councillor Cordy<br>Substitute:<br>Councillor Driscoll                   |
| External    | North Central Goldfields Regional Library Corporation Board                     | One Council representative plus one substitute | Mayor Annear<br>Substitute:<br>Councillor Maddock                        |
| External    | Northern Victorian Integrated Municipal Emergency Management Planning Committee | One Council representative                     | Councillor Walker<br>Substitute:<br>Vacant                               |
| External    | Victorian Local Governance Association  | One Council representative                     | Deputy Mayor Heydon<br>Substitute:<br>Councillor Walker                  |
| Internal    | Active Transport Advisory Group   | One Council representative                     | Councillor Maddock<br>Substitute:<br>Deputy Mayor Heydon                 |
| Internal    | Camp Reserve Community Consultation Committee                                   | One Council representative                     | Mayor Annear<br>Substitutes:<br>Deputy Mayor Heydon<br>Councillor Maltby |
| Internal    | Castlemaine Heritage Study Project Advisory Group                               | One Council representative                     | Deputy Mayor Heydon<br>Substitute:<br>Councillor Maltby                  |
| Internal    | Clinical Governance Committee   | One Council representative                     | Councillor Maddock<br>Substitute<br>Councillor Maltby                    |
| Internal    | Community Waste Reference Group   | One Council representative                     | Deputy Mayor Heydon<br>Substitutes:<br>Councillor Maddock                |
| Internal    | Disability Inclusion Action Plan Advisory Group                                 | One Council representative                     | Deputy Mayor Heydon<br>Substitute:<br>Councillor Walker                  |

| Type     | Committee  | Representation Requirements                     | Proposed Representative   |
|----------|--|---|---|
| Internal | Early Years Steering Committee   | One Council representative                      | Councillor Maddock<br>Substitute:<br>Mayor Annear                             |
| Internal | Healthy Mount Alexander  | One Council representative                      | Councillor Maddock<br>Substitute:<br>Mayor Annear                             |
| Internal | Housing and Neighbourhood Character Strategy: Castlemaine, Campbells Creek and Chewton Community Reference Group | One Council representative                      | Councillor Walker<br>Substitute:<br>Deputy Mayor Heydon                       |
| Internal | Housing and Neighbourhood Character Strategy: Maldon and Newstead Community Reference Group                      | One Council representative                      | Councillor Hastwell<br>Substitute<br>Councillor Driscoll                      |
| Internal | Indigenous Roundtable  | Mayor and CEO                                   | Mayor Annear and CEO<br>Substitute:<br>Deputy Mayor Heydon                    |
| Internal | LGBTIQ+ Steering Committee   | One Council representative                      | Councillor Maltby<br>Substitutes:<br>Mayor Annear<br>Councillor Walker        |
| Internal | Middle Years Steering Committee  | One Council representative                      | Mayor Annear<br>Substitute:<br>Councillor Maddock                             |
| Internal | Mount Alexander Shire Council Audit and Risk Committee   | Two Council representatives plus one substitute | Mayor Annear<br>Deputy Mayor Heydon<br>Substitute:<br>Councillor Walker       |
| Internal | Municipal Fire Management Planning Committee   | One Council representative                      | Councillor Walker<br>Substitutes:<br>Councillor Hastwell<br>Councillor Maltby |
| Internal | Public Art Panel   | One Council representative                      | Councillor Maltby<br>Substitutes:   |

| Type     | Committee               | Representation Requirements | Proposed Representative                            |
|----------|-------------------------|-----------------------------|--|
|          |                         |                             | Deputy Mayor Heydon<br>Councillor Hastwell         |
| Internal | Rural Land Use Strategy | One Council representative  | Councillor Driscoll Substitute<br>Councillor Cordy |

There is no requirement under the *Local Government Act 2020* (the Act) for Councillors to be appointed to the Community Asset Committees shown in Table 2; however, Councillors can request for the proposed schedule of meetings for any Community Asset Committee.

The powers, duties and functions of Community Asset Committees are delegated to its members by the Chief Executive Officer (CEO) under section 47 of the Act and the CEO must submit an annual report to Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.

**Table 2: Community Asset Committees**

| Type            | Committee                          | Ward            |
|-----------------|------------------------------------|-----------------|
| Community Asset | Barfold Hall                       | Coliban         |
| Community Asset | Baringhup Community Association    | Tarrengower     |
| Community Asset | Bill Woodfull Recreation Reserve   | Tarrengower     |
| Community Asset | Camp Reserve                       | Barkers Creek   |
| Community Asset | Campbells Creek Community Centre   | Campbells Creek |
| Community Asset | Campbells Creek Recreation Reserve | Campbells Creek |
| Community Asset | Castlemaine War Memorial Stadium   | Forest Creek    |
| Community Asset | Elphinstone Community Facilities   | Coliban         |
| Community Asset | Guildford Hall                     | Loddon River    |
| Community Asset | Guildford Recreation Reserve       | Loddon River    |
| Community Asset | John Powell Reserve                | Loddon River    |

| <b>Type</b>     | <b>Committee</b>            | <b>Ward</b>   |
|-----------------|-----------------------------|---------------|
| Community Asset | Maldon Community Centre     | Tarrengower   |
| Community Asset | Metcalfe Hall               | Coliban       |
| Community Asset | Muckleford Community Centre | Loddon River  |
| Community Asset | Newstead Community Centre   | Loddon River  |
| Community Asset | Sutton Grange Hall          | Calder        |
| Community Asset | Taradale Hall               | Coliban       |
| Community Asset | Taradale Recreation Reserve | Coliban       |
| Community Asset | Wattle Flat Reserve         | Barkers Creek |
| Community Asset | Wesley Hill Facility        | Forest Creek  |

### **Issues**

The committees listed all make critical contributions to the Mount Alexander Shire community. Councillor and/or senior executive representation enables Council's strategic direction to be heard and for Council to obtain important feedback on what is occurring within the committees and how Council may support them.

### **Finance and Resource Implications**

Councillor and senior executive attendance at each of these committees is included in the normal operating budget.

### **Risk Analysis**

#### Reputational Risk:

There is a potential reputational risk to Council should representatives not be appointed to Committees.

### **Climate Impact Statement**

There are no climate impacts arising from the appointment of Council representatives to Committees.

### **Alternate Options**

Councillors may wish to change the recommended representative or delegates to some or all the Committees.

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## **Communication and Consultation**

### Inform:

We will keep our community informed.

Committees will be formally advised of their representative and details of the appointments will be available on Council's website.

## **Legislation**

*Local Government Act 2020*

## **Strategies and Policy Impacts**

### Council Plan 2021-2025

#### *Community*

A healthy, connected and inclusive community.

#### *Nature*

An environment for people and nature.

#### *Economy*

A resilient and growing economy.

Appointing Councillors and representatives to internal and external committees addresses all three pillars of the Council Plan 2021 – 2025.

## **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.

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### 9.1.3. COMMUNITY ASSET COMMITTEE MEMBERSHIP APPOINTMENT - DECEMBER 2024

This Report is For Decision

Responsible Director: Director Corporate Services, Julie Landy  
Responsible Officer: Governance Support Officer, Tim Webb  
Governance Coordinator, Augustine Sheppard  
Attachments: Nil

#### **Executive Summary**

In accordance with the *Local Government Act 2020*, at the Special Meeting of Council on 1 September 2020, Council established Community Asset Committees and appointed members to these committees.

In line with the current Instruments of Delegation from the Chief Executive Officer to the Community Asset Committees, members are appointed for two years. The term of membership for all Committee members have common start and end dates. Any member appointed to fill a casual vacancy will leave office at the original expiry date of the member they are replacing. The current membership term expires on 1 July 2026.

The following Committees have notified Council of changes to their membership subsequent to holding annual general meetings; Maldon Community Centre, John Powell Reserve, Elphinstone Community Facilities, Sutton Grange Hall, Metcalfe Hall, and Camp Reserve.

The purpose of this report is for Council to appoint the new nominated members, noting that all Committees have existing members that do not require re-appointment.

#### **RECOMMENDATION**

**That Council appoints the nominated members to the following Community Asset Committees and acknowledges each committee member retiring from their role as listed below:**

##### **Sutton Grange Hall**

| <b>Name</b>      | <b>Expiry</b> |
|------------------|---------------|
| Emma Donaldson   | 1 July 2026   |
| Maureen Murray   | 1 July 2026   |
| Ken Felstead     | 1 July 2026   |
| Ralf Rehak       | 1 July 2026   |
| Leigh Macfie     | 1 July 2026   |
| Bruce Thomson    | 1 July 2026   |
| Zane Tronson     | Retired       |
| Andrew Hampton   | Retired       |
| Mark Collison    | Retired       |
| Natalie McCarthy | Retired       |
| Jenny Alexander  | Retired       |

---

### Elphinstone Community Facilities

| Name           | Expiry      |
|----------------|-------------|
| John Beare     | 1 July 2026 |
| Trent Dempster | 1 July 2026 |
| Geoff Needham  | Retired     |

### John Powell Reserve

| Name            | Expiry      |
|-----------------|-------------|
| Anthony Farrell | 1 July 2026 |

### Camp Reserve

| Name        | Expiry      |
|-------------|-------------|
| Caleb Kuhle | 1 July 2026 |

### Metcalfe Hall

| Name           | Expiry      |
|----------------|-------------|
| Max Lomas      | 1 July 2026 |
| Alice Bleby    | 1 July 2026 |
| Talisa Ormston | 1 July 2026 |
| Kate Hammond   | 1 July 2026 |
| Linda Rowe     | Retired     |

### Maldon Community Centre

| Name           | Expiry      |
|----------------|-------------|
| Lindsey Glover | 1 July 2026 |

### Newstead Community Centre

| Name           | Expiry  |
|----------------|---------|
| Allie Dawe     | Retired |
| Darryl O'Bryan | Retired |

### Taradale Hall

| Name               | Expiry  |
|--------------------|---------|
| Barbara Wales-West | Retired |

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**Wattle Flat Reserve**

| <b>Name</b>        | <b>Expiry</b> |
|--------------------|---------------|
| Vivienne Wilkinson | Retired       |
| Ellie Jacks        | Retired       |
| Alysha Mawson      | Retired       |
| Leisa Murphy       | Retired       |

**MOVED COUNCILLOR MALTBY**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR HEYDON**

**CARRIED.**

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## **Context**

Council has 20 Community Asset Committees established under section 65 of the *Local Government Act 2020* (the Act). These Committees manage community assets on behalf of Council.

Council may appoint as many members as is considered necessary to enable the Community Asset Committee to achieve its purpose. The current Instruments of Delegation from the Chief Executive Officer to the Community Asset Committees, allows for a minimum of five members and a maximum of 12 members. Together with current members for each Community Asset Committee, the nominated members listed in the recommendation ensure this requirement is met.

## **Issues**

There are no known issues with appointing these members to the Community Asset Committees.

It should be noted that all members are volunteers who dedicate time and energy to managing these assets on behalf of Council and recruiting new members can be difficult.

## **Finance and Resource Implications**

Community Asset Committees provide a valuable voluntary service to Council and the community which has not been quantified. The proposed action in this report does not alter the existing financial implications for Council.

## **Risk Analysis**

### Asset Risk:

Community Asset Committees manage their particular assets on behalf of Council. Committees provide oversight and financial support to the maintenance and upgrade of their assets to a standard acceptable to the community and a standard that reduces the likelihood of liability for incidents.

### Reputation Risk:

While the work of these committees can be challenging and requires considerable effort by volunteers, they have long enabled members of the community who have a connection to such assets, or a passion for the services that the assets support, to make a meaningful contribution to the wider community. By recreating these committees under the Act, Council has retained this close link with community and has shown that it wishes to continue to work closely with the community.

## **Climate Impact Statement**

There are no climatic impacts linked to appointing members to Community Asset Committees.

## **Gender Equity Statement**

It is considered that this report goes towards promoting gender equity principles as outlined in the *Gender Equity Act 2020* and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality as set out in the Charter of Human Rights.

A GIA (Gender Impact Assessment) has not been completed.

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## Alternate Options

Council may resolve not to appoint the Committee members nominated by the Committee. If Council does so, it is recommended that Council provide a reason why any appointment has not been made.

## Communication and Consultation

### Collaborate:

We will work together with our community to formulate solutions and incorporate our community's advice and recommendations into our decisions to the maximum extent possible.

## Legislation

### Local Government Act 2020

#### *65 Community Asset Committee*

- 1. A Council may establish a Community Asset Committee and appoint as many members to the Community Asset Committee as the Council considers necessary to enable the Community Asset Committee to achieve the purpose specified in subsection (2).*
- 2. A Council may only establish a Community Asset Committee for the purpose of managing a community asset in the municipal district.*

**Note:** See section 47 for delegation to members of a Community Asset Committee by the Chief Executive Officer.

#### *47 Delegations by Chief Executive Officer*

- 1. The Chief Executive Officer may by instrument of delegation delegate any power, duty or function of the Council that has been delegated to the Chief Executive Officer by the Council to—*
  - a. a member of Council staff; or*
  - b. the members of a Community Asset Committee.*
- 2. The Chief Executive Officer may by instrument of delegation delegate any power, duty or function conferred by this Act or any other Act on the Chief Executive Officer, other than this power of delegation and the power of delegation under subsection (1), to a member of Council staff.*
- 3. A delegation under this section to a member of Council staff may be made to—*
  - a. a person named in the delegation; or*
  - b. the holder of an office or position specified in the delegation.*
- 4. A delegation under this section to the members of a Community Asset Committee is to be exercised subject to the terms and conditions specified by the Chief Executive Officer, which must include the following—*
  - a. the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used;*
  - b. compliance with specified governance requirements to ensure appropriate standards of probity are met;*
  - c. specified monitoring and reporting of the activities and performance of the Community Asset Committee.*
- 5. A member of a Community Asset Committee to whom a delegation is given under this section can only exercise the delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee.*

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6. *A Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.*
  7. *A Chief Executive Officer must keep a register of delegations made under this section.*
  8. *Unless sooner revoked, a delegation made by a Chief Executive Officer under the Local Government Act 1989 continues in force until 1 September 2020.*

## **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.

*Environment – A flourishing environment for nature and people.*

We are maintaining, improving and celebrating our places and spaces.

### **Child Safe Standards**

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests.

All children who come in contact with Councillors, employees, contractors and volunteers from the organisation have a right to be and feel safe. We have specific policies, procedures and training in place to support employees, volunteers and contractors to achieve these commitments.

We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design and develop our services and 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.

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## 9.2. Environment

Nil.

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### 9.3. Economy

#### 9.3.1. PLANNING APPLICATION PA045/2023 - 2 CAMP CRESCENT, CASTLEMAINE

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Michael Annear

Responsible Officer: Senior Statutory Planner, Callum Murphy

Attachments: 1. Application Plans [9.3.1.1 - 6 pages]

2. Zoning Map [9.3.1.2 - 1 page]

#### Executive Summary

The purpose of this report is to enable Council to make a determination on an application for the development of a second dwelling, construction of a crossover, demolition of two outbuildings and a two-lot subdivision of the land at 2 Camp Crescent, Castlemaine.

The application has been referred to Council for a decision because eighteen objections have been received.

The Council Officer recommendation is to approve the application.

The subject site is within a General Residential Zone and affected by a Heritage Overlay.

The grounds of objection relate to:

- neighbourhood character impacts
- heritage impacts
- tree removal
- inaccuracy of plans

The application was assessed against, and determined that the proposal is consistent with, the relevant sections of the Planning Policy Framework. It also meets the provisions of the General Residential Zone, Heritage Overlay and the provisions of Clause 55 and 56 (ResCode) contained within the Mount Alexander Planning Scheme. In forming this position, consideration was given to the grounds of each objection and the views of the relevant referral authorities.

It is recommended that the application is supported and a Notice of Decision to Grant a Planning permit is issued in accordance with the following recommendation.

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## **RECOMMENDATION**

That Council, having complied with the relevant sections of the *Planning and Environment Act 1987* resolve to issue a Notice of Decision to Grant Planning Permit PA045/2023 for the development of a second dwelling, construction of a crossover, demolition of two outbuildings and a two-lot subdivision at 2 Camp Crescent, Castlemaine subject to the following conditions:

### **AMENDED PLANS**

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans assessed, but modified to show:
  - a) A landscape plan in accordance with Condition 4 of the planning permit;
  - b) Location of bin storage areas, mailboxes, clotheslines and water tanks on each allotment;
  - c) A detailed schedule of colours and finishes including fenestration, material and colours to the satisfaction of Council's Heritage and urban Design Officer;
  - d) The location of ancillary services where required;
  - e) The front fence to the proposed dwelling reduced in height to 1.5m maximum;
  - f) Removal of reference to the existing "0.9 wire mesh fence" from the north and east boundary of the site;
  - g) The site plan amended to clearly delineate the difference between the title boundary and fencing;
  - h) The plans amended to clearly illustrate existing and proposed fencing and gates including internal fencing, ensuring all proposed fencing and gates are located on title boundaries or within the subject site.

### **COMPLIANCE WITH ENDORSED PLANS**

2. The layout of the development and subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

### **SECTION 173 AGREEMENT**

3. Prior to the issue of Statement of Compliance for the subdivision, under the *Subdivision Act 1988*, the development as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority or the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* and the agreement must be registered on the title/s to the land under Section 181 of the Act. The agreement must provide that:
  - a) The future development on Lot 2 must comply with the endorsed plans forming part of Planning Permit PA045/2023 unless an alternate permit or amended permit is issued by the Responsible Authority.
  - b) The owner must pay the reasonable costs for the preparation, execution and registration of the Section 173 Agreement.
  - c) Before the issue of a Statement of Compliance [for any stage of the subdivision] under the *Subdivision Act 1988*, a copy of the Titles Office

- 
- registration number (dealing number) for the Section 173 Agreement must be provided to Council as proof of registration.
- d) (Matters to be included in Section 173s include no further subdivision of land; vegetation offset requirements; retention of vegetation on particular lots; and negotiated contribution, etc.).

## **LANDSCAPING**

4. Prior to commencement of development or the issue of a Statement of Compliance, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must:
- a) be prepared to the satisfaction of the responsible authority;
  - b) be prepared by a suitably qualified person;
  - c) have plans drawn to scale with dimensions;
  - d) be submitted to the Responsible Authority in electronic form;
  - e) include the following:
    - layout of landscaping and planting within all open areas of the subject land;
    - a survey (including botanical names) of all existing vegetation to be retained and/or removed;
    - buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
    - details of surface finishes of pathways and driveways;
    - a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant; and
    - provision for one canopy tree (minimum two metres tall when planted) within Lot 2.

The Responsible Authority may consent in writing to vary any of these requirements.

5. Prior to the occupation of the development, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the Responsible Authority. The Responsible Authority may consent in writing to vary this requirement.

## **GENERAL**

6. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, and electricity (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the Responsible Authority's requirements and relevant legislation at the time.
7. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

- 
8. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that act.
  9. The owner of the land must enter into an agreement with:
    - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
    - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the Applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
  10. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
    - a) A telecommunications network or service provider that all lots are connected to, or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
    - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the Applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

## **ENGINEERING**

11. Prior to commencement of any construction works associated with the subdivision, detailed access, road and drainage construction plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and form part of the permit. The engineering plans must accord with the Infrastructure Design Manual. All works constructed or carried out must be in accordance with those approved plans and completed to a standard satisfactory to the Responsible Authority prior to the issuing of Statement of Compliance.
12. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the Responsible Authority so as to prevent the discharge of water from the subject land across any road or onto any adjoining land.
13. 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 20% Annual Exceedance Probability (AEP) event (IDM Design standards - Section 19.3 Requirements).

- 
14. Existing/proposed Vehicle crossovers must be constructed/upgraded to the satisfaction and levels/requirements of the Responsible Authority. No impending or redirection of existing surface flow is allowed to occur as a result of these works. Council's minimum standards are:-
    - a) 3.5 m wide;
    - b) Crossings must be positioned keeping a minimum of 3m clearance from the council trees located at the property frontages.
    - c) In accordance with SD260 of the Infrastructure Design Manual.

Unless otherwise agreed in writing by the Responsible Authority.

15. All existing road reservation assets are to be protected and maintained throughout the works including all utilities and services. Any damage is to be restored prior to issuing of Statement of Compliance.
16. The developer 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).
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. Prior to issue of a statement of compliance for the subdivision, drainage and driveway works must be completed to satisfaction of Council in accordance with the approved plans unless otherwise agreed in writing by the Responsible Authority.

#### **COLIBAN WATER**

19. The owner is required to provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.

Services are to be provided and where necessary, amendments to the existing services will be required in accordance with Coliban Water specifications.

20. Agreement is to be reached with Coliban Water for the required DN150 reticulated sewer main extension, necessary for the provision of sewerage services to the proposed Lot 2 within this development site, which must be designed, constructed and finalised to provide full lot control in accordance with Coliban Water's Developer Installed Works process.

The locations of the nearest DN150 sewer main exists on the northern side of Yandall Street and to the south in Camp Crescent to that of the development site.

21. All Coliban Water required assets if located within the subdivision, are to be protected by an easement in favour of Coliban Region Water Corporation.

- 
22. An application through Coliban Water's Consent to Connect Process is required prior to water supply services and property service drains (sewerage) being amended and/or connected to Coliban Water assets and complying with their conditions.

All private works for water supply and sanitary drainage must be constructed in accordance with the National Plumbing and Drainage Code of Australia being AS 3500, the MRWA Water Metering & Servicing Guidelines 2022 and or any relevant requirements of Coliban Water.

Evidence to the satisfaction of Coliban Water will be required to verify that the existing plumbing and sanitary drains for the existing residence located on Lot 1 have been amended where necessary, are contained within the boundaries of Lot 1 and are connected to the sewer main.

Evidence to the satisfaction of Coliban Water will be required to verify that the water supply service pipes (including a water meter) for the existing residence have been amended where necessary and are contained within the boundaries of Lot 1.

23. An application to connect to Coliban's water supply network will need to be made through their Consent to Connect process for Coliban Water's approved contractor to install the water tapping, meter assembly and digital data device which will be located in an accessible location within 2.0 metres, but no closer than 600mm, inside a title boundary line of the land allocated to the proposed second dwelling (Lot 2) fronting the road reserve containing a water main.

An application to connect to Coliban's sewerage service network will need to be made through their Consent to Connect process, prior to the property service drains (sewerage service) for the proposed second dwelling, being connected separately to the required sewer main extension necessary to service the land allocated to the proposed second dwelling (Lot 2) within this development site, in accordance with Coliban Water conditions.

24. Please note Under section 165(5) of the *Water Act 1989*, Coliban Water is not required to ensure that the water pressure is adequate for firefighting. It is important to note that Coliban Water does not guarantee fire flows.
25. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must make payment to Coliban Water of New Customer Contributions (NCCs). These contributions are based upon the number of additional allotments connected (or to be connected) to Coliban Water's water, sewer or recycled water networks. A quote will be supplied to the owner on the referral of the certified plan of subdivision.

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## EXPIRY

26. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- a) The development is not started within two years of the issued date of this permit.
  - b) The development is not completed within four years of the issued date of this permit.
  - c) The plan of subdivision has not been certified under the Subdivision Act 1988 within two years of the issued date of this permit.
  - d) A statement of compliance is not issued within five years of the date of certification.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

### PERMIT NOTES (for information only):

**NOTE 1:** A road-opening permit must be obtained from Council's Engineering Services Unit before any vehicle crossover is constructed.

**NOTE 2:** A legal point of discharge must be obtained from Council's Engineering Services Unit before any drainage infrastructure is constructed.

**NOTE 3:** Please note that if your application requires works within public land (such as civil works within the road reserve), you may be required to engage in negotiations with the Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) under the provisions of the DDWCAC Land Use Activity Agreement (LUAA) which came into force on 25 October 2013. Information in relation to this agreement can be found on the Department of Justice and Community Safety's website at <https://www.justice.vic.gov.au/land-use-activity-agreement-information-for-local-government>. Please contact Council's Engineering team if further information is required.

**NOTE 4:** Given the identification of previous built form, likely related to the occupation of the site by the police between 1877 and 1921 at the site, archaeological remains may be present on site. The permit holder may wish to engage an archaeologist to supervise the proposed excavation and ground works and assist with the management and reporting of any finds made in accordance with the requirements of the *Victorian Heritage Act 2017*.

### MOVED COUNCILLOR MALTBY

That the recommendation be adopted.

### SECONDED COUNCILLOR WALKER

CARRIED.

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**COUNCILLOR CORDY CALLED FOR A DIVISION.**

Councillors For:

Maltby, Driscoll, Walker, Heydon, Annear

Councillors Against:

Hastwell, Maddock, Cordy

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## Summary

|                              |  |
|------------------------------|--|
| <b>Application details:</b>  | Development of a Second Dwelling, Construction of a Crossover, Demolition of Two Outbuildings and Two Lot Subdivision of the land  |
| <b>Application No:</b>       | PA045/2023   |
| <b>Applicant:</b>            | Crosby Architects  |
| <b>Land:</b>                 | 2 Camp Cres Castlemaine Vic 3450<br>Allotment 5A Section 119 Township of Castlemaine   |
| <b>Zoning:</b>               | General Residential Zone Schedule 1 (GRZ1)   |
| <b>Overlays:</b>             | Heritage Overlay Schedule 668 (HO668)  |
| <b>Permit requirement:</b>   | <p>A planning permit is required for subdivision of land under Clause 32.08-3 of the General Residential Zone.</p> <p>A planning permit is required for the development of a second dwelling under Clause 32.08-7 of the General Residential Zone.</p> <p>A planning permit is required for subdivision of land, development of a second dwelling, development of a fence and development of a crossover under Clause 43.01-2 of the Heritage Overlay.</p> |
| <b>Notice:</b>               | The application was advertised pursuant to Section 52 of the <i>Planning and Environment Act 1987</i> . Formal notification of the application was given by means of letters to surrounding properties, and by placing a sign on site.   |
| <b>Referrals:</b>            | External <ul style="list-style-type: none"><li>• Goulburn Murray Water</li><li>• North Central Catchment Management Authority</li><li>• Coliban Water</li></ul> Internal <ul style="list-style-type: none"><li>• Heritage Advisor</li></ul>  |
| <b>No. of Objections:</b>    | 18   |
| <b>Consultation Meeting:</b> | A consultation meeting was held on 15 August 2024 between Council Officers, the applicant and objectors. No resolution was reached. Further details are provided in the issues section of this report.   |

|                            |  |
|----------------------------|--|
| <b>Key Considerations:</b> | <p>Compliance with the Planning Policy Framework</p> <p>Appropriateness of the development in the General Residential Zone Schedule 1</p> <p>Compliance with the objectives and decision guidelines of the Heritage Overlay Schedule 668</p> <p>Compliance with Clause 55 (ResCode)</p> <p>Compliance with Clause 56 (ResCode)</p> <p>Grounds of objection</p> |
|----------------------------|--|

## Context

The purpose of this report is to enable Council to make a determination on an application for the development of a second dwelling, construction of a crossover, demolition of two outbuildings and two lot subdivision of the land. The application has been referred to Council for a decision because eighteen (18) objections have been received.

The application was lodged on 2 March 2023 as a two-lot subdivision of the land including a vacant allotment to the rear of the existing dwelling.

The application was amended on 22 June 2023 to alter the proposal to become a two-lot subdivision and development of a second dwelling.

### Subject site

The site is located at 2 Camp Crescent, Castlemaine, legally known as Crown Allotment 5A Section 119 Township of Castlemaine.

The subject site is irregular in shape with a frontage of metres to 62.5 metres to Yandell Street, and a curved eastern boundary of 23.01 metres to Camp Crescent for an overall allotment area of 855 square metres.

The site is developed with a dwelling, which has crossover access from Yandell Street to the rear of the built form. The corner site is currently occupied by a single storey brick dwelling in Austere Post War style probably built in the 1940s (the current title allotment was created in 1946). The dwelling is setback from the Camp Crescent boundary on angle, at southern corner 0.8 metres and northern corner 18.5 metres. The dwelling is setback 1.2 metres from the south side boundary and 2.7 metres at the closest wall to the north (Yandell Street) boundary.

The building is of brick veneer wall construction. The red brickwork has white painted trims (including window frames and fascia boards) and a red tiled roof. The rear of the building has a recent addition in timber panel, under a red corrugated skillion roof containing a laundry, toilet and kitchen, with a covered deck to the west. The site contains two corrugated iron clad outbuildings.

The site has established gardens to the Camp Crescent frontage. These include various shrubs and trees within the extensive landscaped gardens.

The site slopes from the west to the east down Yandell Street at a gradient of 1:15. The following mapping illustrates the zoning and aerial view of the site controls, zones and overlays applicable to site and neighbourhood.

The site is within an area of Aboriginal cultural heritage sensitivity due to its proximity to a waterway, Campbells Creek.

The site is in a designated bushfire prone area.



Figure 1 Site overview



Figure 2 VicPlan Zoning Mapping

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### Surrounding context area

The site is located within the town of Castlemaine, west of Campbells Creek, in the Heritage precinct known as the Camp Reserve and Environs. The surrounding area consists of single storey dwellings on allotments of similar size, varying styles and building fabric.

Camp Crescent is a made dirt road which loops back to the intersection with Yandell Street. Yandell Street is a sealed street connecting Gaulton and Bowden Streets, Campbells Creek, and is located approximately 150 metres away to the south. The surrounding blocks are made up of predominantly residential properties. The old Court House at the centre of the precinct is located approximately 100 metres away on Goldsmith Crescent. There are single storey dwellings on the two adjoining allotments.

The site and all surrounding land are located within the General Residential Zone Schedule 1 and are affected by the Heritage Overlay Schedule 688. The property is located in the Camp Reserve heritage precinct and is adjacent and nearby to several mid-19th century buildings of significance to the precinct. Immediately adjacent to the property is the State Heritage listed Former Military Quarters (H2162).

The site is located within close proximity to Camp Reserve, Western Reserve and the Campbells Creek walking track, which provide the area with open space and recreational areas. Winters Flat Primary School, Castlemaine Primary School and St Mary's Primary School are all located within a short commute of the site, providing educational needs to the locality. The site is a 1.1 kilometre commute from the centre of the Castlemaine CBD, which caters to the area's commercial and retail needs.

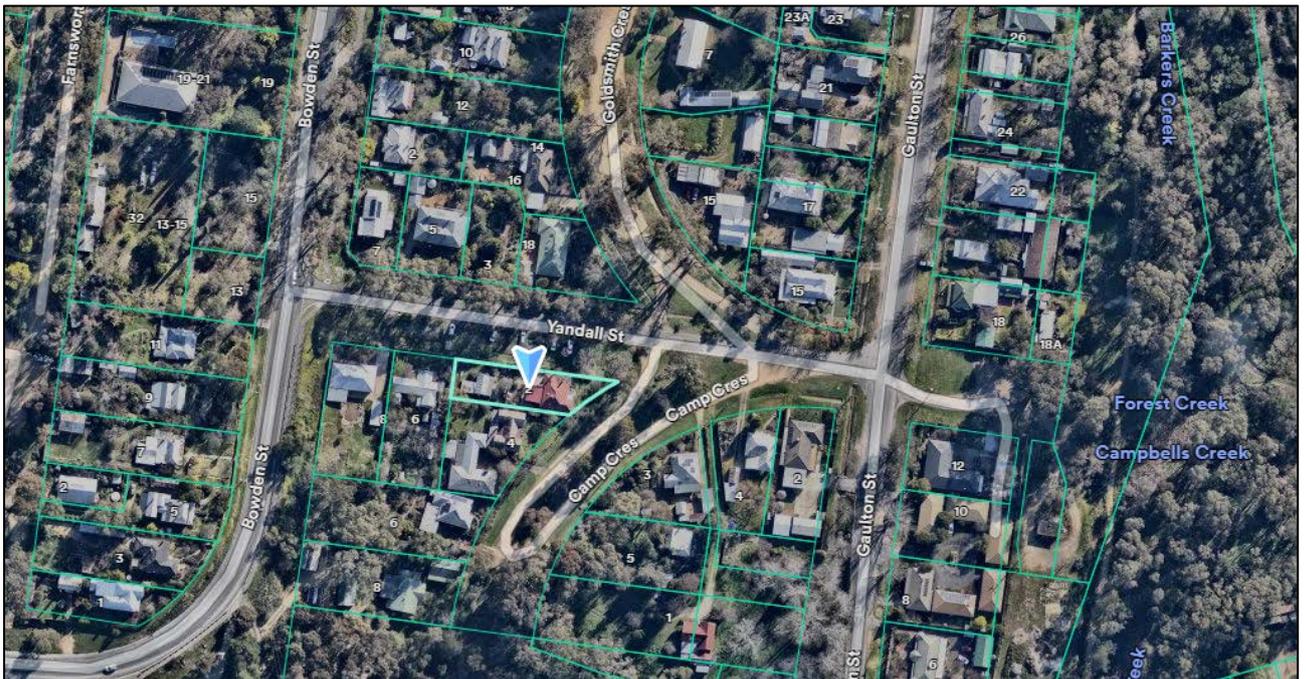


Figure 3 Surrounding context area



*Figure 2 Existing dwelling and Yandell Street Elevation*

### Proposal

The application seeks approval for a two-lot subdivision, development of a second dwelling, construction of a crossover, and demolition of existing outbuildings located at 2 Camp Crescent in Castlemaine as follows.

### *Subdivision*

Lot 1 is proposed to be located on the corner of Yandell Street (45.5 metre frontage) and Camp Crescent (23.01 metre frontage) and will feature a southern boundary length of 29.26 meters for an overall area of 588 square meters. The lot will contain the existing dwelling, vegetation and pedestrian access. Lot 2 is to be sited to the rear with a street frontage to Yandell Street of 17 meters, a depth of 15.17 metres along its western boundary, and an overall area of 261 square metres. The lot is to benefit from the existing crossover to the site and will contain the proposed dwelling.

### *Dwelling development*

The proposed dwelling has a streetscape setback of 3.545 metres, an eastern boundary setback of 2.125 metres, a western boundary setback of 2.225 metres and a rear southern boundary setback of 1.45 metres. The dwellings ground floor level will contain a single car garage, open plan living design with kitchen and lounge room. The first floor of the dwelling will contain two bedrooms and a bathroom. The existing accessway is utilised within the design and provides access to the garage of the dwelling. The dwelling has an overall height of less than 7.5 metres. The dwelling is to be clad in a range of materials including vertical timber cladding, weatherboard cladding and galvanized Custom Orb steel sheeting. A new crossover is to be sited towards the internal boundary of Lot 1 to service the existing dwelling.

### *Demolition*

Two existing corrugated outbuildings are to be demolished in the southwestern corner of the site to enable the development of the dwelling.

A complete set of the advertised plans form an attachment of this report. The following selected plans have been taken from the advertised plans to illustrate the proposal and conditions onsite.

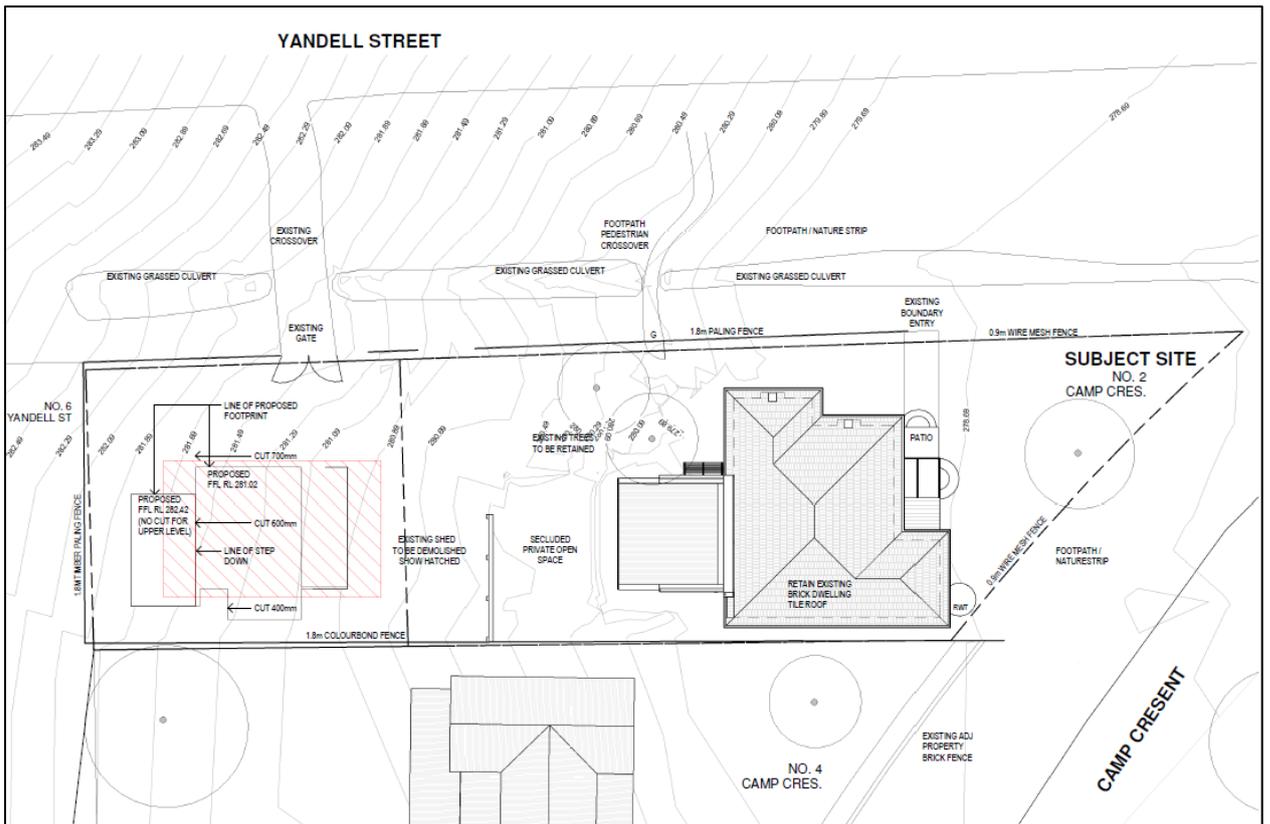


Figure 3 Proposed site plan

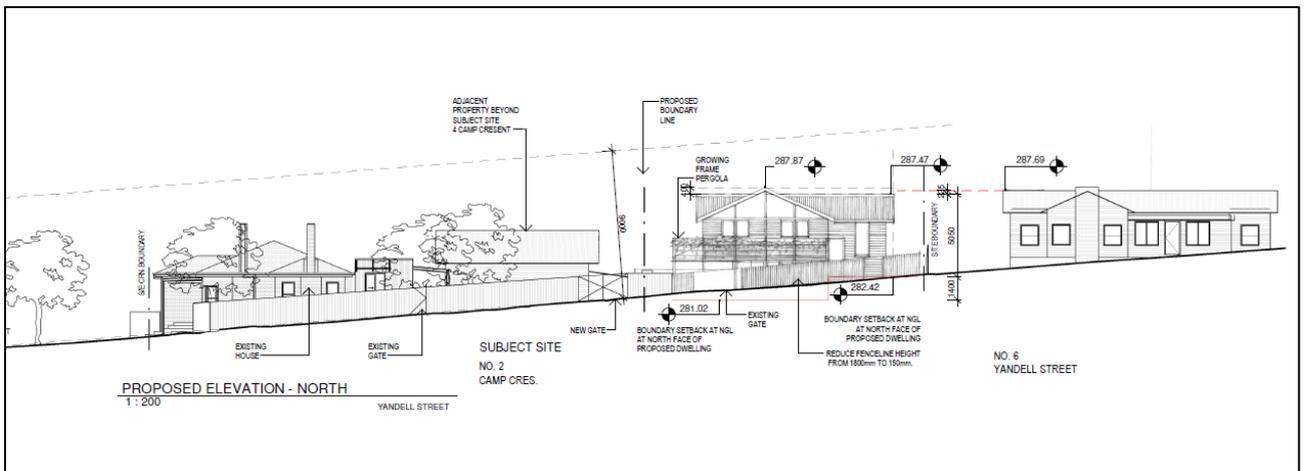


Figure 4 Yandell Street Northern Elevation

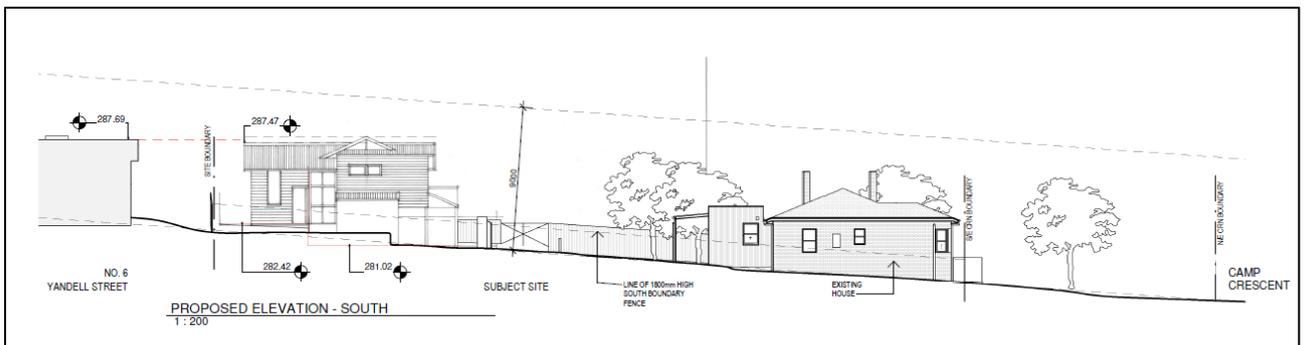


Figure 5 Southern elevation

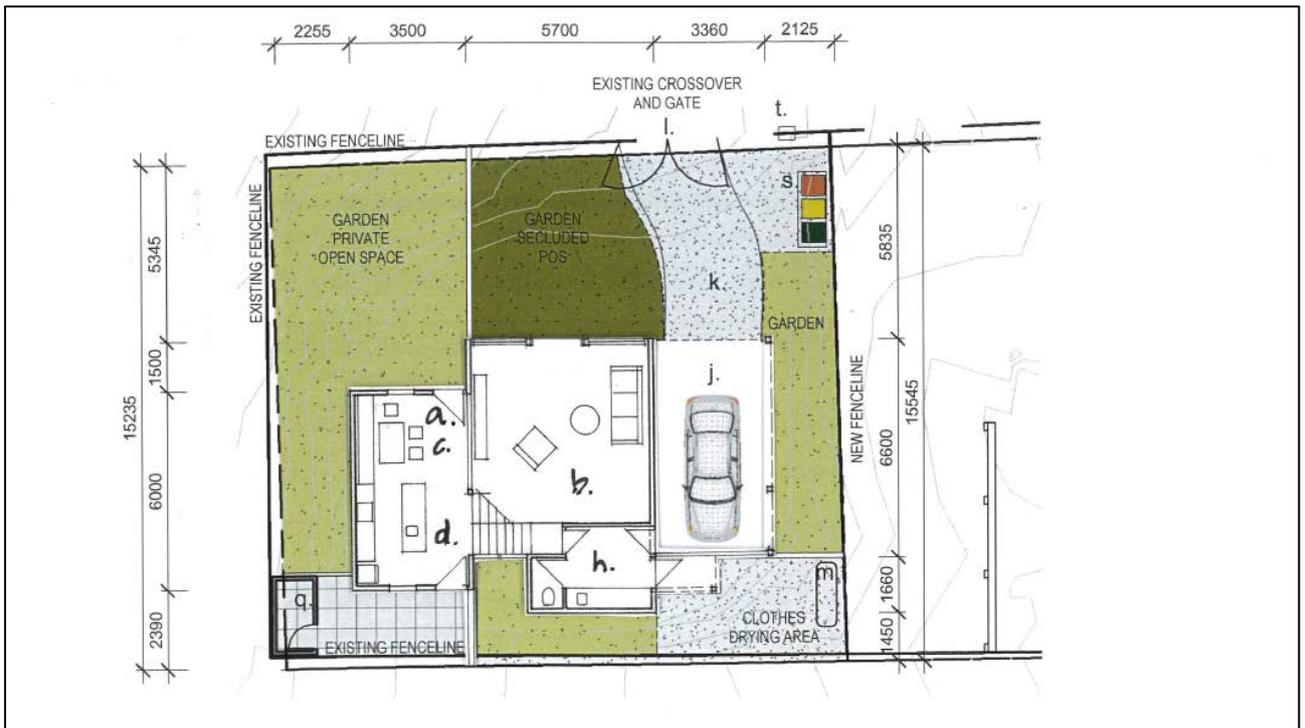


Figure 6 Proposed ground floor plan

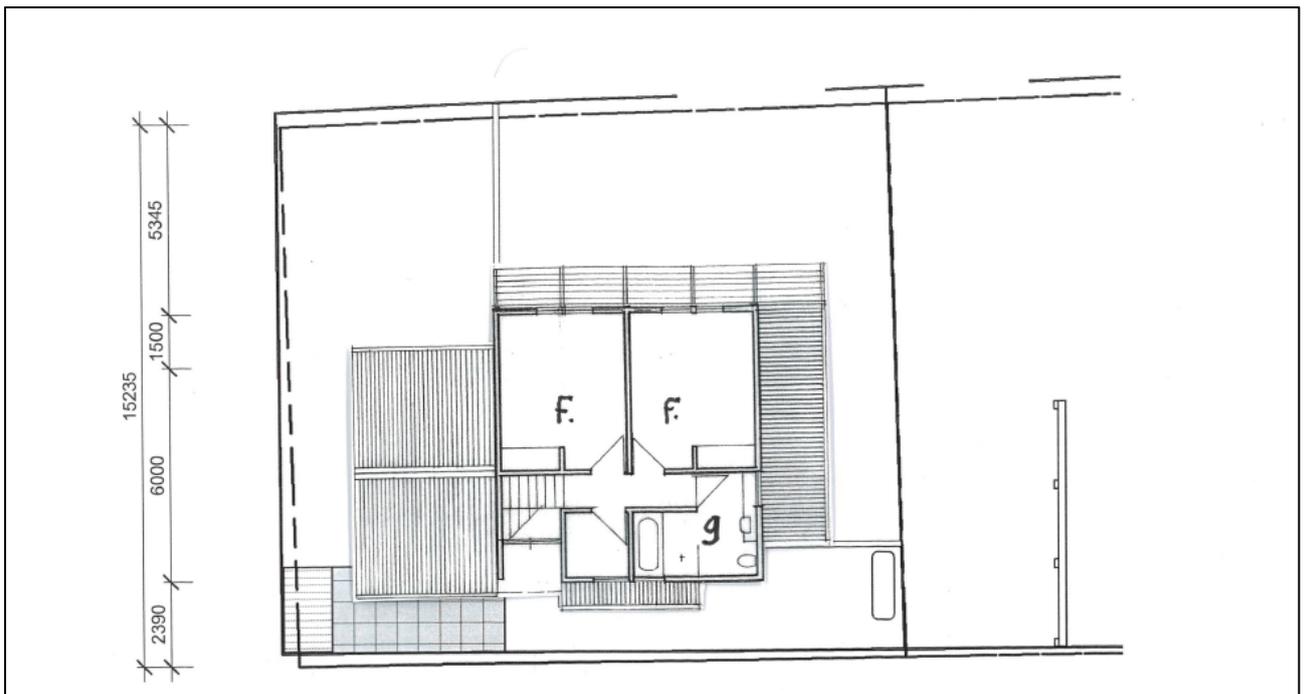


Figure 7 Upper floor plan

### Issues

The key issues for consideration relate to the appropriateness of the subdivision and development in relation to compliance with the Planning Policy Framework, appropriateness of the subdivision and development in the General Residential Zone, compliance with the relevant provisions and decision guidelines of the Heritage Overlay, compliance with the relevant provisions and decision guidelines of Clause 55 (ResCode), compliance with the relevant provisions of Clause 56 (ResCode) of the Mount Alexander Planning Scheme and the issues raised by objectors.

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### Compliance with the Planning Policy Framework

The Planning Policy Framework contained within the Mount Alexander Planning Scheme integrates State, regional and local policy, and identifies long term directions about land use and development in the municipality. The subject site is located within the residential area of the Castlemaine Land Use Framework Plan where infill development is encouraged.

The application has provided sufficient justification that the environmental impacts such as the retention of the key built form onsite and the connection to services can be adequately managed which will be discussed further in the zoning and overlay considerations of this report. Within the Mount Alexander Planning Scheme, a variety in lot sizes is recommended in Clause 02.03-6.

The proposal is sited within the existing residential areas of Castlemaine as identified on the Land Use Framework Plan located at Clause 11.01-1L-02 and has appropriately considered the slope, environmental features and heritage aspects of the land which the policies specifies as crucial to infill development proposals.

Clause 15.03-1L of the Scheme describes strategies to guide development with the objective of ensuring the conservation of places of heritage significance. The design of the proposed development is generally consistent with the heritage streetscape, although not a single storey, the building is set into the hillside to maintain the pattern of stepped development down the slope, the building is set back to correspond with the footprint of the existing shed proposed for demolition and the fence at the created lot is sympathetic in scale to the surrounding streetscape complying with the local policies found at Clause 15.03-1L.

Clause 15.01-3S (Subdivision design) encourages subdivisions “providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people”. The proposed lot sizes reflect the proposed built form onsite and is safe and functional.

Clause 16.01-1S among other strategies seeks to increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land), to reduce the share of new dwellings in greenfield, fringe and dispersed development areas and to encourage higher density housing development on sites that are well located in relation to jobs, services and public transport. The proposal is deemed to be sited within an area which satisfies the requirements of the Clause by providing increased housing diversity on an allotment which has excellent access to local schools, open space areas, commercial and retail facilities within Castlemaine.

The proposed development and subdivision layout is considered appropriate and provides for infill development at a density which adequately considers the existing character and amenity of the site and surrounds.

The proposal supports settlement principles by directing development to a site that is within the settlement boundary and is capable of accommodating growth which in turn will reduce the likelihood of urban sprawl. The proposal responds to the heritage character of the area and provides for a new residential development that is accessible and liveable.

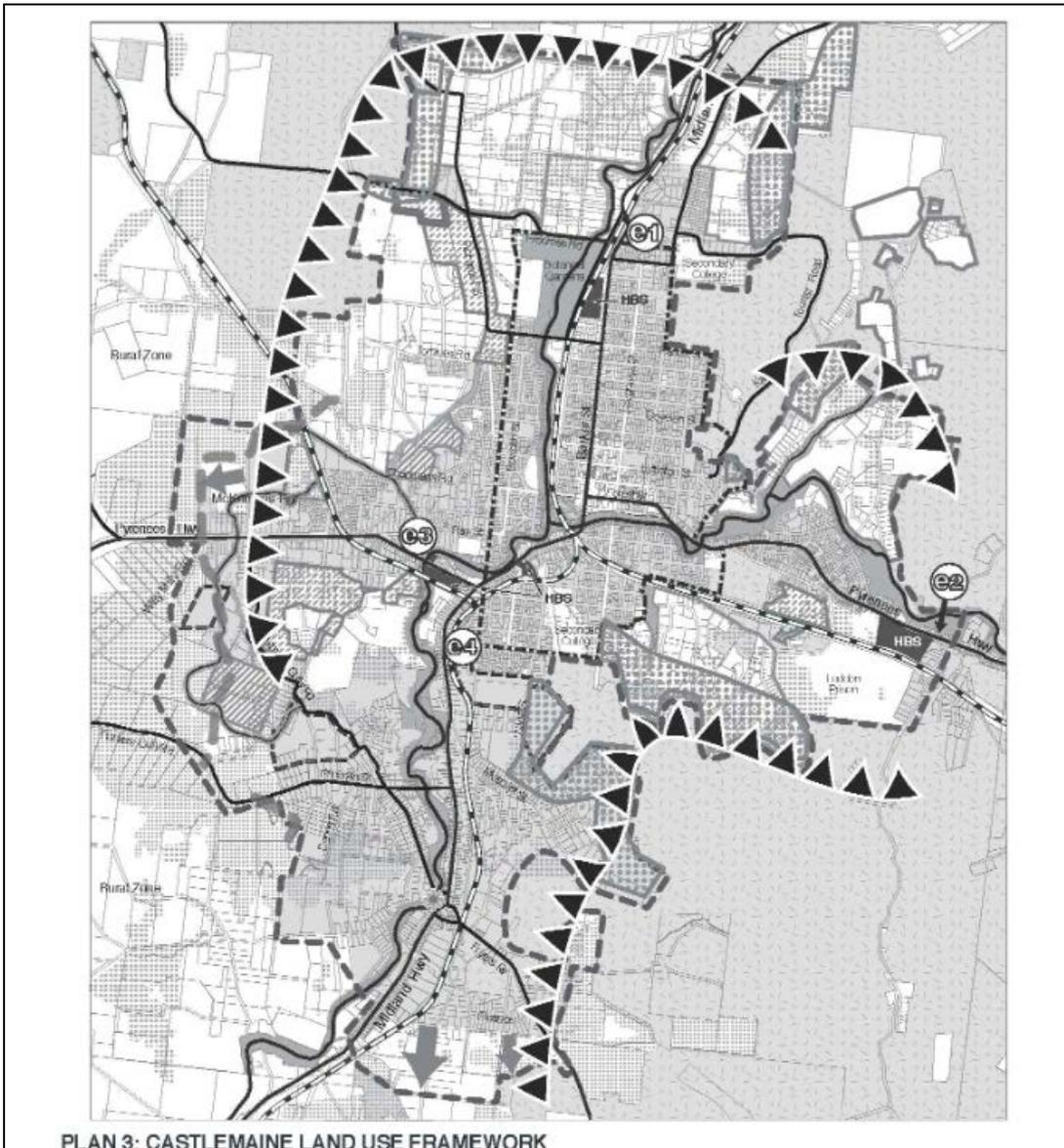


Figure 10 Castlemaine Land Use Framework Plan

Appropriateness of the development in the General Residential Zone Schedule 1

The purpose of the General Residential Zone (GRZ) includes:

- to implement the Municipal Planning Strategy and the Planning Policy Framework
- to encourage development that respects the neighbourhood character of the area
- to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport
- to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations. A permit is required to subdivide land

Under the provisions of the Zone, a permit is required for the use and development of a second dwelling and for subdivision.

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The proposal has provided for “garden area” in excess of 35% of the site area and has a total development height of less than 11 metres in accordance with the provisions of the Zone.

Council Officers deem that the proposal is consistent with the outcomes sought by the Zone as the development seeks to provide for infill development and additional residential opportunities in an established residential area which acts to meet the housing needs of the municipality. The site has excellent access to community services, open space areas, public transport and commercial opportunities making it ideally located for increased density.

The site is located within a predominantly residential area characterised by single-storey dwellings of varying styles and building materials, which supports the proposal for a second dwelling and subdivision.

The subdivision respects the surrounding urban fabric, with Lot 1 retaining the existing dwelling and Lot 2, which will be developed with a new dwelling, being appropriately sized and well-integrated into the established streetscape. The development is of a scale and form that is compatible with the low-density residential character of the area.

The proposal meets the key objectives of the General Residential Zone by promoting housing diversity in an area where the built form is generally low-scale and residential, while ensuring sufficient amenity for future occupants and neighbouring properties.

The application is consistent with the standards and objectives of Clause 55 and 56. The application has also been referred to all relevant authorities including North Central Catchment Management Authority, Coliban Water, Goulburn-Murray Water and Council's Heritage Advisor. The North Central Catchment Management Authority and Goulburn-Murray Water have provided unconditional consent to the application, Coliban Water and Council's Heritage Advisor have no objections to the application subject to conditions.

Based on the above justification, the proposal therefore is acceptable, subject to the conditions contained in the recommendation of this report.

Compliance with the objectives and decision guidelines of the Heritage Overlay Schedule 688:

- to implement the Municipal Planning Strategy and the Planning Policy Framework
- to conserve and enhance heritage places of natural or cultural significance
- to conserve and enhance those elements which contribute to the significance of heritage places
- to ensure that development does not adversely affect the significance of heritage places
- to conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The policy guidelines of clause 15.03-1S Heritage Conservation of the Mount Alexander Planning Scheme requires that Council considers as relevant:

- the findings and recommendations of the Victorian Heritage Council
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013.

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The Burra Charter (2013) sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers, and custodians. It provides guidance for the conservation and management of places of cultural significance (cultural heritage places) and is based on the knowledge and experience of Australian International Council on Monuments and Sites members. Together with implementing the Planning Policy Framework, the main purpose of the Heritage Overlay is to conserve and enhance those elements which contribute to the significance of heritage places and ensure that they are not undermined or threatened in any way by inappropriate development.

The application was referred to Council's Heritage Advisor for consideration and comment. In undertaking an assessment of the application, consideration was given to the relevant provisions of the Mount Alexander Planning Scheme and the 'Camp reserve and Environs Heritage Design Guidelines'.

Council's heritage Advisor raised no major concerns with the application. The advice is summarised as follows.

The site is located within the Heritage overlay Schedule 668 (HO668) known as the 'Camp Reserve and Environs'. The era of building/Precinct extends from the inception of the township of Castlemaine to the late 20th century.

The following statement of significance was provided:

*'This area is historically significant both in local and Statewide terms because of its links with the first official settlement on the Mount Alexander/Forest Creek goldfields. The remaining Camp Reserve buildings do not give much of an indication of the original layout of the Camp Reserve as most of the original buildings are now gone and the intervening street pattern has changed the orientation of this area. The curved street pattern in this area is a departure from the overall grid pattern of the rest of the Castlemaine.'* (City of Castlemaine Architectural and Historical Study, Streetscapes and Environmental Areas, No. 7)

The proposed development occurs in an area with identified heritage values (HO668) characterised by a distinctive street pattern with curvilinear elements and predominantly residential development with examples dating from the earliest development of Castlemaine to the late twentieth century.

Most building stock in the heritage precinct, with a few exceptions, is single storey with properties on the raised portion of the precinct set back or cut into the hillside resulting in a predominant pattern of tiered rooflines stepping down the incline between roads cutting horizontally across the slope.

Of particular relevance to this property is its proximity to the adjacent State Heritage listed Gold Commissioner's/Military Headquarters building and the potential for this lot to contain archaeological remains associated with that property. The construction of the extant house and ancillary buildings is likely to have already disturbed any archaeological remains, however that part of the site proposed for excavation and for the construction of the proposed building appears to be the least disturbed at this site, which increases the likelihood of there being archaeological material present.

The subdivided lot is smaller than the typical pattern presented to the street and more broadly in the Precinct which can be supported only because of its replication of the current visually implied lot expressed by a shed (which footprint the built form will replicate encompass) and different fence compared to the adjacent properties.

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The proposed Lot 2 of the development has a Yandell Street boundary length of 17 metres compared to neighbouring properties of approximately 22 metres. Although the lot immediately opposite the proposed development is only a little larger than 17 metres, it is adjacent to a driveway reserve and forms the garden of a larger property so does not have the appearance of a small lot.

The smaller size of the proposed Lot 2 is already understood by the shed erected thereon and the fencing being distinct from the adjacent properties and so is not a significant departure from the present presentation of the block to the street.

The design of the proposed development is generally consistent with the heritage streetscape, although not a single storey, the building is set into the hillside to maintain the pattern of stepped development down the slope, the building is set back to correspond with the footprint of the existing shed proposed for demolition and the fence at the created lot is sympathetic in scale to the surrounding streetscape. The scale of the gable presenting to Yandell Street is such that it may dominate the streetscape and it is recommended that this be ameliorated by reducing the peak of this gable to be no higher than the east/west roof.

Brick and timber material and a galvanised iron or tiled roof are recommended to integrate the development into the streetscape. Colours must respond to the heritage streetscape and not dominate or clash with the surrounding buildings and the exterior treatment should generally not draw attention to the building. Given the bulk of the gable, the selection of colour and material will be vital in reducing the visual impact of the built form

The location of services are not, and should be, illustrated on the plans. Services should be located discrete from the public realm view.

Re-use of the existing gate and retention of the existing colourbond fence at the south boundary of the property are supported. However, the fencing arrangements suggested for the created Lot 1 are not consistent with the heritage guidelines for scale, form and design.

The need for rear yard privacy is understood and it is recommended by way of compromise that the proposed fence be lowered to 900mm where the fence is opposite the house and 1500mm where the fence surrounds the backyard. The fence should be made semi-permeable by separating the palings from each other and where the original fencing has been retained the 1500mm paling fence should be erected inside the extant fence.

In considering the above advice, it is considered that the proposed subdivision and development presents an acceptable outcome and will not unreasonably impact the heritage significance of the site and surrounds. It is not considered appropriate to impose permeable fencing on the future residents of Lot 2 given the fence is existing and the need for privacy to the secluded private open space located within the front setback due to the siting of the dwelling to the rear of the allotment which reduces the bulk of the development in the streetscape.

#### Compliance with Clause 55 (ResCode)

Clause 55 of the Mount Alexander Planning Scheme applies to an application to develop two or more dwellings on a lot within the General Residential Zone.

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The primary focus of Clause 55, also referred to as “ResCode”, is a provision included in all Victorian Planning Schemes to prescribe requirements for the siting and design of residential development. The purpose of Clause 55 (ResCode) is:

- to implement the Municipal Planning Strategy and the Planning Policy Framework
- to achieve residential development that respects the existing neighbourhood character, or which contributes to a preferred neighbourhood character
- to encourage residential development that provides reasonable standards of amenity for existing and new resident.
- to encourage residential development that is responsive to the site and the neighbourhood.

The development must meet the requirements of Clause 55 (commonly known as ‘ResCode’). Whilst meeting the specified objectives is mandatory, satisfying the standards can be varied provided that the proposal satisfies the objective. The proposed development meets all of the standards and objectives of Clause 55 of the Mount Alexander Planning Scheme.

A condition has been included in the recommendation requiring the provision of a landscape plan to ensure compliance with the relevant provision of ResCode which seeks to ensure appropriate landscaping is provided to ensure new development respects the existing and preferred landscape character of a neighbourhood.

#### Compliance with Clause 56 (ResCode)

Clause 56 of the Mount Alexander Planning Scheme applies to an application to subdivide land in a General Residential Zone.

The primary focus of Clause 56, also referred to as “ResCode”, is a provision included in all Victorian Planning Schemes to prescribe requirements for the siting and design of residential subdivision. The purpose of Clause 56 (ResCode) is:

- to implement the Municipal Planning Strategy and the Planning Policy Framework
- to create liveable and sustainable neighbourhoods and urban places with character and identity
- to achieve residential subdivision outcomes that appropriately respond to the site and its context for regional cities and towns
- to ensure residential subdivision design appropriately provides for:
  - policy implementation. liveable and sustainable communities
  - residential lot design
  - urban landscape
  - access and mobility management
  - integrated water management
  - site management
  - utilities.

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The General Residential Zone specifies that a two-lot subdivision is not required to be assessed against all Clauses of ResCode. A two-lot subdivision must only be assessed Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2. The application has been assessed against and is considered to meet the relevant standards and objectives of Clause 56 (ResCode).

#### Clause 53.01 - Public Open Space

This Clause refers to the public open space contribution and provides that a person who proposes to subdivide land must make a monetary contribution to Council for public open space up to a maximum five percent of the site value if included in the schedule to this Clause.

Having regard to each of the relevant criteria under the Planning and Environment Act 1987, it is considered that there will not be a need for more open space and existing public open space as the site is unlikely to be further subdivided and a two-lot subdivision is exempt from a mandatory contribution.

#### Compliance with the Aboriginal Heritage Act

The *Aboriginal Heritage Act 2006* provides for the protection and management of Victoria's Aboriginal cultural heritage including processes linked to the Victorian planning system.

A planning permit cannot be issued until a Cultural Heritage Management Plan is approved, where required.

In this instance the site is within an area of cultural heritage sensitivity as it is located within 200m of a designated watercourse. Council Officers have confirmed that a two lot subdivision and the development of two dwellings as proposed is not a high impact activity as defined by the Aboriginal Heritage Regulations 2018. Therefore, a Cultural Heritage Management Plan is not required.

#### Clause 65.01 (Approval of a development application).

Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

- any significant effects the environment, including the contamination of land, may have on the use or development
- the Municipal Planning Strategy and the Planning Policy Framework
- the purpose of the zone, overlay or other provision
- any matter required to be considered in the zone, overlay or other provision
- the orderly planning of the area
- the effect on the environment, human health and amenity of the area
- the proximity of the land to any public land
- factors likely to cause or contribute to land degradation, salinity or reduce water quality
- whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site

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- the extent and character of native vegetation and the likelihood of its destruction
  - whether native vegetation is to be or can be protected, planted or allowed to regenerate
  - the degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard
  - the adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts
  - the impact the use or development will have on the current and future development and operation of the transport system.

Clause 65.02 (Approval of an application subdivide land).

In determining the application, Clause 65.02 provides a list of relevant decision guidelines to be considered for all applications. These are the following:

- the suitability of the land for subdivision
- the existing use and possible future development of the land and nearby land
- the availability of subdivided land in the locality, and the need for the creation of further lots
- the subdivision pattern having regard to the physical characteristics of the land including existing vegetation
- the density of the proposed development
- the area and dimensions of each lot in the subdivision.
- the availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas

The application is consistent with the decision guidelines of Clause 65.01 and 65.02 of the Scheme noting the application can be supported under the decision guidelines of Clause 65, as the proposed development is not contrary to the purposes of the Zone and Heritage Overlay which apply to the site and should not affect the amenity or orderly planning of the surrounding area.

### **Finance and Resource Implications**

The cost and time associated with representation should the matter proceed to the Victorian Civil and Administrative Tribunal (VCAT).

### **Alternate Options**

Council could resolve to issue a Notice of Decision to Grant a Planning Permit

### **Communication and Consultation**

Notice of the application was given in 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. Council received eighteen (18) objections from 15 properties.

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The following provides a response to the key issues raised in the objections.

- Neighbourhood character impacts

Consideration of any application must be assessed against the relevant provisions of the planning scheme and in this instance the planning controls and policies identified above encourage residential development in the General Residential Zone at a range of densities, which includes medium density housing. This intent is also reflected specifically in the purpose of that zone. However, in both planning policy framework and local policy, the strength of encouragement for medium density housing is greater the closer the site is located to an activity centre or other commercial and community facilities and reduces the further the site is located from necessary urban infrastructure.

The encouragement afforded by the zone and planning policies is counter-balanced by objectives that require development to be site responsive (ie. minimise landscape and vegetation impacts), and complementary to desired neighbourhood character.

Assessment of the degree of policy support for medium density housing is dependent upon a balancing of these sometimes-contradictory policy objectives. In this regard, a flat site with little vegetation located near an activity centre can be seen to have strong policy support for development in the form of medium density housing. A steep, heavily vegetated site, remotely located from services will have a significantly reduced level of policy support for medium density housing development. As each site is generally different, the degree of policy support for medium density housing will often vary depending upon the site's location, its individual characteristics, and its response to neighbourhood character.

It is acknowledged that the development as proposed includes the creation of a small allotment. Whilst this is not typical of the existing surrounding neighbourhood character, it is sympathetic with the preferred character having regard to the zoning of the site which allows intensification of dwelling densities.

Whilst the initial application was submitted as a vacant lot subdivision, concerns were raised by Officers in relation to the potential for a dwelling to be constructed on the site that is sympathetic with the existing and preferred neighbourhood character, and a design that does not unreasonably impact the heritage significance of the site and surrounds.

The application was amended to include the construction of a dwelling on the proposed allotment. The design of the dwelling has also been altered through discussions with Council Officers including Council's Heritage Advisor. The height of the proposed two storey dwelling is considered to be reasonable and generally accepted within a residential setting. The siting, form and height of the dwelling have been amended to reduce the visual bulk of the dwelling on the streetscape limiting impacts on the character and heritage significance of the site.

The proposed development has displayed compliance with the standards and objectives of Clause 55 which ensures infill residential development amenity impacts are considerate within the design of additional dwelling proposals.

On this basis the neighbourhood character impacts are considered appropriate.

- Heritage impacts and considerations

As discussed in the issues section above, the proposal responds appropriately to the relevant policy in relation to heritage contained within the Planning Policy Framework,

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and the decision guidelines of the Heritage Overlay which seeks (amongst other things) to ensure that development and subdivision of heritage places results in development that retains the rhythm and pattern of built form in the heritage streetscape and that views to significant heritage buildings from the public realm are retained. The application has been carefully considered by Council's Heritage Advisor who has consented to the application.

- Concerns were the inaccuracy of plans.

Concerns were raised in relation to the inaccuracy of the plans including the lack of levels, cut and fill. There was also concern that the development may result in tree removal which may not have been illustrated on the plans.

Following a consultation meeting between the applicant and objectors, the applicant supplied amended plans to clarify concerns in relation to inaccuracy of the plans. The plans were circulated to all parties, and form the basis of this recommendation. The amended plans also clarified that no tree removal is required to facilitate the development.

### Consultation

A consultation meeting was held on 15 August 2024 with objectors invited to discuss the application with the applicant and Council Officers. The following is a brief summary of key items discussed that required further consideration by parties:

- Consider the preparation of a detailed schedule of colours and finishes. Noting this is likely to be included as a condition on permit should the application be supported by Council.
  - There was a request that the applicant consider a reduction of visual bulk of the proposed dwelling such as an attic style dwelling.
  - There was a request that applicant consider increasing the lot size of the proposed lot.
  - The applicant is encouraged to ensure the location of existing trees on, and adjoining the site are accurately shown on the plans, and where required, Arboricultural advice sought to ensure trees to be retained will not be impacted by the proposal.

The applicant is encouraged to provide the following additional detail on the plans:

- overlay height
- detail for external finishes and materials
- detail in relation to proposed site cut and fill.

### **Referrals**

The following referrals were undertaken as part of the application.

#### External Referrals

- North Central Catchment Management Authority

North Central CMA, does not object to the granting of a permit, no conditions have been requested.

- 
- Goulburn Murray Water

GMW has no objection to this planning permit being granted, no conditions have been requested.

- Coliban Water

Coliban Water has no objection to this planning permit being granted, subject to conditions being placed on permit.

#### Internal Referrals

- Heritage:

Provided their consent to the application.

### **Legislation**

#### Planning and Environment Act 1987

The application has been considered in accordance with and against the requirement of the relevant sections of the *Planning and Environment Act 1987* and the Mount Alexander Planning Scheme. This detail has been discussed in the issues section above.

### **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

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### **9.3.2. 2024-2025 FINANCIAL REPORT QUARTER 1**

This Report is For Information

Responsible Director: Director Corporate Services, Julie Landy

Responsible Officer: Manager Finance, Keith Caldwell

Attachments: 1. Finance Management Report - September 2024 [9.3.2.1 - 23 pages]

#### **Executive Summary**

The purpose of this report is to present the Finance Report for the three-months ended 30 September 2024. This report was presented to the Audit and Risk Committee on 29 November 2024.

#### **RECOMMENDATION**

**That Council notes the Finance Report for the three-month period ended 30 September 2024.**

**MOVED COUNCILLOR HEYDON**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR CORDY**

**CARRIED.**

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## 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 Councillor Briefing and a Meeting of Council on a quarterly basis.

The Finance Report presented includes the following information:

- income statements
- statement of Capital Works in progress
- balance sheet
- financial ratios
- Investments
- cash flow statement.

## Issues

The Finance Report provides a snapshot of the year-to-date financial performance for the 2024/2025 financial year. The current budget includes adopted amounts for carry forward projects (capital projects, special projects, and operating items).

## Finance and Resource Implications

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

### Financial risk:

In developing the Annual Budget, Council is prudently and proactively managing its financial obligations, sustainability and risk. This 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).

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## **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 quarterly financial reporting regulations have been prescribed for the Act, Council 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.

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### **9.3.3. ANNUAL PLAN PROGRESS REPORT - QUARTER 1 2024/2025**

This Report is For Information

Responsible Director: Director Corporate Services, Julie Landy

Responsible Officer: Manager Finance, Keith Caldwell

Attachments: 1. Annual Plan Progress Report - Quarter 1 - September 2024  
[9.3.3.1 - 11 pages]

#### **Executive Summary**

This report provides an update on the status and progress of projects in the 2024/2025 Annual Plan to the end of September 2024.

#### **RECOMMENDATION**

**That Council notes the Annual Plan Progress Report 2024/2025 – Quarter 1.**

#### **MOVED COUNCILLOR HASTWELL**

**That the recommendation be adopted.**

#### **SECONDED COUNCILLOR DRISCOLL**

**CARRIED.**

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## **Context**

The Annual Plan outlines the actions for 2024/2025 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.

This is the final year of the Council Plan 2021-2025. Projects that are not completed by 30 June 2025 (quarter 4) will need to be considered as part of the Council Plan 2025-2029 process if they are to continue beyond 30 June 2025.

## **Issues**

The quarterly report will provide an update on:

- the status of each project
- its progress towards completion
- if completed, the date completed, which can be compared to the target completion date
- an overall comment.

Included in the 2024/2025 Annual Plan are 12 current year actions and five prior year actions.

## **Finance and Resource Implications**

Projects and initiatives contained in the Annual Plan are fully funded in the 2024/2025 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 in its achievement of Annual Plan actions.

## **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.

## **Gender Equity Statement**

It is considered that this report goes towards promoting gender equity principles as outlined in the Gender Equality Act 2020 and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality as set out in the Charter of Human Rights.

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## **Child Safe Standards**

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests. All children who come in contact with Councillors, employees, contractors and volunteers from the organisation have a right to be and feel safe. We have specific policies, procedures and training in place to support employees, volunteers and contractors to achieve these commitments. We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design and develop our services and activities.

## **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 2024/2025, 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 of 30 September 2024 of actions included in the fourth year of the Council Plan 2021-2025.

## **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.

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#### **9.3.4. CONSTRUCTION OF RETAINING WALL - CASTLEMAINE TRANSFER STATION**

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Michael Annear

Responsible Officer: Waste Management Officer, Michael Scott

Attachments: Nil

##### **Executive Summary**

This report seeks a Council resolution to approve the allocation and transfer of funds from the Waste Reserve for the construction of a new retaining wall at the Castlemaine Transfer Station. The works are required following an engineering investigation, which assessed the retaining wall as being structurally unsound and in need of repair or replacement to ensure safety and the uninterrupted operation of the site.

Based on these findings, a detailed replacement design was developed, and a public tender process was undertaken, with the preferred contractor selected in October 2024. The works are scheduled to be completed by the end of 2024.

##### **RECOMMENDATION**

**That Council approves the allocation and transfer of \$125,925 (excl. GST) from the Waste Reserve to fund the construction of a retaining wall at the Castlemaine Transfer Station.**

**MOVED COUNCILLOR HEYDON**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR WALKER**

**CARRIED.**

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## Context

In the middle of 2023, Council's Manager Engineering assessed the state of the retaining wall at the Castlemaine Transfer Station. The assessment concluded, that while it was not likely to cause an immediate safety concern, the wall was structurally unsound and in need of repair or replacement.

Based on this advice, McClure Civil Management (MCM) were engaged to conduct a dilapidation report on the retaining wall at the Castlemaine Transfer Station. The scope involved reviewing and documenting the wall's existing conditions. During the site inspection, MCM noted structural deterioration, including bulging and bowing, large cracks, spalling masonry, missing blocks and exposed reinforcement. The observed deterioration suggested that the wall posed a safety risk in its current condition.

MCM advised that a survey and geotechnical investigation was required to support the final engineering design. Additionally, due to signs of corrosion and material degradation, they recommended contaminant testing to determine necessary exposure classification for future concrete reinforcement.

## Issues

In response to the structural concerns identified, the following actions were undertaken:

### January 2024 – Soil testing, retaining wall design and Certificate of Compliance

MCM were engaged to provide a geotechnical site investigation at the Castlemaine Transfer Station, aligned with AS1726-2017 standards. The scope included service location, borehole drilling, Dynamic Cone Penetrometer (DCP) and Standard Penetration Tests (SPT), and corrosivity testing on soil samples. They also undertook a Level 1 Site Survey to document existing site features such as levels, contours, and the retaining wall's alignment. The total cost for these services was \$5,230 (ex GST).

Additionally, MCM provided Council structural engineering services to design the replacement retaining wall. MCM's services included collaboration on design details, production of construction plans and structural certification. The total cost for these services was \$2,200 (excl. GST).

### April 2024 – Request for Quote for construction of a retaining wall

Quotes were sought through Council's M1546-2021 Hire of Plant and Equipment and Conduct Minor Civil Works panel contract. Two quotes were received; however, upon evaluation, both were found to be significantly over budget and offered poor value for money. Therefore, it was agreed that a public tender would be more successful in attracting better value for money.

### August 2024 – A request for Tender was publicly advertised

A request for tender was publicly advertised and released on MASC's eProcure portal. At closing, 16 conforming tenders were received. The tender evaluation panel recommended a preferred tenderer, which was approved by the Director of Infrastructure and Development on 18 October 2024.

To ensure the best outcome for the community and address the safety and operational concerns at the Castlemaine Transfer Station, the Director of Infrastructure Development approved the awarding of Contract M1808-2024Q (Construction of a Retaining Wall) to Dredge Earthmoving for a lump sum amount of \$109,500 (excl. GST), with a project contingency of \$16,425 (excl. GST). The decision was made to secure the contractor and allow the contractor to order materials for the works to be completed in 2024.

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## Finance and Resource Implications

As per the Financial Reserves Policy 2023, in the instance where there may be a requirement to transfer funds from a reserve for purposes not foreseen when the budget was developed, any such transfer from a reserve for purposes outside of the budget must be approved by the Chief Executive Officer or a Council resolution. In cases where the transfer from the reserve is more than \$20,000, the transfer must be approved by Council resolution.

The Waste Reserve, which currently holds a balance of \$8.5 million, is funded annually from the surplus of waste operations, including the household waste levy. This reserve is designated not only for addressing critical infrastructure needs, such as essential repair works, but also for future services and capital investments aimed at improving resource recovery. This ensures the long-term sustainability and enhancement of waste management services for the community.

It is recommended that Council approve the allocation and transfer of \$125,925 (excl. GST) for the construction of the retaining wall at the Castlemaine Transfer Station.

## Risk Analysis

### Financial Risk:

As outlined in Council's Risk Appetite Statement:

We have a **low appetite** for not managing our financial position. We will plan for short term and long-term financial sustainability, ensuring that our future financial position is managed while investing in projects, programs, and initiatives that will provide increased benefit to the current community.

**Key Risk:** Delays in repairing or rebuilding the retaining wall may lead to additional expenses. If the wall collapses, significant clean-up efforts will be required and transfer station operations will be disrupted, resulting in increased costs and lost revenue.

**Mitigation:** Investing in timely repairs will allow for efficient planning and execution of the work, minimising disruption to transfer station operations. Proactive repair efforts will reduce the risk of further damage, lower clean-up costs and help avoid prolonged operational downtime.

**Residual Risk: Low**

### Business Continuity Risk:

**Key Risk:** If the retaining wall fails and cannot be used, it will significantly impact the operation of the Castlemaine Transfer Station until it is rebuilt. Public access may be restricted and additional staff hours will be required to manage safe access to the site. Kerbside processing and transport will be prioritised over public access, which could affect residents who do not have kerbside collection services.

**Mitigation:** Proactively scheduling the rebuilding of the retaining wall during a planned lower-traffic period will help minimise disruption to transfer station operations. This approach will reduce the impact on public access, allow for more efficient management of resources and ensure minimal interruption to essential services.

**Residual Risk: Low**

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### Reputation Risk:

As outlined in Council's Risk Appetite Statement:

Council has a **low appetite** for the actions of internal or external parties that may harm our reputation with staff, volunteers, contractors, property owners, customers, clients, the community, government at all levels, and other key stakeholders.

Key Risk: An unexpected failure of the retaining wall could become widely known, damaging Council's reputation for failing to maintain its assets and provide an adequate level of service to the community.

Mitigation: Timely maintenance and repair of the retaining wall will demonstrate Council's commitment to asset management and ensure continued, reliable service to the community, thereby protecting its reputation.

Residual Risk: **Low**

### Safety Risk:

As outlined in Council's Risk Appetite Statement:

Our number one priority is the safety and wellbeing of our staff, volunteers, contractors, property owners, customers, clients, and community.

We have **no appetite** for any practices and/or behaviours that are likely to harm our Councillors, staff, contractors, and volunteers when they are working on behalf of the organisation, or customers or clients in our care.

Key Risk: Collapse of the existing retaining wall could result in harm to staff and public.

Mitigation: Transfer station staff have implemented control measures to ensure the safety of all individuals. Bulk bins are strategically placed against the deteriorating wall to serve as a barrier, preventing staff and the public from entering the restricted area. Regular inspections and maintenance are conducted to monitor the wall's condition, with clear signage in place to warn of potential hazards.

Residual Risk: **Low**

### **Climate Impact Statement**

If left in disrepair, future repair work at the time of structural failure would result in extra resources, namely, concrete and steel. The embodied energy and water in concrete and steel is significant.

The existing steel railing which is used to prevent falls from heights can be reused, however, this is not an option that will remain in the long term. Over time, if the works are not scheduled, the current wear and tear to the railing could mean the railing could not be reused and new virgin material would be needed to affix a new railing system.

### **Gender Equity Statement**

It is considered that this report goes towards promoting gender equity as outlined in the *Gender Equity Act 2020*. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality, as set out in the Charter of Human Rights.

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## **Alternate Options**

Council could delay the repair of the retaining wall, to align with future redevelopment of the site. This approach is not the preferred option, as the risk of a dangerous or disruptive outcome increases over time. The potential Transfer Station redevelopment is not anticipated to commence for at least 12 months.

## **Communication and Consultation**

Consultation with the Manager Finance has been undertaken. Particularly regarding how the waste reserve can be utilised to fund important repair works such as this.

## **Legislation**

### Local Government Act 2020

In relation to service performance as part of Council operations, the Act stipulates that 'services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community', and 'services should be accessible to the members of the municipal community for whom the services are intended' part 5 division 1, 106, 2(a).

Failure of the retaining wall would negatively impact on our ability to meet our responsibilities to the community to provide an essential service in an accessible and equitable way.

### Occupational Health and Safety Regulations 2017

The Victorian Occupational Health and Safety Regulation 2017 mandates the implementation of safety measures to protect employees, contractors, customers and other visitors to the transfer station. These regulations require a thorough risk assessment to identify potential hazards associated with a site, such as falling debris, equipment operation and site stability. The retaining wall has been assessed and requires rebuilding to provide a safe site and avoid further deterioration.

## **Strategies and Policy Impacts**

### Council Plan 2021-2025

Community - A healthy, connected and inclusive community.

Services in our community are accessible and coordinated.

To provide continuity for the accessibility of Council waste services, it is critical that Council repairs/ rebuilds the retaining wall in a planned manner as soon as practicable, to avoid the disruption that may occur should further deterioration of the wall occur.

## **Child Safe Standards**

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests.

All children who come in contact with Councillors, employees, contractors and volunteers from the organisation, have a right to be and feel safe. We have specific policies, procedures and training in place to support employees, volunteers and contractors to achieve these commitments.

We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design and develop our services and activities.

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### **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.

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### **9.3.5. SCHEDULE OF MEETINGS OF COUNCIL FOR 2025**

This Report is For Decision

Responsible Director: Director Corporate Services, Julie Landy  
Responsible Officer: Governance Coordinator, Augustine Sheppard  
Attachments: Nil

#### **Executive Summary**

At or before the last Meeting of each calendar year, Council must fix the date, time and place of all scheduled Meetings of Council for the following calendar year.

The schedule of Meetings of Council must be posted on the Council website and be available from Council's Customer Service Centres.

#### **RECOMMENDATION**

**That Council:**

- 1. Adopts the following time, dates and location as the schedule for Meetings of Council in 2025:**
  - **6.30 pm, 18 February 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 18 March 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 15 April 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 20 May 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 17 June 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 15 July 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 19 August 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 16 September 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 21 October 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 18 November 2025, Council Chamber, Lyttleton Street, Castlemaine**
  - **6.30 pm, 16 December 2025, Council Chamber, Lyttleton Street, Castlemaine**
- 2. Notes that the schedule will be included in Council's column in the Midland Express and on Council's website, and available from the Customer Service Desk.**

**MOVED COUNCILLOR DRISCOLL**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR MALTBY**

**CARRIED.**

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## Context

Mount Alexander Shire Council's Governance Rules 2023 require that:

### 8.1 *Scheduled Meetings*

- 8.1.1 *At or before the last Meeting each calendar year, Council must fix the date, time and place of all Council Meetings and any Delegated Committee Meetings for the following calendar year.*
- 8.1.2 *The schedule of Council Meetings must be posted on the Council website and also be available from Council's Customer Service Centres.*
- 8.1.3 *The public must be given at least seven days' notice of all Meetings by notice posted on the Council website.*
- 8.1.4 *The Council, or the CEO, may change the date, time and place of any Council Meeting and must provide as much notice as possible of the change to the public via the Council website, as outlined in the criteria in clause 8.2.1 (b) and (c).*

Clause 8.2.1 (b) and (c) of the Governance Rules 2023 are referred to below.

Council further complies with the Governance Rules by including the adopted meeting schedule in Council's column in the Midland Express and listing the schedule on Council's website. In addition, Council's weekly column in the Midland Express includes the date and time of the next Council Meeting.

Additional Unscheduled Meetings of Council may also be called throughout the year in accordance with Section 8.2 of the Governance Rules 2023.

### 8.2 *Unscheduled Meetings*

#### 8.2.1 *An unscheduled Meeting of Council may be called by:*

- (a) *resolution of Council*
- (b) *written notice by the Mayor and supported by three Councillors*
- (c) *the CEO following consultation with the Mayor.*

## Issues

The meeting frequency for the Scheduled Meetings of Council for the past six years has been monthly and has occurred on the third Tuesday of the month commencing at 6.30 pm within the Council Chamber at Lyttleton Street, Castlemaine. No meeting is held in the month of January.

Monthly Scheduled Meetings of Council have proven effective in maintaining the timely transacting of Council business, while also enabling Councillors to be thoroughly briefed on matters before they are formally considered.

Council has on occasions conducted meetings in other facilities located throughout the Shire. While this has offered the possibility for new community members to attend meetings, the community response has been limited and all venues, other than the preferred Council Chamber in Castlemaine, have considerable challenges regarding acoustics. Remaining at the Castlemaine Council Chamber also enables live streaming of the Meetings.

Live streaming of Meetings of Council began over four years ago to improve accessibility and transparency around decision making. The Governance Team and Engagement and Customer Experience Team have worked to improve the audio-visual quality of the live streams as technology has improved vastly since this process began.

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The proposed schedule for 2025 retains the commitment to monthly Meetings of Council commencing in February.

*Proposed Scheduled Meetings for 2025 are:*

| <b>Date</b>       | <b>Time</b> |
|-------------------|-------------|
| 18 February 2025  | 6.30 pm     |
| 18 March 2025     | 6.30 pm     |
| 15 April 2025     | 6.30 pm     |
| 20 May 2025       | 6.30 pm     |
| 17 June 2025      | 6.30 pm     |
| 15 July 2025      | 6.30 pm     |
| 19 August 2025    | 6.30 pm     |
| 16 September 2025 | 6.30 pm     |
| 21 October 2025   | 6.30 pm     |
| 18 November 2025  | 6.30 pm     |
| 16 December 2025  | 6.30 pm     |

In order for Councillors to make informed decisions at Meetings of Council, Councillor Briefing Sessions are scheduled on the first, second and fourth Tuesday of the month.

### **Finance and Resource Implications**

All costs associated with the operation of Meetings of Council are included in normal operating budgets.

### **Risk Analysis**

If Council does not adopt a meeting schedule for 2025, it may be non-compliant with section 9(2)(l) of the *Local Government Act 2020 - the transparency of Council decisions, actions and information is to be ensured* and would be non-compliant with section 8.1 of the Governance Rules 2023.

### **Climate Impact Statement**

Nil.

### **Alternate Options**

Councillors may wish to amend the proposed dates, frequency, commencement time and/or location of Scheduled Meetings of Council in 2025. Should Council wish to do so, it is recommended that a consistent time of day and frequency be adopted to best enable the community to plan for upcoming meetings and to enable staff to plan for briefing Councillors on matters on the agenda.

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## **Communication and Consultation**

Nil.

## **Legislation**

Local Government Act 2020

## **Strategies and Policy Impacts**

Council Plan 2021-2025

*Community - A healthy, connected and inclusive community*

Services in our community are accessible and coordinated.

## **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

Meetings Attended by CEO and Mayor from 16 October 2024 to 17 December 2024.

| MEETING  | CEO | MAYOR |
|--|-----|-------|
| Attended meeting of Chief Executive Officers from four Loddon Campaspe councils and representatives from Department of Jobs, Skills, Industry and Regions to discuss proposed regional tourism network (Visitor Economy Partnership)                       | ✓   |       |
| Attended Municipal Association of Victoria's monthly connect meeting for CEOs  | ✓   |       |
| Gold Central Vic radio interview   | ✓   |       |
| Attended joint State / Local Government CEOs forum   | ✓   |       |
| Gold Central Vic radio interview   | ✓   |       |
| Attended Indigenous Roundtable's 10-year celebration (Lisa Knight, Director Healthy Communities; Michael Annear, Director Infrastructure and Development also in attendance)   | ✓   |       |
| Gold Central Vic radio interview   | ✓   |       |
| Attended Municipal Association of Victoria's monthly connect meeting for CEOs  | ✓   |       |
| Gold Central Vic radio interview   | ✓   |       |
| Meeting with Maree Edwards MP to discuss matters of common interest for Mount Alexander Shire  | ✓   |       |
| Attended Loddon Campaspe Councils CEOs meeting   | ✓   |       |
| Meeting with developer to discuss flooding design for Harcourt (Michael Annear, Director Infrastructure and Development also in attendance)  | ✓   |       |
| Meeting with Regional Director, Regional Development Victoria to discuss Mount Alexander Shire Council's affordable housing projects (Clare Richards, Housing Solutions Broker also in attendance)   | ✓   |       |
| Attended Mount Alexander Shire Youth Awards  |     | ✓     |
| Joint meeting of Executive Teams from Coliban Water and Mount Alexander Shire Council (Lisa Knight, Director Healthy Communities; Julie Landy, Director Corporate Services and Michael Annear, Director Infrastructure and Development also in attendance) | ✓   |       |
| Gold Central Vic radio interview   | ✓   |       |

| MEETING   | CEO | MAYOR |
|---|-----|-------|
| Attended launch of the Economic Development Strategy - Film and Key Note Presentation (Cr Rosalie Hastwell; Cr Lucas Maddock; Cr Matthew Driscoll; Cr Phillip Walker; Lisa Knight, Director Healthy Communities; Julie Landy, Director Corporate Services and Michael Annear, Director Infrastructure and Development also in attendance) | ✓   |       |
| Attended joint State / Local Government CEOs forum  | ✓   |       |
| Attended Loddon Campaspe Councils CEOs meeting  | ✓   |       |
| Attended official opening by Maree Edwards MP of Bill Woodfull Recreation Reserve All Gender (Female Friendly) Facilities (Cr Rosalie Hastwell; Julie Landy, Director Corporate Services; Michael Annear, Director Infrastructure and Development also in attendance)   | ✓   |       |
| Meeting with Maree Edwards MP to discuss matters of common interest for Mount Alexander Shire   | ✓   |       |
| Gold Central Vic radio interview  | ✓   |       |
| Attended Castlemaine Secondary College's Awards Ceremony where Dux Awards were presented by Mayor, Rosie Annear and Deputy Mayor, Toby Heydon   | ✓   | ✓     |
| Attended funding announcement by Lisa Chesters MP for the Forest Creek Revitalisation Project (Deputy Mayor, Toby Heydon also in attendance)  |     | ✓     |
| Meeting with Department of Education and Victorian School Building Authority representatives to discuss Ety Street site   | ✓   |       |
| Attended Municipal Association of Victoria's monthly connect meeting for CEOs   | ✓   |       |
| Attended opening of refurbished Castlemaine SES Headquarters (Deputy Mayor, Toby Heydon also in attendance)   | ✓   |       |
| Meeting with Chief Executive Officer; Strategy Consultant; and Head of Development from Haven, Home Safe to discuss potential funding opportunities for affordable housing in Mount Alexander Shire (Clare Richards, Housing Solutions Broker also in attendance)   | ✓   |       |
| Gold Central Vic radio interview  | ✓   |       |
| Attended Municipal Association of Victoria's Mayoral Training (2-day course in Melbourne)   |     | ✓     |

Councillor Cordy spoke of attending the Harcourt Christmas Carols and of the Calder Highway Improvement Committee's recent meeting.

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Councillor Heydon spoke of attending the funding announcement of the Urban Waterways Project at Ten Foot Bridge in Castlemaine, as well as the completion of Stage 1 of the refurbishment of the SES building at Scotts Avenue.

Councillor Hastwell spoke of attending community Christmas celebrations at the Maldon Golf Club and Maldon Bowls Club; she also attended the opening of the Bill Woodful Reserve Pavilion.

Councillor Driscoll spoke of attending the Muckleford Community Christmas event and an event acknowledging the award won by Council's Economic Development Strategy at the Theatre Royal in Castlemaine.

Councillor Maddock spoke of attending the Mount Alexander Shire Youth Awards.

Councillor Walker spoke of attending the Fryerstown School Trivia Night, the Taradale Christmas party, the Elphinstone Christmas party, the Djaara Mountain Day at Mount Franklin and the Monster Meeting with Maree Edwards MP and Councillor Heydon.

## **11. NOTICES OF MOTION**

### **11.1. Notice of Motion 2024/004 – Flexible Learning Options Program 2025**

MOVED COUNCILLOR MADDOCK

That Council:

1. Writes to the Hon. Maree Edwards, Member for Bendigo West; the Hon. Amanda Rishworth, Minister for Social Services; and the Hon. Ben Carroll MP, Minister for Education to express concerns regarding changes to Castlemaine Secondary College (CSC) Flexible Learning Options (FLO) program in 2025. Concerns include that because of the changes, CSC may not be able to provide the same level of flexible learning options in 2025 as 2024 and that this may disadvantage some current and prospective FLO students and result in increased risk of school disengagement among our most at-risk young people.
2. Seeks assurances from the above that no student will be disadvantaged and that services and opportunities for our most vulnerable young people will not be reduced as a result of these changes.
3. Seeks assurances from the above that there will be no additional burden placed on non-school community services as a result of these changes.

SECONDED COUNCILLOR CORDY

NOT CARRIED

### **COUNCILLOR CORDY CALLED FOR A DIVISION.**

Councillors for:

Maddock, Cordy, Annear

Councillors against

Hastwell, Driscoll, Maltby, Walker, Heydon

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## **Rationale**

It has been acknowledged that there are possible significant changes to the Castlemaine Secondary College (CSC) Flexible Learning Options (FLO) program in 2025, including some cuts in available places and a relocation of the program from the ETTY St Campus to the Blakeley Rd Campus.

There are concerns that these changes, though presenting possible advantages to some FLO students, may mean that CSC is not able to provide the same level of flexible learning options in 2025 and that this may disadvantage some current and prospective FLO students and result in increased risk of school disengagement among our most at-risk young people.

Concerns have been raised about any reduction in local services, especially where these relate to our most vulnerable and at-need community members.

## **Officer Comment**

Decisions about operational matters, such as the delivery of school programs and curriculum at Castlemaine Secondary College, are the responsibility of the School Principal and the Victorian Government's Department of Education.

It is understood that the decision made by the Principal, with the knowledge of the Department of Education, regarding the relocation of the Flexible Learning Opportunity (FLO) program from ETTY Street to the Blakeley Road campus was based on a number of considerations. This included the opportunity to provide a better level of support and more learning options for current FLO students.

Council may wish to consider taking guidance on its potential role in this State Government matter from the adopted Council policy titled 'Establishing Formal Positions of Council'. This policy was developed to ensure that Council's limited resources are only applied in situations where:

- Its efforts will likely have an impact on decision-makers;
- The matter is a relative high priority for Council compared with other Council matters and is based on a position established in adopted plans and strategies; and
- The establishment of a well-informed position can be achieved and it is not disproportionately cost or resource intensive to do so.

Given the complexity of this matter, it is suggested that Council is not in a position to readily form its own view on whether or not the Principal's decision in relation to the relocation of the FLO program is more or less beneficial to the students. It is evident from discussions with the Principal however that the decision was made after careful consideration of the circumstances and that there remains confidence (by the decision-makers) it is the correct one.

## **12. URGENT SPECIAL BUSINESS**

### **MOVED COUNCILLOR MALTBY**

**That Urgent Special Business be considered for the Active Transport Fund.**

### **SECONDED COUNCILLOR HEYDON**

**CARRIED.**

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## 12.1 Opportunity - Active Transport Fund

This Report is For Decision

Responsible Director: Director Infrastructure and Development, Michael Annear  
Responsible Officer: Manager Parks, Recreation and Community Facilities, Karen Evennett  
Attachments: Nil.

### **Executive Summary**

Council has the opportunity to apply for a grant via the Federal Government's Active Transport Fund, for the design and construction of a shared pathway linking McKenzie Hill to Parker Street via the Castlemaine Train Station. This project aligns with Goal 2 of Council's Active Transport Strategy, to develop and deliver safe, connected and sustainable active transport infrastructure.

The purpose of this report is for Council to consider a total pre-commitment of \$752,644 from future Council budgets, over four years, to deliver the project from McKenzie Hill to Parker Street, Castlemaine which is an important infrastructure project for the community.

### **RECOMMENDATION**

**That Council:**

- 1. Approves Council officers to make an application to the Federal Government Active Transport Fund for the design and construction of a shared pathway for cyclists and pedestrians from Ireland Street, McKenzie Hill to Parker Street, Castlemaine via the Castlemaine Train Station.**
- 2. Approves a total pre-commitment of \$752,644 from future Council budgets, which equates to \$188,161 per year from 2025/2026 to 2028/2029.**
- 3. Approves the Chief Executive Officer, to provide a letter to be attached the Active Transport Fund grant application confirming a financial contribution of \$752,644 from Council.**

**MOVED COUNCILLOR HEYDON**

**That the recommendation be adopted.**

**SECONDED COUNCILLOR MALTBY**

**CARRIED.**

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## **Context**

### Opportunity - Active Transport Fund

The Active Transport Fund is a new Federal Government fund that aims to provide funding for the design and construction of new bicycle and walking pathways, and for the upgrade of existing pathways, for the purpose of encouraging the use of active transport.

The program is an application-based, merit-assessed funding program, open to all State and Territory governments and Local Government Authorities (LGAs). The fund has two streams: design and construction or construction only. Applications must be for bicycling and/or walking pathways, and must address at least one of the program's focus areas:

- Road safety
- Reducing transport emissions
- Active and liveable communities

The fund will offer up to \$5,000,000 per application and applicants are only eligible to submit a single application. A co-contribution of 50% is required for State and Territory government applicants, however LGAs, and in particular regional LGAs, are invited to make a case to lower the co-contribution. While not official, the grant administrators have indicated they are open to receive applications that outline a co-contribution of one fifth or 4:1.

The application is due on the 13 January 2025, funding announcements are expected in April 2025, and the project delivery timeline for design and construct projects are as follows (all timeframes are measured from the date the grant agreement is signed):

- Design Completion: 12 months
- Construction Commencement: 24 months
- Construction Completion: 48 months

### Background – Capital Works Funding

Council's capital works budget is utilised each year for a combination of renewal of Council's existing assets, and delivery of new assets from across Council's asset portfolio, including (but not limited to), roads, bridges, footpaths, buildings and sports and recreation facilities.

The Executive Team presents to Council annually, recommended priorities which are determined via Council's asset management plans for renewal projects, and via master plans and strategies for new projects. The renewal of existing assets to ensure their ongoing operation and usability is prioritised. As many capital works projects rely on a combination of Council funding and external funding, the deliverability of projects is often achieved through State and Federal Government grant programs.

In recent years, Council has been successful in receiving grant funding for a range of capital works projects, enabling an ongoing ability to deliver new infrastructure.

Over the last 12 months, there has been a significant decrease in State Government funding, making it critical for Council to be investment ready, and in a strong position to compete for any funding opportunities that may arise that will support delivery of key projects.

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## Background – Active Transport Strategy

Mount Alexander Shire Council's Active Transport Strategy was developed to improve active transport participation within the shire over the next decade. The strategy is informed by several themes which emerged from community consultation, guidance from peak body organisations, and transport, safety, recreation, and infrastructure standards. The identified themes are safety, public and community transport connection, new residential areas, emerging modes of transport, health and wellbeing, and intergenerational considerations.

The strategy is guided by three overarching goals:

- Goal 1: Increase active transport awareness
- Goal 2: Develop and deliver safe, connected and sustainable active transport infrastructure
- Goal 3: Enhance community health and wellbeing outcomes through active transport activities.

The grant opportunity described above will contribute towards Goal 2 of the strategy, which prioritises the delivery of improved connection opportunities and a safer environment to promote increased participation. The strategy highlights the importance of establishing active transport routes, to provide an environment where people feel confident, safe, and encouraged to participate in active transport activities.

External funding is required to achieve the goal of establishing safe active transport routes and encouraging the use of active transport.

## Overall Shared Cycling and Walking Pathway

The overall shared cycling and walking pathway includes connecting the growth area of McKenzie Hill to Castlemaine Railway Station, and through to Castlemaine Secondary College.

McKenzie Hill is the fastest growing area in the Shire, and the limited active transport infrastructure, creates a barrier to residents wishing to cycle safely to the Castlemaine central business district and the Castlemaine Railway Station. While students who attend Castlemaine Secondary College, do not currently have access to a safe route to ride to school. As a result, they are either driven to school or use routes that are unsafe because of poor visibility, narrow and/or uneven shoulders, and unavoidable interactions with vehicular traffic. Traffic congestion around the school at drop-off and pick-up times in turn, exacerbates the danger to students travelling on bikes and on foot.

This route is highlighted in Council's Active Transport Strategy Aspirational Maps, as a priority route to connect a high growth area to key community services, supporting commuting to the train station, the central business district, and several schools, including the secondary college. Community feedback received during the consultation phase of the Active Transport Strategy development, highlighted a strong community need for active transport facilities along this route.

This route also aligns with the State Cycling Corridor, which is developed and maintained by the Department of Transport and Planning and utilised as an advocacy tool for State Government budget consideration. In addition, the route aligns with the State Government's Movement and Place framework, which recognises the need to balance the needs of both transport users and place users, and design a mix of transport modes that are appropriate to how the road and places are used by communities.

Due to the length and cost of the shared cycling and walking pathway proposed in the Active Transport Strategy, it is likely that this will be implemented in stages. At present two stages have been identified:

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- Stage 1: Ireland Street, McKenzie Hill to Parker Street, Castlemaine (via Castlemaine Train Station)
  - Stage 2: Parker Street to Castlemaine Secondary College (via Hargreaves Street)

It should be noted, the proposed project to submit to the Active Transport Fund is Stage 1 of a two stage project, a shared pathway for pedestrians and cyclists along the following routes:

Stage 1 (proposed grant scope):

Stage 1 consists of the design and construction of a shared pathway linking McKenzie Hill to Parker Street via the Castlemaine Train Station. The construction of a shared pathway will allow residents to safely utilise active transport to access:

- Childcare centres (in particular Nurture One on Ray Street and Castlemaine Child Care Cooperative (Carinya) on Templeton Street).
- Primary schools (Winters Flat and Castlemaine North).
- Castlemaine Railway Station and retail and hospitality businesses in the Castlemaine town centre.
- Castlemaine Secondary College.

The project will provide a safe route from McKenzie Hill through to Parker Street. Students residing in Campbells Creek, Norwood Hill, the West End, the Castlemaine Town Centre and the Castlemaine Botanic Gardens and Mill Precinct, will also be able to access this route to travel safely to school.

By providing safe infrastructure for active transport users, the project has the potential to improve the overall health and wellbeing of many Castlemaine residents.

### **Issues**

Funding opportunities such as the Active Transport Fund are rare. There are few grants for which active transport infrastructure projects are eligible. Grants that fund the design stage of any infrastructure project are equally rare. Annual grants, such as Transport Accident Commission (TAC) Local Government Grants, are capped at \$100,000 for infrastructure projects and \$30,000 for design projects.

As previously outlined, to make a submission to this grant, Council will need to commit a cash co-contribution. This commitment will need to be confirmed via a letter from the Chief Executive Officer. The stated co-contribution for the grant is 1:1. However, the funding guidelines state that LGA's, and in particular regional LGAs, are invited to negotiate a more affordable ratio. This ratio is unlikely to be less than 4:1.

There is often a misalignment in timing between grant submission deadlines and the Council budget process. In order to address this issue and to ensure that Council can maximise external funding opportunities, in 2019 Council approved an external grant process which enabled Council officers to request that Councillors consider pre-committing funds from future budgets, to allow for the submission of grant applications, with the understanding that the funding can only be accessed should the grant application be successful. Requests for pre-commitments up to \$20,000 can be considered by the Executive Leadership Team. Requests greater than \$20,000 require Council consideration.

The current Pathways Asset Management Plan has modelled renewal needs only. The plan is due for review in the financial year 2025/2026, during which, modelling on investment in new and upgraded pathways will be undertaken. Without this guidance, consideration of the impact of the required co-contribution for this project has been made within the context of a tight annual budget, where the priority is to maintain and where possible, increase allocations towards the renewal of existing assets. This has led Council officers to recommendation applying for Stage 1 of the overall project, that being the proposed shared use pathway between McKenzie Hill to Parker Street. Council officers recommend making a grant application for Stage 1, to maximise available grant funding. The costing for each stage is provided in Table 1 below.

It is further recommended to implement the stage across multiple years, taking advantage of the four-year delivery timeline and to reduce the impact to Council. There could also be potential during that four-year period, to attract State Government funding for the project, which would reduce the Council commitment.

### Finance and Resource Implications

Council's capital works budget funds renewal and new projects. Modelling and financial forecasting included in the Asset Management Plans, outlines the amount of funding required to ensure Council's existing asset portfolio is maintained, to deliver on adopted levels of service. This requirement is also used to inform Council's, Long Term Financial Plan.

Prior to the development of the Asset Management Plans, a significant percentage of the renewal budget was being allocated to fund new projects. This imbalance is gradually being rectified to ensure that existing assets are maintained for ongoing use by the community. As a result, the percentage of the capital works budget allocation to new assets is limited. This has an impact on the number of new capital projects, that Council can afford to fund each year and highlights the need to capitalise on funding opportunities, to double or triple the Council commitment, whilst emphasising the importance of careful consideration when committing Council funds for grant applications.

The estimated cost for the overall project is \$3,763,218. Working on the basis that Council can negotiate a co-contribution of 4:1, the total grant amount requested will be \$3,010,574 and the Council co-contribution will be \$752,644 or \$188,161 per year. All costs are based on 2024 prices, as this project will be implemented over four years, the total cost will be impacted by inflation and commodity increases. Adjustments for such increases will be made within the preparation and Council approval of annual budgets

Table 1. Project costs overall and per stage – 4:1 funding ratio

| Description   | Council Contribution |                | Grant Amount \$  | Total \$         |
|---|----------------------|----------------|------------------|------------------|
|   | \$ total             | \$ per year    |                  |                  |
| <b>Proposed Grant</b><br><b>Stage 1: McKenzie Hill to Parker Street</b> | <b>752,644</b>       | <b>188,161</b> | <b>3,010,574</b> | <b>3,763,218</b> |
| <i>For Information</i><br>Stage 2: Parker Street to                     | 410,897              | 102,724        | 1,643,590        | 2,054,487        |

|   |           |         |           |           |
|---|-----------|---------|-----------|-----------|
| Castlemaine Secondary College   |           |         |           |           |
| <i>For Information</i>  | 1,163,541 | 290,885 | 4,654,165 | 5,817,706 |
| Total identified shared use pathway as per the Transport Strategy: McKenzie Hill to Castlemaine Secondary College |           |         |           |           |

## Risk Analysis

### Financial Risk:

As outlined in Council's Risk Appetite Statement:

We have a **low appetite** for not managing our financial position. We will plan for short term and long-term financial sustainability, ensuring that our future financial position is well managed while investing in projects, programs, and initiatives that will provide increased benefit to the current community.

Key Risk: By pre-committing funds to this grant opportunity, Council are locking themselves into a position where they are pre-committing a percentage of the capital works, which could preclude Council from committing funds to other high priority works.

Mitigation: Splitting the contribution over a four-year period, helps to minimise the impact on the overall capital works budget, whilst delivering an important project to support population growth and health outcomes for residents. Spreading the contribution will provide opportunities over the four-year period to apply for State Government funding, which would reduce the Council commitment.

Residual Risk: **Low**

### Reputation Risk:

As outlined in Council's Risk Appetite Statement:

Council has a **low appetite** for the actions of internal or external parties that may harm our reputation with staff, volunteers, contractors, property owners, customers, clients, the community, government at all levels, and other key stakeholders.

Key Risk: Council endorsed the Active Transport Strategy in 2023. Consultation undertaken during the development of the strategy, included overwhelming feedback for Council to deliver on shared pathways and active transport infrastructure throughout our townships, and in particular Castlemaine. By not making an application to one of the few external funding opportunities available, there could be a public perception that Council is not willing to deliver on this community need.

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Mitigation: Council agreeing to make a submission and pre-commit funding to support the grant submission will mitigate this risk, whilst sending a clear message that Council listens to and acts on community feedback.

Residual Risk: **Low**

Safety Risk:

As outlined in Council's Risk Appetite Statement:

Our number one priority is the safety and wellbeing of our staff, volunteers, contractors, property owners, customers, clients, and community. We have **no appetite** for any practices and/or behaviours, that are likely to harm our Councillors, staff, contractors, and volunteers when they are working on behalf of the organisation, or customers or clients in our care.

Key Risk: As population continues to grow in the McKenzie Hill area, the risk to pedestrians and cyclists is heightened and the lack of suitable active transport infrastructure, may result in a serious or fatal road accident.

Mitigation: If successful in receiving the grant money, the project will proceed and deliver infrastructure to support safety for all road users, including pedestrians and cyclists.

Residual Risk: **Low**

**Climate Impact Statement**

Increasing active transport participation of community members throughout the Shire may reduce reliance on motor vehicle transport and later reduce greenhouse gas emissions.

Should the project proceed to construction, Council officers will seek to use construction practices that reduce the impact on the environment.

Consideration will also be given during the design phase, to ensure best practice planning is used to optimise maximum use of community facilities. For example, there will be consideration to align the route with accessible and functional locations, such as well shaded areas.

Alignment with the Climate Change Strategy was prioritised as part of the development of the Active Transport Strategy, and delivery of this project will support several actions in the Climate Change Strategy and the Municipal Public Health and Wellbeing Plan.

**Gender Equity Statement**

It is considered that this report does not contribute to the promotion of inequalities in relation to gender equity principles, as outlined in the *Gender Equity Act 2020*, and does not contribute to the promotion of inequalities. Mount Alexander Shire Council is committed to meeting its obligations as stated in the Act and to further promote the right to equality, as set out in the Charter of Human Rights.

A known barrier to women cycling is the lack of safe infrastructure. With no shared pathways in any of our townships, this impacts female participation across the shire. It is also likely that this subsequently impacts the number of young children riding to and from childcare facilities and school. A Gender Impact Assessment (GIA) will be developed for this project however, at the time of drafting this report, the GIA was incomplete. It will be completed and submitted with the grant application if Council decides to proceed.

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## **Alternate Options**

An alternate option is not to commit a contribution to this funding opportunity and therefore not apply for the grant. This option is not recommended, as Council would be foregoing a rare funding opportunity, to deliver much needed active transport infrastructure to support the health and wellbeing of our community.

Other alternate options include:

- To apply for funding for a different project, such as upgrading footpaths, however this type of project does not align as closely with the priorities of the fund and therefore has limited opportunity of success.
- To apply for funding for both stages of the proposed shared pathways, i.e. McKenzie Hill to Castlemaine Secondary College. As this funding opportunity is exceedingly rare and the main barrier to delivery of active transport infrastructure is lack of funding, for which Council may choose to take maximum advantage of the current funding.
- To apply for a segment of the shared use pathway, i.e. Kennedy Street. While this would reduce costs, it is not recommended as the grant administrators have indicated they will prioritise projects that encourage a complete route. Where the segment of Kennedy Street alone would not meet this preference.

## **Communication and Consultation**

Significant community consultation over a 12-month period was undertaken to develop the Active Transport Strategy. One of the key themes that the community advocated strongly to include in the strategy was safety. A summary of this consultation was made publicly available via the September 2023 Council Meeting agenda.

Typically, when developing grant applications, Council officers undertake targeted consultation only, to seek support from relevant community groups and organisations, in addition to seeking approval in-principle from any land managers or approval authorities. Should Council agree to pre-committing funds, in preparing the application, Council officers will seek letters of support from local primary schools, local cycling and disability advocacy groups, State and Federal Local MPs and any key community service providers along the route.

Council officers have established an external working group to support delivery of actions in the 20-month action plan which is attached to the Active Transport Strategy. This group's first meeting was held in late-November. This funding opportunity was discussed at the meeting and all attendees agreed, that the route from McKenzie Hill to Castlemaine Secondary College via the train station, is a high priority for the community. Should Council agree to a funding contribution commitment to this grant, then the group will be informed and consulted during the design phase of the project.

Furthermore, if Council is successful in receiving grant funding and the project proceeds, broader community consultation will be undertaken during the design phase of the project.

## **Legislation**

Legislation relevant to active transport infrastructure includes:

- Road Management Act 2004
- Road Safety Act 1986.

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- Disability Discrimination Act 1992
  - Victorian Disability Act 2006

### **Strategies and Policy Impacts**

An application to the Active Transport Fund has alignment and linkage to the following Council Strategies and Plans:

#### Council Plan 2021-2025

- A healthy, connected, and inclusive community - our community is supported to be physically and mentally healthy.
- An environment for people and nature - we are maintaining, improving, and celebrating our places and spaces.

#### Municipal Public Health and Wellbeing Plan 2021-2025

- Increasing Active Living - supporting the community to take action to get more people physically active.

Other relevant guiding strategies include:

- Active Transport Strategy (2023)
- Public Open Space Strategy (2016)
- Resourcing Recreation (2019)
- Pathways Asset Management Plan (2020)
- Open Space Asset Management Plan (2022)
- Road Management Plan (2021)
- Climate Change Strategy (2023)
- Disability Inclusion Action Plan (2023)
- Castlemaine Railway Precinct Master Plan (2024)

### **Child Safe Standards**

Mount Alexander Shire Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping children and young people safe from harm and promoting their best interests.

All children who come in contact with Councillors, employees, contractors, and volunteers from the organisation have a right to be and feel safe. We have specific policies, procedures, and training in place to support employees, volunteers, and contractors to achieve these commitments.

We create environments where all children have a voice and are listened to, their views are respected and they contribute to how we plan for, design, and develop our services and activities.

The aim of this project is to support safe transport routes for all age groups, but in particular young residents, supporting them to adopt healthy habits with regards to travel.

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### **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.

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.

### **13. CONFIDENTIAL ITEMS**

Nil.

### **14. MEETING CLOSE**

The meeting closed at 9:22 pm.