



MOUNT ALEXANDER SHIRE COUNCIL

Gender Impact Assessment - Toolkit

Document Control

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Business Unit: Engineering

Name of Policy, Program or Service: Naming of Campbells Creek Trail

GIA Version: 01

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Part A - Context

Background

VICTORIAN GENDER EQUALITY ACT 2020

In 2020 the Victorian Government enacted the Gender Equality Act, the first of its kind in Australia. The Act was created out of a response to the 2016 Royal Commission into Family Violence and places a responsibility with the public sector such as Local Councils to promote and improve workplace gender equality.

The Act promotes gender equality by:

- Requiring the public sector, local councils and universities to take positive action towards achieving workplace gender equality.
- Requiring these organisations to consider and promote gender equality in their policies, programs and services.
- Establishing the Public Sector Gender Equality Commissioner to provide education, support implementation and enforce compliance.

REPORTING OBLIGATIONS UNDER THE ACT

The purpose of the Act is to encourage defined entities to apply a whole organisational approach to working towards gender equality.

There are three essential obligations under the Act, one obligation is to conduct gender impact assessments (GIA's) on policy, programs and services for the purpose of understanding, influencing and advancing gender equality.

GIA's seek to understand the external impact of an organisation by applying a comprehensive gender lens to policies, programs or services which have a direct and significant impact on the public that are in development or in review.

Objectives of the Gender Equality Act

- Promote, encourage and facilitate the achievement of gender equality and improvement in the status of women; and
- Support the identification and elimination of systemic causes of gender inequality in policy, programs and delivery of services in workplaces and communities; and
- Recognise that gender inequality may be compounded by other forms of disadvantage or discrimination that a person may experience on the basis of Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes; and
- Redress disadvantage, address stigma, stereotyping, prejudice and violence, and accommodate persons of different genders by way of structural change; and
- Enhance economic and social participation by persons of different genders; and
- Further promote the right to equality set out in the Charter of Human Rights and Responsibilities and the Convention on the Elimination of All Forms of Discrimination against Women.

Gender Impact Assessments

Who is this toolkit for?

The purpose of this framework is to help guide you through:

- Understanding what a GIA is and why they are important
- Understanding whether GIA's will be applicable in your role
- Determining whether a policy, program or service will have a direct and significant impact on the public
- Following the step-by-step guide to conducting a GIA

WHAT IS A GIA?

Gender Impact Assessment is a process of critical reflection, to analyse and assess how proposed policies, programs and services might be experienced, or affect women, men and gender-diverse people differently.

Mount Alexander Shire Council (MASC) is included as a defined entity under the Act, and is therefore responsible for meeting the reporting obligations stipulated within the legislation.

As a key part of the reporting obligations, MASC is required to incorporate GIA's into the regular process for developing and reviewing policies, programs and services.

Gender Impact Assessments seek to:

- Assess the effects that the policy, program or service may have on people of different genders.
- Explain how the policy, program or service will be changed to better support people of all genders and promote gender equality.

Intersectionality

The *Victorian Gender Equality Act 2020* incorporates the concept of intersectionality in its consideration of gender equality. This reflects the reality that for many Victorians, gender inequality may be compounded by other forms of discrimination and cultural and structural oppression that a person may experience due to other characteristics. These characteristics include:

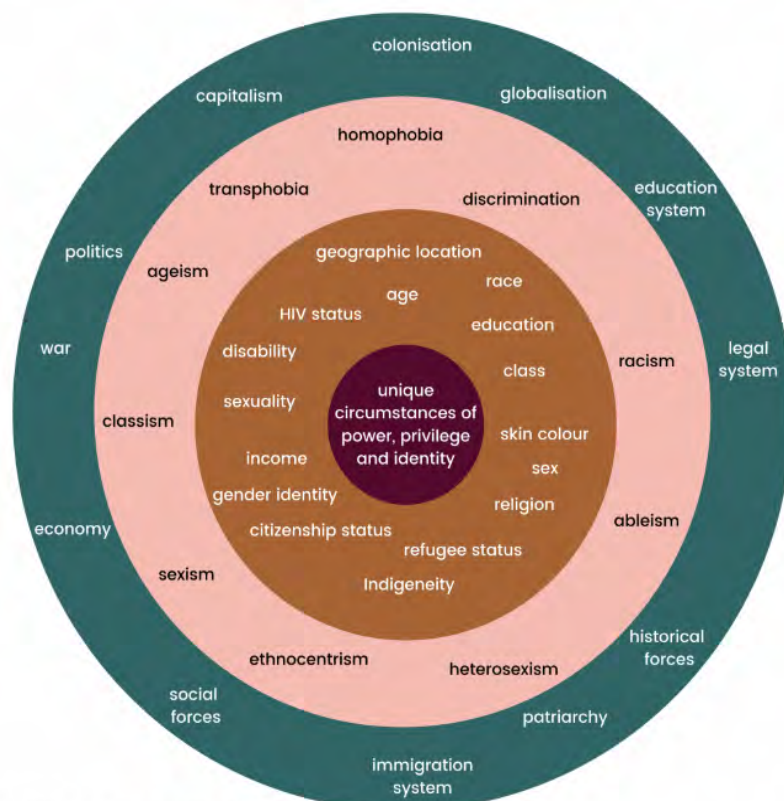
- Race
- Aboriginality and Torres Strait Islander
- Religion
- Ethnicity
- Disability
- Age
- Sexual orientation
- Gender identity

The Act requires organisations to consider these when developing strategies and measures to promote gender equality.

- Where practical, apply an intersectional approach to consider how gender inequality can be compounded by disadvantage or discrimination that a person may experience on the basis

of other factors such as age, disability, gender, sexual orientation, geographical location, socio-economic background, cultural background or identify as Aboriginal or Torres Strait Islander.

This diagram shows how different factors that make up a person's life intersect with each other; one is not exclusive to each other.



Adapted from Intersectionality Wheel - Simpson 2009.

Part B – conducting GIA'S

GIA – Pre-screening

Use this section to determine:

- Whether you are likely to need to conduct GIA's regularly as part of your role AND;
- How to determine the overall impact on the public, and therefore needs to undergo a GIA.

DO YOU NEED TO CONSIDER GENDER IMPACT ASSESSMENT IN YOUR ROLE?

GIA's are applicable to any policy, program or service that may have a direct and significant impact on the public. You will need to consider conducting GIA's if you are responsible for:

- a) Drafting internal policies, procedures and guidelines or programs where the primary focus of the policy, program or service is the public.

- b) Responsible for developing, coordinating or delivering a council run program with the wider community i.e. Community Wellbeing's Social Support programs, Community Partnerships MONDO Lounge programs.
- c) Delivering a service where the primary focus is the public i.e. Local Laws, animal registration services

DETERMINING WHETHER THE IMPACT ON THE PUBLIC IS 'DIRECT AND SIGNIFICANT'?

Use the Matrix below to determine whether a selected policy, program or service has a direct and significant impact on the public. Based on your understanding of the policy, program or service, you will assign a score of 1, 2 or 3 to each factor to reflect the degree to which the public are impacted.

Refer to the Gender Equality Commission website and the ['Determining whether a GIA is required Guidance Note'](#) for further explanation of the terminology 'Direct and Significant'.

FACTOR		Score		
		1	2	3
i. Target Audience	Will this policy, program or service indirectly or directly impact the wider community? (1= no impact, 3 = direct impact)			X
ii. Number of people affected	How many people do you estimate will be impacted by this policy, program or service? (1 = 0-5, 3 = 50+)			X
iii. Cost	What is the cost involved in implementing this policy, program or service? (1 = \$0-\$1,000, 3 = \$50,000+)	X		
iv. Duration/time	What is the total duration of this policy, program or service? (1= one off/less than a day, 3 = ongoing)	X		
Total (out of 12)		8		

Based on the matrix above, you will have a total final score between 4 and 12:

TOTAL SCORE	GENDER IMPACT ASSESSMENT REQUIRED?	RECOMMENDATION
4 – 5	NO	Policy, program or service has an indirect and low impact on the community. <u>No GIA is required.</u>
6 – 9	Recommended	Policy, program or service has a direct and significant impact on the community. <u>GIA is required.</u>
10 – 12	YES	Policy, program or service has a direct and significant impact on the community. <u>GIA is required.</u>

Once you've completed the pre-screening matrix above, you'll be able to follow the step-by-step guide on the following pages to complete a GIA.

Conducting a GIA

Use the guide below to conduct a GIA of your selected policy, program or service. If you need any additional information or guidance at any point in the process, please contact People and Culture @mountalexander.vic.gov.au

The Gender Impact Assessment Template follow four key steps:

Step 1. Define the issues and challenge assumptions

Think about how women, men and gender-diverse people will be effected by the policy, program or service (PPS). Brainstorm the questions, discuss in a group to gain diverse ideas and views. Explore the issues, it can be open ended, it's a process to get you thinking.

- Important topics include the needs, preferences, perceptions and experiences of women and men, as well as differences in access, owing to cost, transport, safety, child-care and other matters.
- You may also consider the influence of age, ability, Indigenous status, culture, religion or other characteristics, as you might in planning any program.
- Finally, consider what evidence may be required to investigate these possibilities, including how women will be consulted in this process.

Discuss, ideally with your team:

- What is the purpose and objectives of the PPS?
- What is the issue the policy, program or service is trying to address?
- Who is the target audience, the 'end user'?

Think about how gender, and other inequalities, might shape the PPS.

- Consider how other factors influence and/or act as a barrier in the way people live.

Step 2. Understand your context

Collect evidence to understand how gender shapes the context. This step helps you undertake additional research on your GIA focus and gather evidence for any proposed changes to the policy, program or service.

Refer to pages 16-17 of the [Gender Equality Commission templates and resources](#) for a list of Victorian and National data sources.

Step 3. Options analysis

Develop an option for your policy, program or service and weigh up the gendered impact. *Is there a better way to do it that will benefit more people or meet a need not previously been met?*

Step 4. Make a recommendation

Make a recommendation based on the evidence collected and the analysis conducted that would improve the policy, program or service. *We need to do a, b, c, to achieve a greater outcome.*

Appendix 1

Gender Impact Assessment

STEP ONE: DEFINING THE ISSUES AND CHALLENGE ASSUMPTIONS

Question		Response
Title of policy/program/service:		Naming of Campbells Creek Trail
Business Unit:		Engineering
Duration of policy/program/service:		One Off
Purpose and Objectives	What is the purpose of this particular policy, program or service? Why is it needed?	The purpose of this initiative is to formally name the 4.3-kilometre Campbells Creek trail as <i>Watjarang Baring</i> , meaning <i>platypus track</i> in Dja Dja Wurrung language. The naming recognises Traditional Owner culture, strengthens community identity, and complies with the <i>Naming Rules for Places in Victoria (2022)</i> . It is needed to provide a culturally meaningful, officially recognised name for a significant public asset. It also provides a wayfinding response for Emergency Services.
	Who is the target group/end user, for this policy, program or service?	<p>The primary users of the trail include:</p> <ul style="list-style-type: none"> Local residents who walk, cycle or use the trail for recreation or active transport Visitors to Castlemaine and Campbells Creek Community groups, schools and recreational clubs Traditional Owners and First Nations community members <p>scribe</p>
	Who will be impacted by this policy, program or service beyond the target group?	<ul style="list-style-type: none"> Residents who do not use the trail but engage with the naming process People with cultural, linguistic or accessibility needs Local businesses and tourism operators Mapping services, emergency services and wayfinding systems Broader community members who may have differing views on First Nations naming

	<p>How have those who are impacted (directly and indirectly) by the policy, program or service been included in the design or decision making?</p>	<ul style="list-style-type: none"> • DJAARA has provided in-principle support and cultural authority for the proposed name. • Geographic Names Victoria has provided in-principle support for the naming submission. • Community consultation has been undertaken to gather feedback from residents, trail users and stakeholders. • Feedback from all groups—including those who may not support First Nations naming—has been considered in shaping the proposal.
	<p>What barriers might limit women, men, gender-diverse people from accessing, benefitting and using this policy, program or service?</p>	<ul style="list-style-type: none"> • Limited awareness or understanding of the meaning or pronunciation of the Dja Dja Wurrung name. • Perceptions of cultural exclusion among some community members unfamiliar with First Nations naming. • Safety concerns on the trail (lighting, visibility, accessibility) may disproportionately affect women and gender-diverse people. • Lack of accessible signage for people with low vision, cognitive disabilities or language barriers.
	<p>What actions could be taken to remove those barriers?</p>	<ul style="list-style-type: none"> • Provide clear, accessible signage explaining the meaning, pronunciation and cultural significance of <i>Watjarang Baring</i>. • Use inclusive communication channels to reach diverse community groups. • Ensure wayfinding signage meets universal design standards. • Continue to improve trail safety through maintenance, visibility and accessible infrastructure. • Provide culturally sensitive information that supports understanding and acceptance of First Nations naming.
	<p>How will this policy, program or service impact those who are gender diverse?</p>	<p>The naming itself is unlikely to create negative impacts; however, improved signage, visibility and inclusive communication can enhance feelings of safety and belonging for gender-diverse people using the trail.</p>

Considering Intersectionality	How will this policy, program or service impact those who identify as Aboriginal or Torres Strait Islander?	<p>The naming has a positive and culturally significant impact, as it:</p> <ul style="list-style-type: none"> • Recognises Dja Dja Wurrung language and cultural heritage • Strengthens visibility of First Nations identity in public spaces • Supports reconciliation and cultural pride • Embeds First Nations knowledge into environmental and community decision-making
	How will this policy, program or service impact those who might have disabilities, are from different cultural identities, ages, sexual orientations or religion?	<ul style="list-style-type: none"> • Accessible signage and inclusive communication will support people with disabilities. • Culturally diverse communities may benefit from multilingual or plain-language explanations. • Older adults may require clear, legible signage. • The naming is inclusive and does not negatively impact any religious or cultural group.
	How will this policy, program or service impact people who live in the urban environment (in town) compared to living remotely or are isolated?	<ul style="list-style-type: none"> • Urban residents may engage more frequently with the trail and benefit from improved wayfinding. • People living in more isolated areas may rely on digital mapping updates; consistent naming across platforms will support navigation and emergency response.
	Considering intersectionality, what additional needs might there be for people who experience gender inequality alongside other forms of discrimination?	<p>People who experience gender inequality alongside other forms of discrimination—such as First Nations women, gender-diverse people with disabilities, or culturally diverse young people—may face additional barriers related to:</p> <ul style="list-style-type: none"> • Safety and accessibility • Cultural understanding • Representation and visibility
	What action can be taken to address these needs?	<ul style="list-style-type: none"> • Apply universal design principles to all signage and communication. • Provide culturally safe and inclusive messaging. • Ensure ongoing engagement with DJAARA and diverse community groups. • Continue improving trail safety and accessibility infrastructure.

Focus Area	What will you focus on in your assessment to support a more gender equitable outcome for the end user and community?	<p>This assessment focuses on ensuring:</p> <ul style="list-style-type: none"> • Inclusive and accessible communication for all genders and identities • Culturally respectful recognition of First Nations language • Safe, equitable access to the trail and its facilities • Consideration of intersectional needs in implementation and engagement
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STEP TWO: RESEARCH AND CONSULTATION

Question	Response
What information is available to help you understand the above issues in more depth?	<p>A range of information sources support understanding of the gender, cultural and accessibility considerations relevant to the naming of <i>Watjarang Baring</i>, including:</p> <ul style="list-style-type: none"> • Council's demographic data and community profiles • Previous engagement findings from active transport, recreation and open space projects • Research on gendered experiences of public space, safety and accessibility • Best-practice guidance on inclusive communication and universal design • DJAARA cultural guidance and naming protocols • <i>The Naming Rules for Places in Victoria – 2022</i> • Feedback received through the community consultation process • Internal expertise from teams working in community engagement, reconciliation, access and inclusion, and infrastructure
What did the internal data, desktop research, consultation and engagement tell you?	<ul style="list-style-type: none"> • Community sentiment: Consultation indicated broad support for the proposed name, though some community members expressed uncertainty or discomfort with First Nations naming due to unfamiliarity with Aboriginal language or cultural change. • Safety and accessibility: Internal data and broader research show that women, gender-diverse people, older adults and people with disabilities often experience public spaces differently, with heightened concerns about safety, lighting, visibility and accessibility. • Cultural recognition: Engagement with DJAARA confirms strong cultural significance and appropriateness of the name <i>Watjarang Baring</i>. • Communication needs: Research highlights the importance of clear, accessible, culturally sensitive communication to ensure all community members

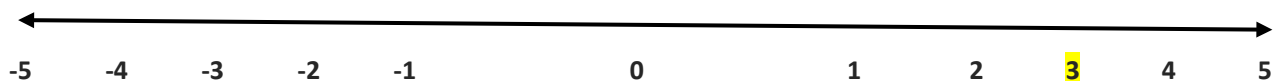
	<p>understand the meaning and purpose of the name.</p> <ul style="list-style-type: none"> • Intersectional impacts: People who experience multiple forms of disadvantage (e.g., First Nations women, gender-diverse people with disabilities, culturally diverse young people) may face additional barriers to feeling included or represented in public spaces.
Have you consulted with the affected target groups? (If not, please explain why not).	<p>Yes. Consultation has occurred with several key groups:</p> <ul style="list-style-type: none"> • Traditional Owners (DJAARA): Provided cultural authority and in-principle support for the proposed name. • Indigenous Round Table & Nalderun • Local community members: Public consultation was undertaken to gather feedback from residents, trail users and stakeholders. • Internal teams: Staff with expertise in reconciliation, access and inclusion, community engagement and infrastructure contributed to the assessment. <p>While consultation did not specifically target gender-diverse groups, people with disabilities or culturally diverse communities as standalone cohorts, these groups were included within the broader community engagement process. Their needs have been considered through the application of gender equity, universal design and intersectional principles.</p>

STEP THREE: OPTIONS ANALYSIS

Question	Response
Based on the information in Step One and Two, what are your options for helping mitigate, or reduce the gendered and/or intersectional impacts of the policy, program or service?	<p>Option: Implement inclusive communication, universal-design signage, and culturally safe engagement to support equitable access and understanding of the trail name.</p> <p>This option focuses on ensuring that the naming of <i>Watjarang Baring</i> is supported by clear, accessible, culturally respectful information and infrastructure that enables all genders and identities to feel included, safe and represented.</p> <p>Actions within this option may include:</p> <ul style="list-style-type: none"> • Providing signage that explains the meaning, pronunciation and cultural significance of <i>Watjarang Baring</i> in plain language. • Ensuring wayfinding and trailhead signage meet universal design standards (legibility, contrast, height, tactile elements where possible). • Using inclusive communication channels that reach women, men, gender-diverse people, culturally diverse communities, older adults and people with disabilities. • Continuing to improve trail safety (visibility, maintenance, passive surveillance) to support equitable use.

	<ul style="list-style-type: none"> • Ensuring ongoing engagement with DJAARA and diverse community groups to maintain cultural safety and representation. • Offering online and physical information that is accessible to people living remotely or with limited mobility.
What are the benefits associated with this particular option?	<ul style="list-style-type: none"> • Supports gender equity by improving safety, visibility and accessibility for women, gender-diverse people and vulnerable groups. • Strengthens cultural inclusion by clearly communicating the meaning and significance of the Dja Dja Wurrung name. • Reduces barriers for people with disabilities, older adults and culturally diverse communities through universal design and accessible information. • Builds community understanding and reduces resistance by addressing unfamiliarity with First Nations naming. • Enhances intersectional outcomes by considering overlapping needs (e.g., First Nations women, gender-diverse people with disabilities). • Supports reconciliation and aligns with Council Plan commitments to embed First Nations knowledge in public spaces.
What are the costs (if any) associated with this particular option?	<ul style="list-style-type: none"> • Signage and infrastructure: Costs for design, fabrication and installation of inclusive, accessible wayfinding and trailhead boards. • Staff time: Resources required for engagement, communication, coordination with DJAARA, and implementation. • Communication materials: Production of accessible and culturally safe information (digital and print). • These costs are expected to be manageable within existing operational budgets and are largely one-off or periodic.
<p>Overall gender impact</p> <p>Score your option using the guide below to determine if the option has a positive, neutral or negative overall gender impact.</p>	<p>Assessment Summary</p> <p>The naming of <i>Watjarang Baring</i> has minimal inherent gendered impact; however, without supportive communication and inclusive implementation, some groups may experience barriers related to understanding, safety or accessibility. The recommended option actively mitigates these risks and promotes equitable access and inclusion.</p> <p>Overall Gender Impact Rating: Positive</p> <p>Justification:</p> <ul style="list-style-type: none"> • The option strengthens safety, accessibility and inclusion for women, men and gender-diverse people. • It supports intersectional needs by addressing cultural, linguistic, disability-related and age-related barriers. • It enhances cultural recognition and visibility for First Nations communities. • It aligns with Council's commitments to gender equity, reconciliation and inclusive public spaces. <p>Assign a score of 3. A score of +3 reflects that the initiative:</p>

	<ul style="list-style-type: none"> • Considers the different needs of different genders by addressing safety, accessibility and communication barriers that disproportionately affect women, gender-diverse people, older adults and people with disabilities. • Actively works to remove barriers through universal-design signage, inclusive communication and improved trail visibility. • Promotes equality for people experiencing multiple forms of discrimination, particularly First Nations community members, culturally diverse residents, and people with disabilities. • Strengthens cultural inclusion by embedding Dja Dja Wurrung language in public space, which is a positive outcome for First Nations women, men and gender-diverse people. <p>While the initiative is strongly positive, it is not a program specifically designed to <i>directly</i> address gender inequality. Its positive impact comes from inclusive implementation, not from a core gender-equity purpose. Therefore, +3 is an accurate, evidence-based rating.</p>
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<p>NEGATIVE GENDER IMPACT</p> <p>Reinforces traditional gender roles/norms</p> <p>Reinforces privilege to genders already privileged in this area</p> <p>Doesn't level the playing field</p> <p>Doesn't create any new opportunities for access and inclusion</p> <p>Doesn't consider gender inequality alongside other forms of discrimination</p>	<p>NEUTRAL GENDER IMPACT</p> <p>Does not appear to support gender inequality/equality</p>	<p>POSITIVE GENDER IMPACT</p> <p>Considers the different needs of different genders and diverse groups to support a more fair and inclusive community.</p> <p>Works to remove barriers to gender equality and deliberately tries to level the playing field.</p> <p>Actively promotes equality for those experiencing gender inequality alongside other forms of discrimination.</p>
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STEP FOUR: RECOMMENDATIONS

Question	Response
<p>Based on the steps above, what is your final recommendation?</p> <p>Please describe:</p> <ul style="list-style-type: none"> • Explain the rationale behind this recommendation • Describe how this recommendation meets the needs of the target group of different genders, address gender inequality and promotes equality • Describe any risk mitigation strategies where applicable 	<p>Recommendation</p> <p>Proceed with the formal naming of the Campbells Creek trail as Watjarang Baring, supported by inclusive communication, universal-design signage, and culturally safe engagement to ensure equitable access, understanding and representation across all genders and community groups.</p> <p>Rationale for the Recommendation</p> <p>This recommendation reflects the strong cultural significance of the proposed name, the in-principle support from DJAARA and Geographic Names Victoria, and the positive community sentiment identified through consultation. Naming the trail <i>Watjarang Baring</i> aligns with Council’s commitments to reconciliation, cultural recognition, and embedding First Nations knowledge into public spaces.</p> <p>The recommended implementation approach—centred on accessible signage, inclusive communication and ongoing engagement—ensures that the naming process is equitable and responsive to the needs of women, men, gender-diverse people, and people who experience multiple forms of disadvantage. This approach directly addresses the potential barriers identified in the Gender Impact Assessment and supports a safe, inclusive and culturally respectful experience for all trail users.</p> <p>How the Recommendation Meets the Needs of Different Genders and Promotes Equality</p> <ul style="list-style-type: none"> • Improves safety and accessibility, which disproportionately benefits women, gender-diverse people, older adults and people with disabilities. • Provides clear, culturally respectful information, reducing barriers for people unfamiliar with First Nations language or cultural practices. • Uses universal design principles, ensuring signage and communication are accessible to people with diverse abilities, ages and literacy levels. • Supports cultural inclusion, particularly for Aboriginal and Torres Strait Islander community members, by recognising and valuing Dja Dja Wurrung language. • Addresses intersectional needs, acknowledging that people may experience gender inequality alongside cultural, linguistic, disability-related or socio-economic disadvantage. <p>This approach ensures that the naming initiative does not inadvertently exclude or disadvantage any group and instead contributes positively to gender equity and community cohesion.</p> <p>Risk Mitigation Strategies</p> <p>To minimise potential negative impacts or community concerns, the following strategies will be implemented:</p> <ul style="list-style-type: none"> • Clear, accessible signage explaining the meaning, pronunciation and cultural significance of <i>Watjarang Baring</i> to reduce confusion or resistance.

	<ul style="list-style-type: none">• Inclusive communication across multiple platforms to reach diverse genders, ages, cultural backgrounds and abilities.• Ongoing engagement with DJAARA to ensure cultural accuracy, safety and respect throughout implementation.• Universal design standards applied to all wayfinding and trailhead signage to ensure equitable access.• Monitoring community feedback post-implementation to identify and address any emerging concerns.• Continued focus on trail safety, including visibility, maintenance and accessibility improvements, to support equitable use by all genders.
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Final Checklist

Once a complete GIA has been applied to your policy, program or service, complete the checklist below and then please send a copy of your completed GIA to People and Culture

@mountalexander.vic.gov.au with the subject format: GIA – policy/program/service title – Unit:

Have you:	Yes	No	Comment
Challenged your own assumptions and identified gaps in gender knowledge? (Step One)	x	<input type="checkbox"/>	
Worked with your team to identify who is likely to be impacted by this policy, program or service and what gendered factors might influence the way different community members are impacted? (Step One)	<input type="checkbox"/>	x	
Conducted desktop research and analysed gender disaggregated statistics to investigate how issues of gender, cultural identity, ability, sexual orientation, gender identity, age or religion might shape how your policy, program or service is implemented or experienced? (Step Two)	<input type="checkbox"/>	x	Used the outcomes of the community engagement
Undertaken collaborative approaches to consultation and engagement to understand access to, and experience of the policy, program or service and/or co-design a solution? (Step Two)	x	<input type="checkbox"/>	
Develop an option or options for your proposed policy, program or service that improves the gender-related benefits and costs? (Step Three)	x	<input type="checkbox"/>	
Made a recommendation with rationale for your approach which considers how your recommendation meets the needs of people of different genders; addresses gender inequality; and promotes gender equality? (Step Four)	x	<input type="checkbox"/>	
Do you recommend any further work to be undertaken in steps one, two or three? If so, what?	x	<input type="checkbox"/>	Signage
Do you support the recommendation made?	x	<input type="checkbox"/>	

Name of Unit: Phil Garner

Name of lead officer: Kerrie Eldridge

Names of other officers involved in GIA: NA

GIA completion date: 6/3/26

Appendix 2

GLOSSARY OF KEY GENDER TERMS AND CONCEPTS

The following section contains key terms and concepts you may come across in conducting a GIA, or seeking to gain a more nuanced understanding of gender equality.

We acknowledge that Gender Terms and Concepts are constantly evolving and the key terms outlined here are not exhaustive.

Source: *Safe and Strong*, A Victorian Gender Equality Strategy, [Safe and Strong Victorian Gender Equality Definitions](#) and *Educating for Equality – Glossary of Terms and definitions*, Our Watch, [Educating for Equality – Glossary of Terms and definitions](#)

Gender: The socially-constructed differences between men and women, as distinct from 'sex', which refers to their biological differences.

Gender-based violence – Violence that is used against someone because of their gender. It describes violence rooted in gender-based power inequalities and gender-based discrimination. While people of all genders can experience gender-based violence, the term is most often used to describe violence against women and girls, because the majority of cases of gender-based violence are perpetrated by men against women.

Gender diverse – People who are gender diverse are those whose gender expression differs from what is socially expected. This includes individuals who identify as agender (having no gender), as bigender (both woman and man) or as non-binary (neither woman nor man). There is a diverse range of non-binary gender identities such as gender-queer, gender neutral, gender fluid and third gendered. Language in this space is still evolving and people may have their own preferred gender identities that are not listed here, and these preferences should be respected.

Gender equality: The equal rights, responsibilities and opportunities of women, men and trans and gender-diverse people. Equality does not mean that women, men and

trans and gender diverse people will become the same but that their rights, responsibilities and opportunities will not depend on their gender.

Gender equity: Entails the provision of fairness and justice in the distribution of benefits and responsibilities on the basis of gender. The concept recognises that people may have different needs and power related to their gender and that these differences should be identified and addressed in a manner that rectifies gender related imbalances.



Gender inequality – The unequal distribution of power, resources, opportunity, and value between people of different genders and sexualities, due to prevailing gendered norms and structures.

Gender identity – A person's innate, deeply felt psychological identification of their gender, which may or may not correspond to the person's designated sex at birth. Many terms may be used to self-describe gender

identity (see LGBTIQ+ and gender diverse). A person's gender identity may be different from their biological and physiological sex or sexual orientation and may change over their lifetime.

Gender norms and structures: Ideas about how people should be and act according to the gender they are assigned or identify with. We internalise and learn these 'rules' early in life. This sets up a life-cycle of gender socialisation and stereotyping.

Gender roles – Functions and responsibilities expected to be fulfilled by women and men, boys and girls within society or culture.

Gender stereotypes: Simplistic generalisations about the gender attributes, differences and roles.

Intersectionality: A methodology of studying the overlapping or intersecting social identities and related systems of oppression, domination, or discrimination.

Intersex: This refers to the diversity of physical characteristics between the stereotypical male and female characteristics. Intersex people have reproductive organs, chromosomes or other physical sex characteristics that are neither wholly female nor wholly male. Intersex is a description of biological diversity and may or may not be the identity used by an intersex person.

LGBTIQ+ – An acronym used to describe members of the lesbian, gay, bisexual, trans, intersex, queer or questioning community. It is sometimes used to include allies or supporters of the LGBTIQ+ community. Other

Sexual harassment – Unwelcome sexual advances, requests for sexual favours or other unwelcome conduct of a sexual nature that makes a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written. It is not consensual interaction, flirtation or friendship, or behaviour that is mutually agreed upon. Under the Sex Discrimination Act 1984 (Cth), sexual harassment in Australia is unlawful.

acronyms used to describe this community include LGBTIQ, or LGBTIQ+.

Sex – The biological and physical characteristics typically used to define humans as male or female. A person's sex does not mean they have a particular gender identity or sexual orientation.

Sex and gender discrimination – Treating, or proposing to treat, someone unfairly because of their sex or gender. In Australia, it is against the law to treat people unfairly on the basis of their sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy and breastfeeding, and caring responsibilities.

Sexism – Discrimination based on gender, and the attitudes, stereotypes and cultural elements that promote this discrimination. Sexism refers to the language, attitudes, behaviours, and conditions that create, support or reinforce gender inequality. Sexism can take many forms, such as jokes or comments, sexual harassment, or sex discrimination. It can be perpetrated by individuals or embedded within the structures and systems of institutions and organisations.

Sexual violence – Any sexual activity that occurs without free and informed consent. It refers to a broad range of sexual behaviours that make a person feel uncomfortable, intimidated, frightened, or threatened. It includes any time a person is forced, coerced or manipulated into any unwanted sexual activity, such as touching, sexual harassment and intimidation; forced marriage; trafficking for the purpose of sexual exploitation; image-based abuse; sexual assault and rape.

Sexual harassment can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated requests to go out, requests for sex, sexually explicit emails, text messages or posts on social networking sites, and
- sexual assault.

Sexual orientation – A person's sexual or emotional attraction to others. People express their sexuality in different ways. A person's sex or gender does not mean they have a particular sexual orientation, and vice versa.

- A lesbian woman is attracted to other women.
- A gay person is attracted to people of the same gender as themselves.
- A *bisexual* person is attracted to people of their own gender and other genders.
- A *heterosexual* or 'straight' person is attracted to people of the opposite gender to themselves.
- An *asexual* person does not experience sexual attraction, but may experience romantic attraction towards others.
- A *pansexual* person is attracted to people of all genders, binary or non-binary.
- *Queer* is an umbrella term for diverse gender or sexualities. In the past, queer was used as a discriminatory term and can be offensive to some people, particularly older LGBTIQ+ people. The term has been reclaimed in recent years and is increasingly used by people to describe themselves in an empowering way.
- *Questioning* is used as an umbrella term for people who are still exploring or questioning their gender or sexual orientation. People may not want to have other labels applied to them yet but may want to be clear that they are non-binary or non-heterosexual.

Transgender — An umbrella term referring to people whose gender identity and/or expression is different from cultural expectations based on the sex they were assigned at birth. A transgender person may identify specifically as transgender or as male or female, or outside of these categories. Being transgender does not imply any specific sexual orientation. Transgender people may identify as heterosexual, gay, lesbian, bisexual, pansexual, queer, or in other ways. Also often abbreviated to 'trans'.

Quotas: Quota systems have been viewed as one of the most effective special measures or affirmative actions for increasing gender equality in participation. There are now 77 countries with constitutional, electoral or political party quotas for women. In countries

where women's issues had always been relegated to the lowest priority, increases in the number of women in decision-making positions help move women's agendas up to a higher priority level.

RESPONSE TO ASSET NAMING REQUEST

Resident Survey Form

Our Reference : DOC/24/1510

Dear Resident,

Mount Alexander Shire Council is proposing to name the unnamed off road walking and cycling track along Campbells Creek “Watjarang Baring”.

Watjarang Baring is the combination of two indigenous words with the literal translation of Platypus Track. We have worked with Djaara (formerly Dja Dja Wurrung Clans Aboriginal Corporation) to select this name.

Approved Dja Dja Wurrung Language	English Translation
baring	track, road, journey, footpath, creek
watjarang	platypus

The proposed name will cover the whole length of track, from Campbells Creek Park to Camp Reserve, Castlemaine.

The name suggestion, Watjarang Baring, complies with the *Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities - 2016*.

Do you support our proposal to name the off road track in Campbells Creek, “Watjarang Baring”?

Please indicate your preference below by ticking one option only:

☐

I support the name Watjarang Baring

☐

I do not support the naming proposal

- If you do not support the proposal please indicate why and/or demonstrate why the proposal does not conform to Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities – 2022.
- You can also use the space below to make any other comments regarding this proposal

.....

.....

.....

.....

Please return this form to the Engineering Department, Mount Alexander Shire Council **by 3 July 2025**. If we do not receive a response from you by this date, we will assume your acceptance of the naming proposal.

(03) 5471 1700
info@mountalexandervic.gov.au
mountalexandervic.gov.au
Cnr Lyttleton and Lloyd Sts
P.O. Box 185 Castlemaine VIC 3450
Djaara Country
abn 12 966 477 062

RESPONSE TO ASSET NAMING REQUEST

Resident Survey Form



Please fill in your details below and return the completed form to Council via mail PO Box 185 Castlemaine 3450, email info@mountalexander.vic.gov.au or in person at our Customer Service counter prior to 3 July 2025.

Name:..... Email:

Address:

Phone number: Signature:..... Date: / /

Thank you for your time in responding to this request. Your input is a valuable part of our asset naming process. Once the survey closes, we will compile the responses, prepare a report, and present a recommendation to the Council for consideration. The community will be informed of the Council's decision on the naming outcome via Council meeting minutes, social media and our SHAPE page.

Please note that names must comply with Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016. For further information, refer to the website: <http://www.delwp.vic.gov.au/namingplaces>



(03) 5471 1700
info@mountalexander.vic.gov.au
mountalexander.vic.gov.au
Cnr Lyttleton and Lloyd Sts
P.O. Box 185 Castlemaine VIC 3450
Djaara Country
abn 12 966 477 062



Sarah Gilmour
Mount Alexander Shire Council
s.gilmour@mountalexander.vic.gov.au

7th October 2022

RE: Request for use of Dja Dja Wurrung Language –Naming of walking trail

To Sarah,

Thank you for your request to utilise Dja Dja Wurrung Language.
The CEO/ Board of Directors has approved your request for the use of the Dja Dja Wurrung Language, for the purpose of your request.

Approved Dja Dja Wurrung Language	English Translation
baring	track, road, journey, footpath, creek
watjarang	platypus

Please advise the Dja Dja Wurrung (DJAARA) Language Team which word the community has agreed to naming the walking trail.

Respect and recognition of the Djaara Community as the Traditional Owners of the land, through the approval use of Dja Dja Wurrung Language and words is an importance and much appreciated step in raising awareness of Djaara and Places.

Language is one of the most significant aspects of the culture and heritage of any group. Aboriginal culture and knowledge systems are largely expressed verbally, through vocalising place names, stories and songs. Aboriginal languages express not only culture, but also kinship, relationship to the land and water (oceans and rivers) and environmental knowledge. They contain a complex conceptual framework for the living things on the land, the landscape and natural resources. Without language, the link between Aboriginal people and Country would be compromised and the benefit of Aboriginal knowledge may be lost.

If you have any questions or would like to talk further about this letter, please feel free to contact me directly.

Kind regards,
Jade Parsons Language Repatriation & Cultural Heritage Administration Officer
DJAARA language@djadjawurrung.com.au

T: (03) 5444 2888 F: (03) 5441 6472
E: info@djadjawurrung.com.au
P.O Box 1026 Bendigo VIC 3552

djadjawurrung.com.au

DJA Dja WURRUNG CLANS ABORIGINAL CORPORATION TRADING AS DJAARA
Located at 13-15 Forest Street, Bendigo Vic 3550
ICN: 4421

From: VES.Admin@transport.vic.gov.au
Sent: Fri, 11 Apr 2025 04:44:47 +0000
To: Kerrie Eldridge
Subject: Info email notification for CR: 170142

Caution: This email is originated from outside of the organisation. Do not click on links or open attachments unless you recognise the sender, and know the content is safe.

Dear User

Change Request Id: 170142 has been updated.

Status: GNV Endorsed

Description: I am seeking in-principle support from Geographic Names Victoria for the proposed name of our newly completed, yet currently unnamed, walking and cycling track in Mount Alexander Shire Council LGA. Th....

Region: Mount Alexander Shire

Data Category: In Principle Support

Data Set: In Principle Support

What is wrong? Query

What needs to be done? Submit

Most recent comment: The name of "Watjarang Baring" is provided with in principle support from Geographic Names Victoria.

Please click on the following link to view it:

<https://ves.land.vic.gov.au/changerequests/view/170142>

Thanks,

VES Team <https://ves.land.vic.gov.au/>

Community Engagement Summary



Naming of Campbells Creek Track 2025

A photograph of a dirt track winding through a wooded area with many trees. A concrete bridge with metal railings crosses a small stream. In the background, a white car is parked on the track, and a few people are visible. The word 'SHAPE' is overlaid in large, colorful, stylized letters.

SHAPE

Mount Alexander



Acknowledgement of Country

Mount Alexander Shire Council acknowledges that the traditional custodians of this land, the Dja Dja Wurrung and Taungurung peoples, proudly survive. We acknowledge their continued practice of custom and their close cultural, spiritual, physical, social, historical and economic relationship with the land and waters that make up their Country, which includes Mount Alexander Shire.

Council recognises the Victorian Government's Recognition and Settlement Agreements with both the Dja Dja Wurrung Clans Aboriginal Corporation and the Taungurung Land and Waters Council.

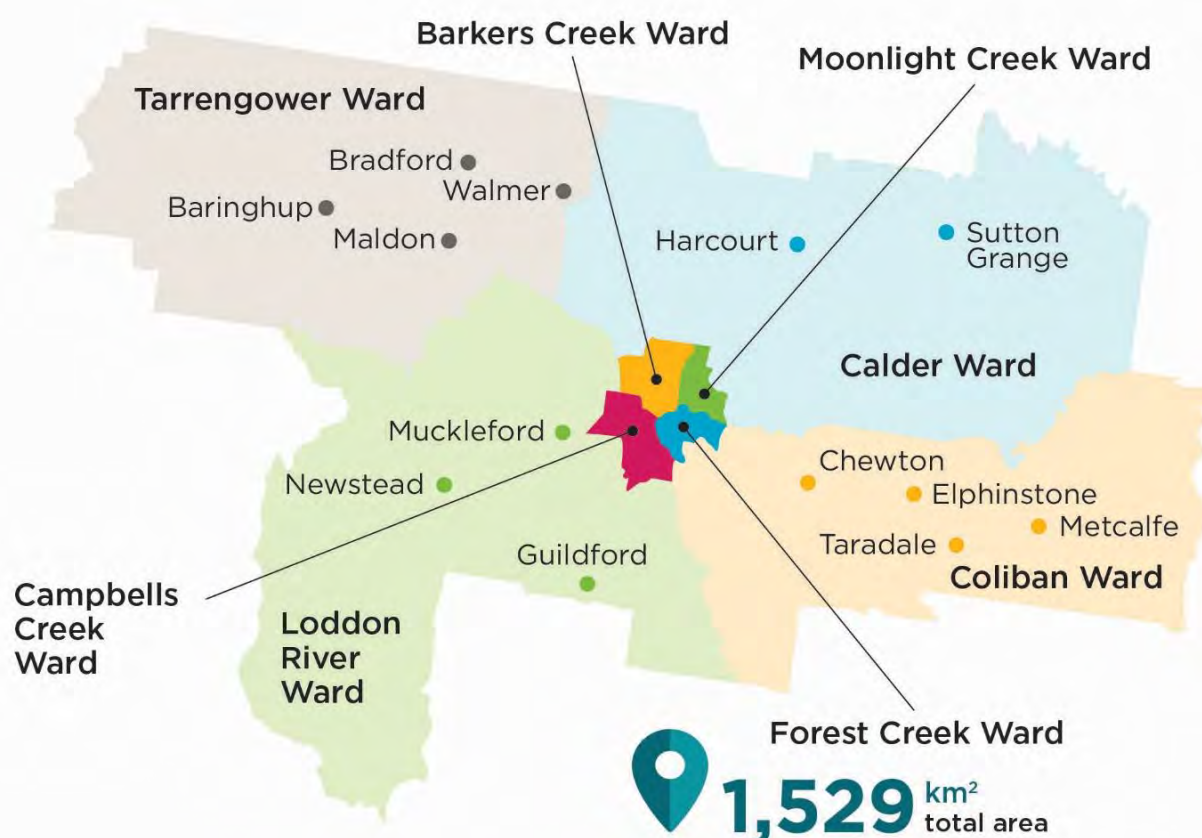
Our shire

Mount Alexander Shire – a snapshot

Mount Alexander Shire is diverse, with urban and rural communities. It has much to offer: Beautiful heritage streetscapes and picturesque towns, stunning natural surroundings, a thriving local economy and a vibrant cultural life.

Our community comprises more than 20,000 people with most living in and around the townships of Castlemaine, Harcourt, Maldon, Campbells Creek, Newstead, Elphinstone, Guildford, Chewton and Taradale.

Located within commuting distance of Melbourne and Bendigo, the popularity of the shire continues to grow as new residents move to the area to make the most of the lifestyle and all the shire offers.



Source: REMPLAN data







Executive summary

In June 2025, Mount Alexander Shire Council sought community feedback on the proposed name **Watjarang Baring** for the newly upgraded Campbells Creek walking and cycling track. The name, meaning *Platypus Track* in Dja Dja Wurrung language, was developed in partnership with DJAARA to recognise the cultural and ecological significance of the area.

A total of **103 submissions** were received from the community via SHAPE Mount Alexander. Of these, **83 respondents supported the proposed name**, while **20 respondents did not support it**. Supportive submissions consistently highlighted the importance of honouring Dja Dja Wurrung language, recognising 65,000+ years of custodianship, celebrating the presence of platypus in the creek, and strengthening cultural visibility across the shire. Many described the name as fitting, beautiful, meaningful, and easy to remember.

A total of 16 responses were received from the correspondence sent to adjoining landowners along the trail corridor, as per the Naming Rules for Places requirement. Of these, **14 respondents supported the proposed name**, while **2 respondents did not support it**.

Timeline

-  **Tuesday 3 June**
Community engagement commences, online and hardcopy survey available.
-  **Thursday 3 July**
Community engagement concludes
-  **March 2026**
Proposed name to be presented to Council for endorsement
-  **Next Steps**
After Council endorsement, name is to be submitted to Geographic Names Victoria (GNV) for approval

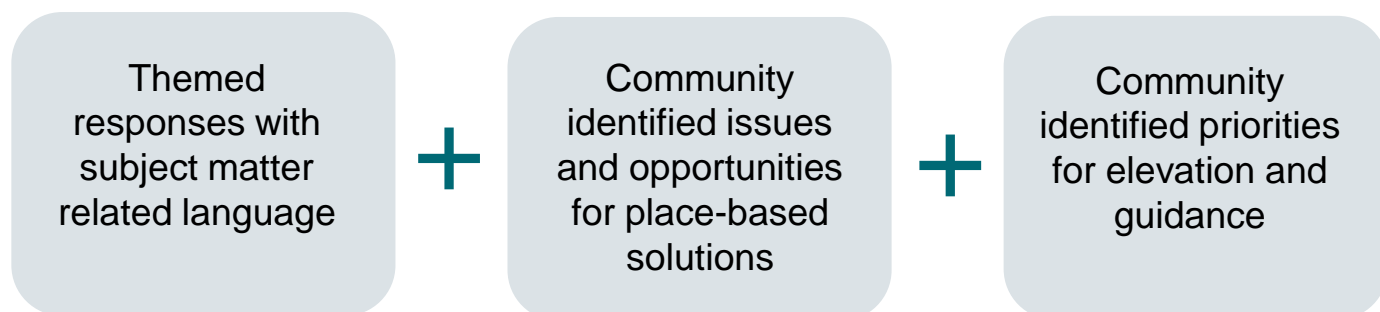
Project overview

New name for Campbells Creek off-road track

Over 2024 and 2025, Mount Alexander Shire Council worked in partnership with DJAARA ((Dja Dja Wurrung Clans Aboriginal Corporation) and the Friends of Campbells Creek (FOCC) to enhance the 4.3-kilometre off-road Campbells Creek track, which stretches from Campbells Creek Park to Camp Reserve in Castlemaine. To honour the cultural and environmental significance of the area, the proposed name ‘Watjarang Baring’—meaning ‘Platypus Track’ in Dja Dja Wurrung language—was put forward, and Council sought community feedback through a brief survey in June and July 2025 to gauge support for the name.

Impact and integration

This summary presents clearly themed and organised community feedback that can be directly integrated into Councils plans and strategies. It highlights key issues, place-based opportunities, and community priorities in language aligned with project goals. Councillors and Council staff will use this input to guide decision-making, and it provides a transparent record of how community engagement is shaping outcomes.



Community informed outcomes

Engagement overview

The purpose of this engagement was to inform Council's consideration of the proposed name *Watjarang Baring* for the trail adjacent to Campbells Creek. Community input was sought to understand local perspectives on the cultural, ecological and community significance of the name, as well as any concerns relating to pronunciation, relevance or use of First Nations language.

Consultation was undertaken through a combination of online engagement via SHAPE Mount Alexander and direct communication with adjoining landowners, Traditional Owners and key stakeholders. This process enabled Council to gather a broad range of views, identify key themes of support and opposition, and ensure the naming proposal reflects community sentiment, cultural authority and legislative requirements.

Engagement activity

- We asked community: **Do you support the proposed name Watjarang Baring?** We also gave respondents the opportunity to share further comments to expand on their response.
- Informed the community about the proposed name via a dedicated SHAPE Mount Alexander page, which received 444 visits and 656 views.
- Consulted the community through an online SHAPE survey, receiving 103 public submissions between 3 June and 3 July 2025.
- Distributed letters to 151 adjoining landowners to ensure those most directly affected were informed and had the opportunity to participate.
- Raised awareness of the naming proposal through social media, Council communication channels and direct engagement with key stakeholders, including DJAARA and Nalderun.
- Engaged directly with DJAARA through a Wartaka on 4 March 2025 to discuss cultural authority, language use and interpretive signage.

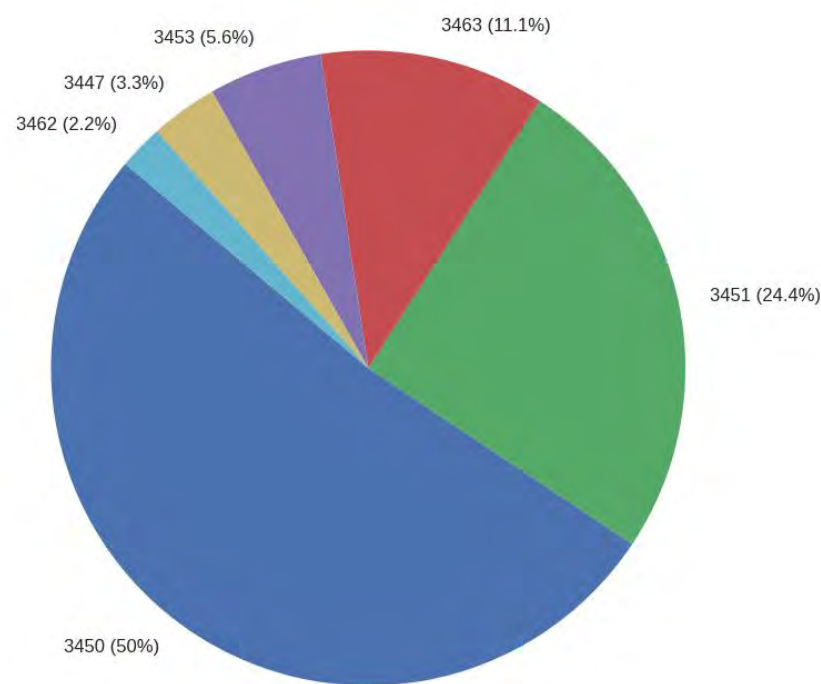
Community response

The following section presents the key themes that emerged from community engagement, organised to reflect the most consistent concerns, values, and aspirations shared by participants. By theming responses and aligning them with the purpose of the project, this section offers a clear and actionable foundation for decision-making. It demonstrates how community input is shaping the direction of the plan.

Survey respondents

We received a combined total of 119 survey responses.

Respondents by postcode



Castlemaine (3450) makes up half of all responses, followed by Chewton, Campbells Creek, and Harcourt (3451) at 24.4%. The remaining postcodes show smaller but still meaningful contributions, helping ensure the responses include diverse local .

Community response

Q. Do you support the proposed name Watjarang Baring?



Overall, the engagement demonstrated **strong community support** for adopting the name *Watjarang Baring*, with a clear majority recognising its cultural, environmental, and local significance. The feedback also provided valuable insight into community expectations around naming practices, accessibility, and communication, which will inform Council's approach to future naming projects.

Comments from supportive voices

"I think it is a really lovely name for the walking track! Very appropriate - hope it encourages some platypuses to come!"

"Wonderful name honouring the 65000 years of First Nations and Dja Dja Wurrung presence and custodianship. And honouring the Ancient wonder of Watjarang, a unique resilient survivor thriving in this landscape despite years of goldmine, agriculture and development abuse. Watjarang Presence here is a treatment to the work of local communities and Dja Dja Wurrung in working together to heal Country."

"I really like the name, it sounds really beautiful and it definitely suits the creek Great idea, easy to pronounce, easy to remember, wonderful way to recognise Australian and First Nations cultures."

"Great to have more First Nations names for our area. A good reminder for the community that we are on Aboriginal land."

"We need to support the Jaara community and their self-determination including the names and symbols we use in the official place names."

"An important step in returning language and leadership for waterways in our region."

"Nice one. Appropriate. Makes sense. Platypi can sometimes be spotted in these waters, mainly thanks to treated sewerage from Coliban Water."

"What a wonderful name to use for this important community asset. I can't wait to make use of the extension that has been wanted for so long."

Community response

Comments from opposing voices

Suggesting the name Platypus Track:

"The name sounds nice, but we need to highlight the platypus. I suggest we simply call it Platypus Track. Thanks."

"I am tired of names that are hard to remember and pronounce. No one will use it on an everyday basis..... So a more colloquial name like Platypus track would be much better."

"Why does the track require a name? If it does - call it Platypus Track. If someone is injured on the track they are not going to be able to remember or pronounce the name to get assistance. What is this costing us as rate payers? I would rather this be spent on cleaning up the track."

"The track should be named in English as this is the accepted language of all Australians, so it should be Platypus Track. To promote our natural wildlife and its importance, we need to communicate to as many people, locals and visitors, as possible the presence of the Platypus. To name it otherwise is to promote confusion for those that do not speak/read Dja Dja Wurrung language."

"And as the Dja Dja Wurrung language is a local language, it is not going to be understood by locals and visitors that do not understand it. What you should do is name it Platypus Track and then have the Dja Dja Wurrung language equivalent next to, or underneath it, same as many signs in Australia already do."

Suggesting the name Campbell's Creek Track/Trail:

Leave it as Campbells creek walking trail/track! It has been known by that for years! If you must apply names, then why not name the bridges, or other landmarks like lagoons, grassy flats or gullies that the track passes by, it would make it easier to arrange meeting places or to guide ambulance/police to someone who needs assistance.

I think it should be named as Campbells Creek track. Because it's the Campbells Creek track.

Other name suggestion:

I wholeheartedly agree to recognise Aboriginal connections throughout our community. But it is difficult if there is no clue about the nature of the place for English only speakers. So I suggest a partially both name 'Watjarang Track'.

Community response

Comments from opposing respondents (continued)

No alternative naming suggestion:

"I think it is ridiculous that an unpronounceable name in a language foreign to most residents and ratepayers is being given to this track to appease the minority of locals who identify as indigenous."

"That trail did not exist 200 years ago so I cannot see how there would ever be an indigenous name for a track that was non-existent back then. What evidence is there that the track was ever associated with the Platypus? What language has it been derived considering no written language was ever recorded. Using English letters to rename a track in a language that is unknown is more than ludicrous."

"Hard to spell, pronounce and remember."

Engagement insight for consideration

While 97 respondents supported the proposed name *Watjarang Baring*, only 17 of them (around 18%) chose to leave an additional comment. In contrast, all 22 respondents who did not support the name (100%) provided detailed written feedback.

This pattern is common in community engagement:

- **Supportive respondents** often feel the proposal "speaks for itself" and require less explanation, resulting in shorter or fewer comments.
- **Non-supportive respondents** are more likely to elaborate, using the comment field to express concerns, propose alternatives, or explain their disagreement.

The result is a high volume of commentary from a small minority, which can create the impression of stronger opposition than the quantitative data reflects. In this engagement, the written feedback provides valuable nuance, but the overall sentiment remains clear: the majority supported the name, while the minority provided more extensive reasoning for their disagreement.

Community identified issues and opportunities

Pronunciation, spelling, and accessibility concerns

Many respondents felt the name *Watjarang Baring* would be difficult for some community members to pronounce, remember, or spell. They worried this could reduce everyday use or create confusion for visitors and emergency services.

Strengthening cultural recognition and visibility

Supportive respondents saw the name as a meaningful way to honour Dja Dja Wurrung language, custodianship, and 65,000+ years of connection to Country. This presents an opportunity to deepen cultural understanding and reconciliation across the shire.

Preference for English or existing names

A significant portion of unsupportive comments expressed a desire to retain the existing name (*Campbells Creek Track*) or adopt a simple English name such as *Platypus Track*. These respondents felt English names were more familiar, descriptive, and inclusive for all users.

Celebrating local ecology and the presence of platypus

Many supporters valued the name's connection to the platypus population in Campbells Creek. This creates opportunities for environmental education, signage, and storytelling about local biodiversity and waterway health.

Broader resistance to Indigenous naming

Some respondents expressed discomfort with the increasing use of Indigenous names for public places, questioning relevance, cost, or cultural legitimacy. These comments reflect a broader community tension around cultural change rather than concerns specific to this track.

Building community pride in place

Supporters described the name as beautiful, fitting, and reflective of the area's identity. This offers an opportunity to strengthen community pride, enhance the track's character, and reinforce the partnership between Council, DJAARA, and local volunteers.

Community priorities

If we combine the key feedback themes with the community identified issues and opportunities, some distinct community priorities emerge. These will help guide the project team and Council as they consider next steps.

1 Celebrate and protect local ecology, especially platypus habitat
Supportive feedback highlighted the significance of the platypus population in Campbells Creek. The community expressed a desire for naming, signage, and storytelling that elevate awareness of local biodiversity and encourage environmental stewardship.

2 Honour and strengthen Dja Dja Wurrung cultural recognition
Many respondents strongly supported the use of Dja Dja Wurrung language in public places, seeing the proposed name *Watjarang Baring* as an important step in acknowledging 65,000+ years of custodianship, healing Country, and strengthening cultural visibility across the shire.

3 Ensure names are accessible, understandable, and easy to use
A consistent theme among unsupportive respondents was the need for names that are easy to pronounce, spell, and remember. This reflects a broader community priority for clarity and accessibility in public naming, especially for visitors, emergency services, and everyday use.

4 Maintain familiarity and local identity in place naming
Some respondents expressed a preference for retaining the commonly used name (*Campbells Creek Track*) or using English descriptors like *Platypus Track*. This highlights a community priority for continuity, familiarity, and ease of navigation in local infrastructure.

5 Provide clear communication about naming decisions
Across both supportive and unsupportive comments, there was a desire for transparency about why names are chosen, how they are developed with Traditional Owners, and what they signify. This points to a priority for clear, proactive communication that builds understanding and trust in Council's naming processes.

Mount Alexander Shire Council

Cnr Lyttleton and Lloyd streets
Castlemaine VIC 3450

Phone: (03) 5471 1700

Email: info@mountalexander.vic.gov.au

Website: www.mountalexander.vic.gov.au

Shape website: www.shape.mountalexander.vic.gov.au



The Mount Alexander Affordable Housing Trust

Deed of Trust

**DF Mortimer & Associates
PO Box 983
MOONEE PONDS VIC 3039
Tel: (03) 9370 9333
Ref: DFM:18/0002**



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This deed of trust

is made on

2026

between the following parties:

1. **Mount Alexander Shire Council ABN 12 966 477 062 of
27 Lyttleton Street, Castlemaine in the State of Victoria 3450**
(“Council”)
2. **MAAHT Pty Ltd ACN 697 097 411**
(“Trustee”)

Recitals

- A. Council wishes to establish a trust for certain public charitable purposes to be called the Mount Alexander Affordable Housing Trust.
- B. In particular Council wishes to provide a range of affordable housing consistent with the charitable purpose of public benevolent institutions.
- C. Council confirms that establishing the Trust is consistent with Council’s obligations in section 9 of the Local Government Act (“the overarching governance principles”).
- D. Council has paid the Settled Sum to the Trustee to hold on the trusts outlined in this deed in accordance with the relevant law.

This deed witnesses

1 Name

The Trust is to be known as the Mount Alexander Affordable Housing Trust.

2 Definitions and interpretation

2.1 Definitions

In this deed:

ACNC Act means the *Australian Charities and Not-for-profits Commission Act 2012*, and related legislative instruments for the time being in force;

Advisory Committee means a committee established under section 11;

Associate has the meaning outlined in section 78A of the *Income Tax Assessment Act 1936* as if the reference to the “donor” in that section were a reference to the person who under this deed is referred to in relation to the Associate;

Commissioner means Commissioner of Taxation, a Second Commissioner of Taxation or a Deputy Commissioner of Taxation for the purposes of the ITAA 97;



Deductible Contribution means a contribution of money or property as described in item 7 or item 8 of the table in section 30-15 of the ITAA 97 in relation to a fundraising event held for the purpose of the Trust;

Eligible Entity means an entity:

- (a) registered for public charitable purposes under the table in section 25(5) of the ACNC Act; and
- (b) gifts to which are deductible under item 1 of the table in section 30-15 of ITAA 97;

ITAA 97 means the *Income Tax Assessment Act 1997*;

Financial Year means the period from the date of this deed to the following 30 June and then each period of 12 months ending on 30 June in each year, or any other period that the Trustee decides;

Gift means a gift as described in item 2 of the table in section 30-15 of the ITAA 97 to the Trust.

Local Government Act means *Local Government Act 2020* (Vic).

Principal Purpose means the purpose outlined in section 4.2;

Settled Sum means \$50;

Specified Income means income of the Trust other than donations, gifts, government grants, and other voluntary transfers of property to the Trust;

Trust means the Trust established under this deed;

Trustee means the entity named in this deed as the Trustee and any other trustee for the time being of the Trust; and

Trust Fund means:

- (c) the Settled Sum;
- (d) any interests in land transferred to and accepted by the Trustee as additions to the Trust Fund;
- (e) all money, investments and assets paid or transferred to and accepted by the Trustee as additions to the Trust Fund;
- (f) all accretions to the Trust Fund;
- (g) all accumulations of income; and
- (h) the money, investments and property from time to time representing the above or into which they are converted

and includes any part of the Trust Fund.

2.2 Interpretation

In this deed unless the context requires otherwise:

- (a) the singular (including defined terms) includes the plural and the plural includes the singular, and words of any gender include all genders;
- (b) a reference to this deed means this deed as originally executed and as from time to time lawfully amended; and
- (c) a reference to any legislation or a provision of any legislation includes any amendment to that legislation or provision, any consolidation or replacement of that legislation or provision and any subordinate legislation made under that legislation.



2.3 Headings

Headings are for convenience only and do not affect interpretation of this deed.

3 Declaration of trust

Council and the Trustee declare that the Trustee must hold the Trust Fund on the trusts, with the powers and subject to the provisions in this deed.

4 Purposes

4.1 Public Identification

The public must be invited to contribute to the Trust Fund.

4.2 Principal Purpose

- (a) The Principal Purpose for which the Trust is established is to assist persons in benevolent need by the provision of affordable housing in the Mount Alexander Shire.
- (b) The Principal Purpose is charitable under item 14 in the table in section 25(5) of the ACNC Act ("public benevolent institution").
- (c) In furtherance of the Principal Purpose, the Trustee may acquire and manage interests in land in perpetuity to provide affordable housing to:
 - (1) Individuals and families in need of relief from poverty, distress or disadvantage;
 - (2) The aged or individuals with health needs or disabilities; and
 - (3) Individuals and families who are unable to obtain by their own resources, a modest standard of living in the Australian community.
- (d) Solely in furtherance of the Principal Purpose, the Trustee may also undertake incidental revenue generating activities, including providing for:
 - (1) Residential tenancies at commercial rates; and
 - (2) Leasehold trading activities at commercial rates.
- (e) Solely in furtherance of the Principal Purpose, the Trustee may enter into arrangements with other charitable and not for profit organisations to provide affordable housing.
- (f) Before the Trustee considers any arrangement under sections 4.2(d) and 4.2(e) the Trustee must first obtain advice from the Advisory Committee on any unmet housing needs in the Mount Alexander Shire.

4.3 Affordable Housing

- (a) The Trustee must consider a price differential when setting rental fees for affordable housing, with rental returns from incidental revenue generating activities to be fixed at market rates.
- (b) To the extent permitted by law, the Trustee may consider long term leases for affordable housing that:
 - (1) Recognise lessees may own improvements on land managed by the Trust;



- (2) Permit lessees to receive a fair sum for improvements they own on termination of their lease; and
- (3) Restrict the ability of lessees to privately benefit from capital growth in the land itself, in order to ensure the improvements remain affordable for the next generation of lessees.

4.4 Application of Trust Fund for Principal Purpose

- (a) Subject to section 4.6, the Trustee must pay or apply the Trust Fund solely for the Principal Purpose in each Accounting Period.
- (b) No part of the Trust Fund may be paid or distributed, indirectly or directly, by way of dividend, bonus or other profit distribution, to the Trustee or Council. However this section does not prohibit a payment permitted under section 14.

4.5 Factors Trustee may consider

In exercising its discretions under sections 4.2 and 4.3, the Trustee may have regard to:

- (a) any recommendations of an Advisory Committee; and
- (b) the provisions and objects, so far as they are consistent with the Principal Purpose of the Trust, of any other trust (including a trust established by testamentary instrument) where:
 - (1) the capital of the other trust has been transferred to or otherwise vested in the Trustee to hold on the trusts of this deed; and
 - (2) the trustee of the other trust has requested the Trustee to recognise the provisions or objects of the other trust in exercising the Trustee's discretions and powers under this deed.

4.6 Policies and rules

For the purpose of paying or applying the Trust Fund and after receiving advice from the Advisory Committee, the Trustee may:

- (a) formulate policies;
- (b) make rules in connection with a policy; and
- (c) revoke or amend a policy or rule and formulate others.

4.7 Trustee may accumulate

Despite section 4.2, the Trustee may, in any Financial Year accumulate and retain so much of:

- (a) the Specified Income as is:
 - (1) necessary to maintain the capital of the Trust Fund at a level calculated by adjusting the capital at the beginning of that Financial Year to reflect the movement in the All Groups Consumer Price Index during the Financial Year immediately before that Financial Year; or
 - (2) from time to time approved by the Commissioner; and
- (b) all other receipts or income of the Trust as are from time to time approved by the Commissioner.



5 Not for profit - Uncommercial Transactions

- (a) Apart from a payment or application under section 4.2, a payment under section 14 or a payment or application approved by the Commissioner, no part of the Trust Fund or the income may be paid or applied, directly or indirectly, to or for:
- (1) Council;
 - (2) the Trustee;
 - (3) a Donor; or
 - (4) an Associate of Council, the Trustee or a Donor
- by way of an Uncommercial Transaction.
- (b) In section 5(a), an Uncommercial Transaction means the provision of a financial or other benefit on terms which:
- (1) would not be reasonable in the circumstances if the benefit were provided on an arm's length basis; or
 - (2) are more favourable to the recipient than the terms referred to in section 5(b)(1)
- and which a reasonable person in the position of the Trustee would not have entered into having regard to all relevant circumstances.

6 Qualifications of Trustee

- (a) The Trustee must be: a company or other body corporate.
- (b) The Trustee must not exercise any discretion or power until the requirement in section 6(a) is met except:
- (1) for the purpose of Council exercising its power under this Trust Deed to appoint a new Trustee;
 - (2) to protect the Trust Fund; or
 - (3) in the case of urgency.

7 Trustee's powers

7.1 Investment

The Trustee must invest money of the Trust Fund only in a way in which trustees are permitted to invest under the laws of Australia or of any state or territory of Australia.

7.2 Other powers

- (a) Subject to first receiving advice from the Advisory Committee, the Trustee may:
- (1) enter into arrangements with government entities (including Council) to transfer interests in land held by those entities to the Trust;
 - (2) accept transfers of interests in land to the Trust from Donors (including by bequest);
 - (3) purchase freehold title to land;



- (4) enter into arrangements for the construction, repair or maintenance of improvements on an interest in land held by the Trust;
 - (5) allow any charitable entity to occupy an interest in land;
 - (6) dispose of an interest in land (including by way of return of an interest in land to a government entity);
- (b) Subject to the trusts of this deed the Trustee may:
- (1) open any account or accounts with a bank, building society or other financial institution and to operate in all usual ways any such account or accounts;
 - (2) issue debentures by way of a charitable investment fundraiser;
 - (3) borrow or raise or secure the payment of money and secure the repayment of any debt, liability, contract, guarantee or other engagement in any way and, in particular, by mortgage, charge, lien, encumbrance, debenture or other security, fixed or floating, over any present or future asset of any kind and wherever situated;
 - (4) take and act on the opinion of a barrister practising in Australia in relation to the interpretation or effect of this deed or any of the trusts or powers of this deed without responsibility for any loss or error resulting from doing so, but this provision does not stop the Trustee from applying to a court of competent jurisdiction;
 - (5) take any action for the adequate protection or insurance of any part of the Trust Fund;
 - (6) pay or deduct all costs and expenses of or incidental to the Trust Fund or its management (whether or not the Trustee is under any legal obligation to make the payment) or in connection with the preparation, execution and stamping of this deed, as though the Trustee were the absolute owner of the Trust Fund and the income of the Trust Fund;
 - (7) attract and encourage donations, gifts (by will or otherwise), endowments, trust distributions and other forms of financial assistance to or for the benefit of the Trust;
 - (8) employ and pay or provide any benefit for any employee without being responsible for the default of the employee or for any loss occasioned by the employment;
 - (9) engage and pay any agent, contractor or professional person without being responsible for the default of the agent, contractor or employee or for any loss occasioned by the engagement;
 - (10) decline or otherwise refuse to accept as part of the Trust Fund any gift (by will or otherwise), donation, settlement or other disposition in money, moneys worth or property; and
- (c) do all other things incidental to the exercise of the Trustee's powers under this deed.

7.3 Powers are supplementary

The powers and discretions in section 7.2 are to be treated as supplementary or additional to the powers vested in trustees by law.



7.4 Resignation and Appointment of Trustee

- (a) A body corporate may resign from its Trusteeship and shall be deemed to have resigned if any one of the following occurs:
 - (1) By the Trustee's notice in writing to Council; or
 - (2) The Trustee is removed from its Trusteeship by notice in writing from Council.
- (b) In the event of such resignation or removal, Council may appoint a replacement body corporate.
- (c) A body corporate so appointed by Council shall be bound by the terms of this Deed as if a signatory hereto.

8 Liability for breaches of trust

8.1 Trustee

The Trustee, where purporting to act in the exercise of the trusts of this deed or exercise powers or discretions under this deed is:

- (a) not liable for any loss or liability; and
- (b) entitled to be indemnified from the Trust Fund in respect of any loss or liability,

unless the loss or liability is attributable to:

- (a) the dishonesty of the Trustee; or
- (b) the wilful commission or omission of an act known by the Trustee to be a fraudulent breach of trust in bad faith.

8.2 Officers, agents or employees

Any officer, agent or employee of the Trustee purporting to exercise powers or discretions under this deed is:

- (a) not liable for any loss or liability; and
- (b) entitled to be indemnified from the Trust Fund in respect of any loss or liability,

unless the loss or liability is attributable to:

- (a) the dishonesty of that officer, agent or employee of the Trustee; or
- (b) the wilful commission or omission of an act known by that officer, agent or employee of the Trustee to be a fraudulent breach of trust in bad faith.

9 Indemnity of Trustee from Trust Fund

- (a) The Trustee is entitled to be indemnified out of the Trust Fund in respect of all costs and expenses incurred by the Trustee relating to:
 - (1) entering into this deed or any deed amending this deed;
 - (2) establishing, operating, administering, amending, terminating and winding up the Trust; or
 - (3) all matters incidental to the Trust; and



- (4) all liability incurred (including liability for income tax and any other taxes and all fines and penalties payable in relation to those taxes) and acts and things done in connection with or resulting from the matters referred to in this section 9 including, but not limited to, the Trustee performing its duties and exercising its powers and discretions under this deed.
 - (b) The Trustee is not entitled to be indemnified out of the Trust Fund for conduct involving a wilful breach of an ACNC Act governance standard.
-

10 Books of account and receipts

10.1 Trustee to keep accounts

The Trustee must keep or cause to be kept proper accounts in respect of all receipts and payments on account of the Trust Fund and of all dealings connected with the Trust Fund.

10.2 Financial statements

- (a) As soon as practicable after the end of each Financial Year the Trustee must prepare or cause to be prepared an annual information statement and such financial statements as required under the ACNC Act showing the financial position of the Trust Fund at the end of that Financial Year in accordance with the accounting standards.
- (b) The Trustee must as soon as practicable, provide Council with such financial statements as are required after the end of each Financial Year under the ACNC Act.

10.3 Audit

The financial statement must be reviewed or audited in accord with the ACNC Act.

10.4 Receipts

- (a) The Trustee must issue a receipt for each Deductible Contribution and for each Gift upon request.
 - (b) Receipts issued for gifts must state:
 - (1) the name of the Trust Fund;
 - (2) the Australian Business Number applicable to the Trust; and
 - (3) the fact that the receipt is for a gift.
-

11 Advisory Committees

- (a) Council may establish a Trust Advisory Committee under the Local Government Act and appoint and remove, or make provision for the appointment and removal of, members of the Trust Advisory Committee.
- (b) The functions of the Trust Advisory Committee will be determined by Council, and in consultation with the Trustee.
- (c) The Advisory Committee has power to advise (but not direct) the Trustee on how the Trust Fund should be applied in furtherance of the Principal Purpose.



- (d) The Trustee must seek advice from the Advisory Committee before the Trustee considers decisions under sections 4.2(d), 4.2(e) and 7.2(a).
- (e) The Trustee may seek advice from the Trust Advisory Committee on any matter concerning how the Trust Fund should be applied in furtherance of the Principal Purpose.

12 Patrons

Council by formal resolution may appoint any person as a patron of the Trust.

13 Amending this deed

The Trustee may by deed revoke, add to or vary any of the provisions of this deed, so long as:

- (a) Council approves the amendment;
- (b) no part of the Trust Fund or the income of the Trust Fund becomes subject to any trusts other than public charitable trusts;
- (c) unless the Commissioner consents to the revocation, addition or variation:
 - (1) no part of the Trust Fund or the income of the Trust Fund becomes subject to trusts other than public charitable purposes under the table in section 25(5) of the ACNC Act;
 - (2) no amendment is made to or affecting sections 4.4 or 5;
 - (3) no amendment is made which authorises the Trustee to invest money of the Trust Fund other than in a manner in which trustees are permitted to invest under the laws of Australia or of any State or Territory of Australia;
 - (4) no amendment is made to this section 13 so as to permit this deed to be amended in a manner prohibited by section 13 (c)(1), (2) or (3); and
- (d) the Trustee notifies the Commissioner of the amendment.

14 Trustee's remuneration and expenses

The Trustee may apply the income or capital of the Trust Fund to:

- (a) pay fair and reasonable remuneration for the services of the Trustee in administering the Trust at a rate not exceeding 1.056% annually (GST inclusive) of the gross value of the Trust Fund; and
- (b) reimburse the Trustee for reasonable expenses incurred as Trustee of the Trust.

15 General

15.1 Receipts by others

The receipt of the person purporting to be the treasurer, secretary or other proper officer of any recipient of a payment or application of income or capital from the Trust Fund is a sufficient discharge to the Trustee and the Trustee need not see to the application of the payment or application.



15.2 Trustee's discretions and powers

Except where there is an express contrary provision in this deed, any discretion given to the Trustee is absolute and uncontrolled and every power given to it is exercisable at its absolute and uncontrolled discretion.

15.3 Personal interest of Trustee

The Trustee and any person who is a member of the board or other controlling committee of the Trustee or a member of the Trustee may exercise or concur in exercising all powers and discretions given by this deed or by law even though the Trustee or that person:

- (a) has or may have a direct or personal interest or a conflict of fiduciary duty in the method or result of exercising the power or discretion; or
- (b) may benefit either directly or indirectly from the exercise of any power or discretion,

and even if the Trustee is a sole trustee.

15.4 Delegation of powers

The Trustee may by power of attorney or otherwise delegate to any person any of the discretions or powers given to it under this deed. The exercise of any of the discretions or powers of this deed by an attorney or delegate is valid and effectual and binds all persons interested under this deed.

15.5 Trustee's receipts

The Trustee may receive money and other property and give valid receipts for all purposes including:

- (a) those of any statute; and
- (b) the receipt of any capital money which may or may not be deemed to be capital money for the purposes of any law relating to settled land,

and even if the Trustee is a sole trustee.

15.6 Trustee's decisions

- (a) The Trustee may decide:
 - (1) whether any money is to be considered as capital or income;
 - (2) whether any expense, outgoing or other payment ought to be paid out of capital or income; and
 - (3) all questions and matters of doubt arising in the execution of the trusts of this deed.
- (b) Every decision on these matters, whether made on a question actually raised or implied in the acts or proceedings of the Trustee, is conclusive and binds all persons interested under this deed.

16 Revocation of DGR endorsement

- (a) If the Trust's endorsement as a deductible gift recipient under Subdivision 30-BA of the ITAA 97 is revoked the Trustee must pay or apply any assets of the Trust Fund remaining after the satisfaction of all its debts and liabilities to or for Eligible Entities, as the Trustee decides.
- (b) Where gifts to an Eligible Entity are deductible only if, among other things, the conditions set out in the relevant table item in Subdivision 30-B of the ITAA 97 are satisfied, a payment or application under this clause must be made in accordance with those condition

17 Winding up

- (a) If at any time the Trustee is of the opinion that it is impractical to continue the Trust Fund or that the Trust Fund has, for any reason, fully achieved, or failed to achieve or achieve to the maximum degree possible in all the circumstances the Principal Purpose, then the Trustee may resolve to wind up the Trust Fund.
- (b) The Trustee may resolve to wind up the Trust Fund only after Council has passed a resolution to that effect.
- (c) If on the winding up of the Trust Fund any property remains after the satisfaction of all of its debts and liabilities, the Trustee must transfer the property to one or more Eligible Entities established for public charitable purposes under the table in section 25(5) of the ACNC Act or any statutory modification for the time being enforced.
- (d) For the avoidance of doubt and despite section 17(c) , the Trustee may return an interest in land to the government entity (or its successor) that supplied that interest in land.

18 Governing law

This deed is governed by the laws of the State of Victoria.

Executed as a deed:

Signed sealed and delivered for and on behalf of Mount Alexander Shire Council by the Chief Executive Officer under a resolution of Council dated 19 May 2026.

Chief Executive Officer

Name *(print name)*

Witness

Name *(print name)*



Executed as a deed in accordance with section 127 of the Corporations Act
by MAAHT Pty Ltd ACN 697 097 411, by being signed by those persons who are
authorised to sign for the company:

sign here ► _____
Company Secretary/Director

print name _____

sign here ► _____
Director

print name _____



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9.1.4. Expression of Interest for Appointment of Trustee to the Mount Alexander Affordable Housing Trust

This Report is For Decision

Responsible Director: Chief Executive Officer, Darren Fuzzard

Responsible Officer: Housing Solutions Broker, Clare Richards

Attachments: 1. Request for Proposal - Trusteeship of the MAAHT [9.1.4.1 - 35 pages]

Executive Summary

The purpose of this report is to seek Council's approval of the attached *Request for Proposal* document to enable the appointment of a Trustee to the Mount Alexander Affordable Housing Trust (MAAHT).

This request follows Council's approval of:

- the MAAHT Deed
- the Terms of Reference for the MAAHT Advisory Committee
- the inaugural members of the MAAHT Advisory Committee

If approved, and subject to the adequacy of the responses to the *Request for Proposal* that are received, it is intended that a recommendation regarding appointment of a Trustee for the MAAHT will be presented to Council for consideration in the first quarter of 2026.

RECOMMENDATION

That Council:

- 1. Approves the draft *Request for Proposal* document as attached and notes that it will be publicly advertised for a period of approximately two months thereafter.**
- 2. Notes that a report recommending the appointment of a Trustee for the Mount Alexander Affordable Housing Trust will be presented for consideration at a future Meeting of Council.**

MOVED COUNCILLOR DRISCOLL

That the recommendation be adopted.

SECONDED COUNCILLOR MADDOCK

CARRIED.

Context

The concept of establishing the Mount Alexander Affordable Housing Trust (MAAHT) has been in development for several years.

Such an initiative by any Local Government Authority in Australia is unique in many ways. Consequently, it has required significant effort and time to develop a model that:

- has the flexibility and capacity to respond to various and changing housing needs in the Mount Alexander Shire community at any given time, and in perpetuity
- offers potential donors to the MAAHT, high confidence that it will deliver what was promised
- enables Council to ensure that Trustees are accountable for delivering on the objectives of the Trust Deed
- facilitates a strong connection between the needs of the community and the focus of the Trustees.

This effort has included the development of a Trust Deed, a Terms of Reference for an associated Advisory Committee, and the appointment of an inaugural skills-based Advisory Committee to deliver on that Terms of Reference.

If approved, the adoption of the attached Request for Proposal (RFP) will initiate an open invitation to all interested parties for the role of Trustee to the MAAHT. Thereafter, subject to a suitable Trustee being identified and appointed by Council, an application to the Australian Charities and Not-for-Profits Commission (ACNC) will be made to establish the MAAHT.

The release of the RFP will also signal the launch of a fundraising initiative to establish an initial fund of \$10 Million in cash and assets for the MAAHT.

The following table summarises the planned timeline for the appointment of the Trustee and establishment of the MAAHT:

Timeframe	Action	Responsible Party
September (subject to Council approval of the RFP)	Open Request for Proposal via Council's VendorPanel	Mount Alexander Shire Officers
November 2025	Submit Proposal by 28 November 2025	Applicants
December 2025	Interview shortlisted applicants	Mount Alexander Shire Officers, MAAHT Advisory Committee & Applicants
February – March 2026	Decision to appoint a Trustee	Mount Alexander Shire Council
April 2026	Trustee formally appointed	Mount Alexander Shire Officers
April 2026	ACNC and ATO applications commenced	Successful applicant and Mount Alexander Shire officers

Timeframe	Action	Responsible Party
July 2026 onwards	Trust established and operations commence	Successful applicant, supported by MAAHT Advisory Committee

Issues

Getting the right Trustee for success

As noted above, the MAAHT is an emergent model that breaks new ground in many ways. However, through extensive research and discussions with industry experts in both housing and trusts, Officers are confident that the adopted Trust Deed provides a strong platform for success.

A critical aspect to this being realised, is the appointment of the right Trustee. Therefore; to ensure that the RFP document attracts and then enables a thorough analysis of potential Trustees, a draft document was circulated amongst industry experts for feedback.

While strong support for the initiative was received, a key concern that was raised through this consultation was the limited funds that appeared to be available to a Trustee in delivering upon the objectives of the Trust Deed. This point has since been clarified within the RFP document to ensure prospective Trustees know that the permitted remuneration (under trust law) is *in addition* to operational expenditure that is allowed to be funded through the MAAHT's resources.

More broadly, the proposed document and feedback was reviewed in consultation with Council's in-house procurement experts and the legal advisor responsible for developing the adopted Trust Deed. Aside from the above clarification, only minor changes were found to be necessary.

A further concern raised during the recent consultation was regarding the need to ensure a sufficient base of initial funds and/or assets will exist to successfully establish the MAAHT.

Establishing an initial fund for the Trust

One of the major challenges in developing and operationalising the MAAHT model, has been to enable several *mutually reliant* activities to proceed, while retaining the ability for Council to largely have a 'no regrets' approach in its decision-making.

The most significant of these has been in the scheduling of building an initial base of funds on which the MAAHT can be successfully established while also attracting a suitable Trustee (that must itself create the Trust).

Ideally, to best promote the investment opportunity of the MAAHT, a Trustee would already be appointed. Equally however, given the significant legal and fiduciary obligations that a Trustee takes on when they establish a trust, unless an adequate base of funds and assets are already held, it is unlikely that any Trustee will be prepared to take on the role. As noted above, this view was verified in the recent consultation on the draft RFP document.

To address this, Officers are in the process of securing the services of an existing, well-respected philanthropic foundation that will enable Council and the MAAHT Advisory Committee to launch the required investment drive concurrent to the process of appointing a Trustee.

In doing so, this means that prior to being asked to decide on the appointment of a Trustee, Council and the preferred Trustee will have a strong sense of whether the initial funding base will be sufficient to successfully establish the MAAHT.

Feedback from the recent industry consultation has indicated that this base would ideally be in the order of \$9-10 Million.

As Council is aware, in addition to its own commitment of \$500,000 towards the MAAHT, the recent announcement from the Maldon and District Community Bank has added a further \$650,000 towards this goal. It is intended and expected that the consequent construction of two new homes for worker accommodation in Maldon, will act as an excellent early example of the potential for the MAAHT. Officers also believe that there is significant interest in the wider community to add to this when the fundraising drive commences.

Finance and Resource Implications

The process of advertising, assessing and appointing a Trustee for the MAAHT is covered through normal operating budgets.

The associated legal costs in developing and reviewing the draft RFP document do not exceed \$2,000 and are funded from within the 2025/2026 budget allocated to the Affordable Housing initiative.

Council has previously allocated \$500,000 as seed funding for the MAAHT should it proceed. In the Confidential Meeting of Council 19 August 2025, \$400,000 from this budget was allocated towards the Maldon and District Community Bank 'BIG Project' initiative that will deliver two new homes in Maldon.

The remaining \$100,000 is proposed to be used to support the establishment of a Trustee should Council decide to proceed with the MAAHT following the outcome of the process described in this report.

Risk Analysis

The key risks and opportunities associated with the establishment of the MAAHT have been identified and addressed in preceding reports and therefore are not duplicated here.

However, the focus of this report is to enable the potential appointment of a Trustee to the MAAHT, and therefore the following specific process risks and mitigating actions have been identified.

Given the innovative and new nature of the proposed MAAHT, there is a wide range of sectors and organisations that *may* possess the relevant skills that are required, and which *may* have an interest in taking on the role of Trustee. This; however, also means it is difficult to predict with certainty that sufficient, or any, responses from suitable candidates will be received.

To mitigate this risk, the draft RFP document was circulated and shared to seek feedback on its appropriateness. As previously noted, minor adjustments and clarifications were then made.

In addition, given the broad nature of the model, a 'tender response' period of at least two months has been allowed, and a subsequent interview process of shortlisted candidates included. It is considered that such a tender period will enable prospective parties sufficient time to assess the needs of the Trustee role, identify any potential partners that may be

required, and permit their own boards to conduct a due diligence approach, prior to submitting a proposal.

It is also envisaged that the interview process will enable a deeper understanding by all parties of how the Trustee would function, if appointed.

Notwithstanding the above, a risk remains that no suitable candidate is identified from the initial advertising process and re-advertisement may be required.

Given the apparent level of community interest in the MAAHT proceeding, this would not be a desirable outcome. However, it would enable continued efforts to secure more base funds for the MAAHT that, in turn, increases the attractiveness of the Trustee role, if re-advertised.

The effectiveness of the relationship between a Trustee and the MAAHT Advisory Committee will be critical to the success of the MAAHT. In addition, the MAAHT Advisory Committee holds significant experience and expertise in many of the activities that will be performed by a Trustee. Accordingly, a member of the MAAHT Advisory Committee will be included in the 'tender' assessment panel and the recommendation of the panel will be presented to the MAAHT Advisory Committee for endorsement prior to the matter coming to Council for a decision.

Climate Impact Statement

The decision to progress with the establishment of the MAAHT does not have direct climate impact implications. However, it is anticipated that a likely outcome of the initiative will be more climate-appropriate housing being made available to more cohorts within the Mount Alexander Shire community.

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 Gender Impact Assessment was not required; however, gender equity principles have been considered in the development of the project / initiative to the advancement of gender equality.

Alternate Options

Council may choose to not accept this recommendation and thus not proceed with the process of appointing a Trustee or establishing the MAAHT. As with previous stages of developing the MAAHT, this proposal has been developed with the intent of providing a 'no regrets' opportunity for Council's consideration and therefore proceeding as proposed is recommended.

Communication and Consultation

As previously noted, in addition to consulting with inhouse procurement experts and external legal counsel, the draft RFP document was shared for comment with related experts from industry prior to it being presented to Council.

If approved, the RFP for a Trustee of the MAAHT will be advertised in The Age, Sydney Morning Herald and The Australian newspapers and will be widely circulated through sector networks. It will also be promoted locally and regionally via traditional and local media and

professional networks. The tender process will be conducted on Council's Vendor Panel platform.

Legislation

Charities Act 2013 (Federal)

Income Tax Assessment Act 1997 (Federal)

Local Government Act 2020

Housing Act 1983

Planning and Environment Act 1987

Trustee Act 1958

Strategies and Policy Impacts

Council Plan 2021-2025

- Environment - A flourishing environment for nature and people.
- We are focused on the housing affordability challenge in our community.

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 responsibility in keeping children and young people safe from harm and promoting their best interests.

All children who encounter 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.

Property Acquisition and Disposal Policy



Document Type:	Organisational Policy	TRIM reference:	DOC/25/47855
Document Status:	Draft		
Policy Owner (position):	Property Portfolio Coordinator		
Internal endorsement required:	Not Applicable		
Final Approval by:	Council		
Date approved:	Click here to enter a date.		
Evidence of approval:	Council – Refer to Notes in TRIM		
Version Number:	1	Frequency of Review:	4 years
Review Date:	1/02/2030		
Date rescinded:	Click here to enter a date. OR <input checked="" type="checkbox"/> Not applicable		
Related legislation:	<ul style="list-style-type: none"> • Local Government Act 2020 • Sale of Land Act 1962 • Transfer of Land Act 1958 • Property Law Act 1958 • Valuation of Land Act 1960 • Owners Corporation Act 2006 • Land Acquisition and Compensation Act 1986 • Limitations of Actions Act 1958 • Traditional Owners Settlement Act 2010 • Planning and Environment Act 1987 • Subdivision Act 1988 • Crown Land (Reserves) Act 1978 • Land Act 1958 • Land Regulations 2016 		
Related strategic documents, policies, or procedures:	<ul style="list-style-type: none"> • Property Acquisition and Disposal Procedure 2026, MASC (currently in draft) • Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land (the Guidelines) 2009 • Victorian Government's landholding policy Victorian Government Land Transactions Policy 2022 • Dja Dja Wurrung Clans Aboriginal Corporation Land Use Activity Agreement 2018 • Taungurung Clans Aboriginal Corporation Land Use Activity Agreement 2018, varied 2020 • Building Asset Management Plan 2023 – 2028, MASC • This Is My Building 2.0 (TIMB2.0), MASC • Risk Management Policy 2020, MASC • Community Engagement Policy 2024, MASC • Council Plan 2025 – 2029, MASC • Disability Inclusion Action Plan 2023 – 2027, MASC • Gender Equity Action Plan, 2021 – 2025, MASC • Fair Access Policy 2024, MASC 		

Property Acquisition and Disposal Policy



Date	Version Number	Details of Version	Modified by
2/10/2025	1	Draft	Property portfolio Coordinator

DRAFT

1. Purpose

The purpose of this policy is to:

- Ensure that Council's property portfolio remains relevant and fit for purpose.
- Establish a framework for acquisition, disposal or retention of Council owned and managed properties, through a consistent, transparent and accountable process in compliance with legislative and best practice requirements and Council's risk management practices.
- Establish principles that will guide the review of Council's property portfolio to identify property which is surplus to requirements and could be made available for disposal, or property that could be suitable for acquisition to support or facilitate the delivery of a current or future Council, community or commercial service.

This will be achieved with regard to the principles outlined in this policy.

This policy must be read in conjunction with the Property Acquisition and Disposal Procedure.

2. Context

Councils are authorised to acquire, hold, deal with or dispose of property for the purpose of performing its functions and exercising its powers. A Council may be appointed or revoked as Committee of Management of Crown lands by the Minister or Governor in Council.

Council owns or manages a considerable property portfolio consisting of freehold parcels, Crown land reserves and unreserved Crown land, most including buildings or other infrastructure. Property is held to facilitate the provision of Council's responsibilities, service delivery and objectives, and to meet community needs and expectations, now and into the future.

Council's requirement for particular property assets varies from time to time. Council has a program to periodically review its property portfolio to ensure that property assets remain relevant to need and fit for purpose.

3. Scope

This policy applies to Council owned and managed properties and to property transactions, such as the sale, exchange, transfer, or acquisition of Council owned properties, the demolition of Council owned buildings, and the return of Crown land to the Victorian State Government.

This policy does not apply to:

- land that has the legal status of road including a road reserve, unless a road or part of a road is discontinued and that road or part of the road, can be transacted as property; or
- property that is to be transferred without consideration to a limited number of public bodies under section 116 of the Local Government Act 2020; or
- where property is to be sold to recover unpaid rates or charges; or
- leasing and licensing of property.

4. Policy principles

Council's property portfolio should be managed to ensure the greatest benefit or best value (financial or non-financial) to the community and Council.

Property transactions should demonstrate a net community benefit. This will be achieved with regard to the guiding principles outlined below:

- **Alignment with Council Plan**

Property holding, acquisition or disposal of Council properties will align with Council's values, objectives and strategies as identified in the Council Plan, and other related Council policies.

Additional property will only be acquired where it can be demonstrated that the property is required to support a function of Council or facilitate the provision of a service by Council or the community that cannot be provided in an existing Council property. Surplus property will be considered for disposal.

- **Community Benefit**

Council's property portfolio will be managed for the best interests of the community, now and into the future, including rationalising property assets for

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financial sustainability. Proceeds from the sale of property will be used to fund priorities identified in Council's long term financial plan, annual budget, or any other plans, policies or strategies, or as legislated, but not for recurrent or operational expenses.

- **Multi-use of properties**

Optimise the use of Council properties through enabling multiple users where practicable.

- **Transparency**

Property transactions will be through a public process, unless circumstances exist that justify an alternative method.

- **Accountability**

All acquisitions or disposals of property must comply with the provisions of the Local Government Act 2020, the Local Government *Best Practice Guidelines for the Sale, Exchange and Transfer of Land*, and other relevant legislation and guidelines.

- **Risk Management**

When determining the acquisition or disposal of a property, Council will consider the mitigation and management of any risks associated with the property, its use and its management.

- **Access**

Council will seek to retain public access to Council property, either through the service provided, or through the availability of the property for hire.

- **Environmental impacts**

Council will consider any impacts of a property transaction on the environment and any impacts the environment might have on a property.

5. Roles and responsibilities

Position	Responsibility
Council	Responsible for making decisions under Section 112, 113, and 114 of the Local Government Act 2020.

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Chief Executive Officer	Negotiate to acquire property within delegation. Sign contracts and other documentation within delegation.
Director	Sign contracts and other documentation within delegation.
Service Manager	Create strategic documentation relating to current and future service needs which is to be used to guide future acquisition or disposal. Internal consultation with other relevant business units to determine the requirement for acquisition or disposal of property prior to any consideration of property acquisition or disposal.
Property Portfolio Coordinator	Develop and implement policy, provide advice, guidance, template agreements and key terms. Periodic review of property portfolio to identify surplus property or a requirement for property. Administration of property transactions.

6. Definitions of Abbreviations Used

A table of terms and their definitions as they relate to the policy.

Term	Definition
Acquisition	Purchase of freehold property, or a right or interest in property, or assuming management of Crown land.
Best practice	The most effective, efficient and proven methods, techniques or procedures that consistently achieve a desired outcome or solve a problem
Best practice guidelines	The Local Government Guidelines for the Sale, Exchange & Transfer of Land, 2009.
Best value	A subjective term for the most beneficial trade-off between cost and benefits, considering not just the initial price but also quality, total life costs, and service.
Community benefit	An overall positive contribution or improvement that has positive value to the community, beyond an individual or single interest group. It could include social, environmental or economic benefits through the provision of tangible benefits such as recreational services, cultural services, or improvements to council properties, or less tangible benefits such as support, social enjoyment and engagement

	opportunities, learning programs, and enhancement of the wellbeing of the local and wider Mount Alexander Shire community.
Council property	Council owned, vested or managed land, including land containing improvements.
Crown land	Public land owned and managed by the state government on behalf of the public. Crown land can be reserved for a particular public use, or unreserved. Unreserved Crown land has not been set aside for a particular public use.
Demolition	Destruction of a building or other structure, or removal of a building or other structure from Council's ownership.
Disposal	Sale, transfer, demolition or exchange of freehold property or ceding management of Crown land.
Land	As defined in the Interpretation of Legislation Act 1984 includes buildings and other structures permanently affixed to land, land covered with water, and any estate, interest, easement, servitude, privilege or right in or over land.
Property	A legal concept referring to rights an owner holds over a physical or intangible resource, including the power to exclude others from its use. Real property encompasses interests in land and fixtures or structures upon the land.
Public process	A public auction, public tender or registration of expressions of interest.
Road	As defined in the Road Management Act 2004 and includes (a) any public highway; (b) any ancillary area; (c) any land declared to be a road under section 11 or forming part of a public highway or ancillary area.

7. Human Rights Statement

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006). Mount Alexander Shire Council is committed to consultation and cooperation between management and employees. Mount Alexander Shire Council will formally involve the Workplace Consultative Committee in any workplace change that may affect employees.

8. Gender Equity

It is considered that this policy goes towards promoting gender equity principles as outlined in the *Gender Equality Act 2020* and does not contribute in 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.

9. Child Safety

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.