

# Agenda

**Council Meeting**  
**Wednesday 27 March 2024 at 7pm**  
**Gisborne Administration Centre**  
**40 Robertson Street, Gisborne**

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**1 ACKNOWLEDGEMENT OF COUNTRY**

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

**2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING**

This meeting is being recorded and streamed live on the internet, in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings' policy, which can be viewed on Council's website.

**3 PRESENT****4 APOLOGIES****5 CONFLICTS OF INTEREST****6 PETITIONS**

Nil

**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL****8 ADOPTION OF MINUTES****Recommendation**

**That Council confirms the minutes of the Scheduled Council Meeting of Macedon Ranges Shire Council held on 28 February 2024, as circulated with the notice of motion numbers updated as per the table below:**

<b>Old Notice of Motion Number</b>	<b>New Notice of Motion Number</b>
<b>No. 1/2023-24</b>	<b>No. 61/2023-24</b>
<b>No. 2/2023-24</b>	<b>No. 62/2023-24</b>

**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - FEBRUARY - MARCH 2024****Summary**

This report provides an update from the Mayor on recent Council activities and initiatives of a shire wide nature.

**Recommendation**

**That Council receives and notes the Mayor's report.**

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**Mayor's report**

Autumn is upon us and the beautiful natural environment in the Macedon Ranges is on full display. This season brings many tourists to experience the variety of attractions on offer in our local area and brings a welcome boost to our local economy. Supporting tourism is important and Council are pleased to support the Macedon Ranges Thriving Villages Project. This is an initiative of Tourism Macedon Ranges (TMR) to help local villages create meaningful change and thrive. The launch was held on Wednesday 20 March at Mount Monument Winery and brings together town or 'village' representatives to identify a road map to develop and implement Town Centre Activation Plans. TMR have secured funding for the first two towns of Romsey and Lancefield. It will be great to watch this project progress and to see positive outcomes for local residents, businesses and tourists.

There have been many important events either organised or supported by Council over the last month.

Relay for Life event

We had another successful team event at this year's Relay for Life in Lancefield Park on 2 March. Sixteen teams participated with over 200 walkers, and together raised \$39,576 for the Cancer Council. Over the last 21 years this event has raised \$1.7m. Thank you to all those that donated to the event and our team. Our team raised \$4,586. On behalf of Council, I would also like to thank our team captain Anna Quigley. Anna has managed the Shire team for the last fifteen years. This is an incredible effort. Thank you for your commitment and dedication to this important cause.

International Women's Day

International Women's Day was celebrated at an event in the Kyneton Town Hall on 8 March. This year's theme was 'Count Her In: Invest in Women. Accelerate Progress'. Council was proud to host an incredible panel discussion, featuring Taungurung elder Aunty Joanne Honeysett, Shamila Gopalan (Chief Commercial Officer from Sisterworks), Miranda Johnson-Jones and Laura Crozier (hosts of the Growing Up Clueless Podcast) and Mary Attard, (Deputy Director of Her Place Museum). The panel explored the achievements, challenges, and strengths of women's economic empowerment through their unique experiences. The event also launched the Unmasked exhibition, celebrating more than 200 years of nursing and midwifery in Victoria. Thanks to all those involved. Council have recently welcomed \$262,500 in funding from the Victorian Governments Free from Violence Grant Program. Over the next three years, this funding will support primary prevention of gender-based violence and gender equality initiatives in our workplace and the Macedon

Ranges community. This enables Council to employ a Free from Violence/Gender Equity Officer, which will have a significant impact on the work that we currently do in this space.

### AgriFutures Victorian Rural Women's Award

Local Kyneton resident Grace Larson has won the Victorian AgriFutures Rural Women's Award. Grace co-founded the Sisterhood Project which aims to assist families in disadvantaged areas to access first and preventative health training. Grace has more than 17 years' experience as a paediatric nurse and as a mum of three understands the barriers to accessing health training, especially in remote and rural Victoria. On behalf of Council, I would like to wish Grace all the best for the National Awards in September.

### Enviro Energy Expo

The inaugural Enviro Energy Expo at Riddells Creek Primary School on 16 March was an incredible success. This community led initiative is a fantastic example of local residents owning actions that build momentum for change. There are many experts amongst us in the Macedon Ranges and this event enabled information and knowledge sharing, which is so important during a time of Climate Emergency. Keynote speakers included Dan Cass of Rewiring Australia and Tamara DiMattina of the New Joneses. It was a great opportunity for us all to learn together. We will all continue to be touched by climate change and a resilient community is one that comes together. Thank you to all the sponsors and the vendors that participated. A special shout out to the Riddells Creek community, Riddells Creek Neighbourhood House and the Macedon Ranges Sustainability Group.

### Campout at the Rock

After three years it was fantastic to see the return of a new and improved Campout at the Rock. More than 250 campers attended the revamped event, which also featured a Park Ranger-guided sunset walk and outdoor cinema under the stars. The event was both popular and a tremendous success. The world's second largest company, Apple, also came to the Rock in early 2024 as this was the chosen location for an Apple Watch TV commercial shoot. The recently released ad was filmed in various locations around the reserve and focused on the heart rate notification features of the new Apple Watch.

### Youth Summit

I was pleased to provide a welcome to the Youth Summit held at the Woodend Community Centre on 21 March. The Summit facilitated opportunities to empower young people of the Macedon Ranges Shire, including consultation on key issues and feedback on Council's progress with the deliverables outlined in Elevate – Council's 10 Year Youth Strategy 2018-2028. Elevate is an extremely important document which provides the overall direction for Council's Youth Services unit and guides the programs, initiatives, advocacy and support work facilitated for young people and their families.

### Cultural Diversity Week

Many people enjoyed the special lunch event and shared storytelling at the Kyneton Town Hall on 22 March to celebrate Cultural Diversity Week. This year's theme was Our Shared Stories – Celebrating Together. The event recognised the value that cultural diversity brings to our community. A highlight of the event was the lunch, thoughtfully prepared by community chef Valme, who brought a taste of the Philippines to all in attendance. In partnership with Regional Victorians of Colour, Kyneton Community House and The Kindness Collective, this brought together culturally diverse people living in our community to share their stories, along with information from the Multicultural Centre for Women's Health.

Workspace Australia - New Business Hub

The New Business Hub was opened in Castlemaine on 13 February by the Hon. Maree Edwards MP. The event was also attended by the Workspace Board and representatives from Mount Alexander Shire Council. Workspace Australia is a registered charity that was established to improve employment opportunities for socially disadvantaged individuals. Macedon Ranges is one of five central Victorian Councils that support this important work. The new facility includes six new commercial kitchens and 31 offices. This is a great initiative that will assist to provide training and enterprise activities and employment opportunities throughout the region.

I would like to take this opportunity to highlight some of the most recent happenings around the Shire.

Councillors were pleased to be invited to the following events/meetings since the last Scheduled Council Meeting:

- Zonta Club of Kyneton International Women's Day Dinner in Woodend on 6 March.
- Calder Highway Improvement Committee meeting in Melton on 15 March.
- Victorian Local Government Association Fast track session at Melbourne Townhall on 15 March.
- Municipal Association Victorian (MAV) Gender Equality Online Workshop for Councillors on 14 March.
- Rural Council's Victoria meeting at Parliament House on 5 March.
- Mayoral Taskforce Supporting People Seeking Asylum online meeting on 20 March.
- Intergenerational Dance Community Event in Kyneton on 24 March.

Current consultations

- Barkly Square Multipurpose Facility Options: Council is seeking feedback on the preferred site of a new multipurpose facility at Barkly Square in Kyneton. Submissions close Sunday 31 March 2024.
- Draft Gambling Harm Prevention Policy: The draft Gambling Harm Prevention Policy has been developed to replace the Electronic Gaming Machine (Pokies) Community Policy endorsed in 2009. Submissions close Sunday 31 March 2024.
- Draft Riddells Creek Movement Network Study – The Riddells Creek Movement Network Study aims to provide a strategic transport plan proposing infrastructure to accommodate long-term population growth in the town. Submissions close Sunday 31 March 2024.
- C154macr Wills Street Malmsbury – Amendment C154macr is a combined planning scheme amendment and planning permit application PLN/2022/198. This Amendment is being undertaken by Council at the request of the landowners. All affected property owners and occupiers will be notified by mail prior to the exhibition date. Consultation closes 1 April 2024.
- Early Years Workforce Plan 2024-29: The Plan will focus on identifying ways to support the attraction, retention and development of our local workforce, and to develop strategies go build the collective quality and capacity of Early Childhood Education and Care (ECEC) across the Macedon Ranges.

I encourage residents to visit the Your Say section on Council's website for further details.

**Mayor Death**  
**Macedon Ranges Shire Council**

**10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF****10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - FEBRUARY - MARCH 2024****Summary**

Rule 66(a) of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councilors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting. This report provides a summary of meetings of Councillors and Council staff held since the last Council Meeting.

**Recommendation**

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.**

**Record of meetings**

Type of meeting	Councillor Briefing
Date and time	27 February 2024 9:00am
Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Annette Death (Mayor)</li> <li>• Cr Janet Pearce (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Rob Guthrie</li> <li>• Cr Geoff Neil</li> <li>• Cr Mark Ridgeway</li> <li>• Cr Christine Walker</li> <li>• Cr Bill West</li> </ul>
Apologies - Councillors	NIL
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Shane Walden (Director Assets and Operations)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Sean Morley (Coordinator Accounting)</li> <li>• Bill Pemberton (Coordinator Resource Recovery)</li> <li>• Suzanne Mihovilovich (Project Portfolio Lead)</li> <li>• Damien Hodgkins (Senior Statutory Planning Officer)</li> <li>• Nicole Wadden (Senior Statutory Planning Officer)</li> </ul>

	<ul style="list-style-type: none"> <li>Lucy Olson (Senior Governance Officer)</li> <li>Kaitlin Evans (Executive Assistant)</li> </ul>
Apologies officers	<ul style="list-style-type: none"> <li>Adele Drago-Stevens (Director Corporate)</li> </ul>
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> <li>Councillor &amp; CEO Only Session</li> <li>Budget 2024/25 Workshop 2</li> <li>Election 2024 Events and Timeline</li> <li>Planning Matters</li> <li>Planning Delegated Committee Agenda Review</li> <li>Council Meeting Agenda Review</li> <li>Other Business</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Neil declared a general conflict in the agenda review with Item AO.2 in relation to the Dog Obedience Club Did they leave the meeting? No as the item was not discussed.</p> <p>Cr Pearce and Cr Anderson – declared a general conflict with 56 Howey Street in Planning Matters. Did they leave the meeting? Yes 2:20pm – 2:25pm</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

Type of meeting	Councillor Briefing
Date and time	5 March 2024 8:30am
Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> <li>Cr Annette Death (Mayor)</li> <li>Cr Janet Pearce (Deputy Mayor)</li> <li>Cr Jennifer Anderson</li> <li>Cr Dominic Bonanno</li> <li>Cr Rob Guthrie</li> <li>Cr Geoff Neil</li> <li>Cr Christine Walker</li> <li>Cr Bill West</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>Cr Mark Ridgeway</li> </ul>
Present - officers	<ul style="list-style-type: none"> <li>Bernie O'Sullivan (Chief Executive Officer)</li> <li>Shane Walden (Director Assets and Operations)</li> <li>Rebecca Stockfeld (Director Planning and Environment)</li> <li>Maria Weiss (Director Community)</li> <li>Adele Drago-Stevens (Director Corporate)</li> </ul>



	<ul style="list-style-type: none"> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Bodey Dittloff (Coordinator Communications)</li> <li>• Suzanne Mihovilovich (Project Portfolio Lead)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Cindy Stevens (Business Support Officer)</li> </ul>
Apologies officers	NIL
Presenters	<ul style="list-style-type: none"> <li>• Kate Oliver (Maddocks)</li> </ul>
Items discussed	<ul style="list-style-type: none"> <li>• Councillor Only Session</li> <li>• Councillor and CEO Only Session</li> <li>• Report of Operations</li> <li>• Planning Matters</li> <li>• Maddocks Presentation to Councillors – March 2024</li> <li>• Other Business</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	NIL Did they leave the meeting? N/A
Conflicts of interest declared by officers	NIL Did they leave the meeting? N/A

Type of meeting	Councillor Briefing
Date and time	12 March 2024 9:00am
Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Annette Death (Mayor)</li> <li>• Cr Janet Pearce (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Rob Guthrie</li> <li>• Cr Geoff Neil</li> <li>• Cr Christine Walker</li> <li>• Cr Bill West</li> </ul>
Apologies - Councillors	Cr Mark Ridgeway
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Shane Walden (Director Assets and Operations)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> </ul>

	<ul style="list-style-type: none"> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Rob Ball (Manager Strategic Planning and Environment)</li> <li>• Leanne Khan (Coordinator Strategic Planning)</li> <li>• Isobel Maginn (Senior Strategic Planner)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Martin Roberts (Bushland Reserve Officer)</li> </ul>
Apologies officers	Tanya Loos (Biodiversity Strategy Projects Officer)
Presenters	David Bergin (Eighth Street Planning)
Items discussed	<ul style="list-style-type: none"> <li>• Councillor and CEO Only Session</li> <li>• Gisborne Futures Structure Plan - Councillor Workshop 5</li> <li>• Stanley Park Draft Infrastructure Master Plan Community Consultation</li> <li>• Draft Financial Reserve Policy</li> <li>• Other Business</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>NIL</p> <p>Did they leave the meeting? N/A</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

Type of meeting	Councillor Briefing
Date and time	19 March 2024 9:00am
Venue	Gisborne Administration Centre
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Annette Death (Mayor)</li> <li>• Cr Janet Pearce (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Rob Guthrie</li> <li>• Cr Geoff Neil</li> <li>• Cr Christine Walker</li> <li>• Cr Bill West</li> </ul>
Apologies - Councillors	Cr Mark Ridgeway
Present - officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Shane Walden (Director Assets and Operations)</li> </ul>

	<ul style="list-style-type: none"> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Rob Ball (Manager Strategic Planning and Environment)</li> <li>• Jeet Dahal (Manger Assets and Project Management Office)</li> <li>• Hayley Drummond (Coordinator Property and Valuations)</li> <li>• Justin Walsh (Coordinator Environment)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Cindy Stevens (Business Support Officer)</li> </ul>
Apologies officers	Silvana Predebon (Environment Policy and Sustainability Officer)
Presenters	NIL
Items discussed	<ul style="list-style-type: none"> <li>• Councillor &amp; CEO Only Session</li> <li>• Budget 2024/25 Workshop 3</li> <li>• Capital Works Monitoring Report</li> <li>• North Central CMA - Community Carbon Pilot Project</li> <li>• Planning Matters</li> <li>• Other Business</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>NIL</p> <p>Did they leave the meeting? N/A</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

## 11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS

<b>PE.1</b>	<b>PLN/2023/126 - 22 CALTHORPE STREET, GISBORNE VIC 3437</b>
<b>Application Details:</b>	<b>Use and Development of a Childcare Centre and Associated Signage</b>
<b>Officer:</b>	<b>Damien Hodgkins, Senior Statutory Planning Officer</b>
<b>Council Plan relationship:</b>	<b>3. Improve the built environment</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li><b>1. PLN-2023-126 - 22 Calthorpe Street Gisborne Conditions</b> <a href="#">↓</a></li> <li><b>2. PLN-2023-126 - 22 Calthorpe Street - Statement of Planning Policy Assessment</b> <a href="#">↓</a></li> <li><b>3. PLN-2023-126 - 22 Calthorpe Street Gisborne - Amended Application Plans</b> <a href="#">↓</a></li> </ol>
<b>Triggers for a planning permit</b>	<p><b>Clause 32.08-2 – A permit is required to use the land for the purpose of a childcare centre.</b></p> <p><b>Clause 32.08-5 – A permit is required for building and works in association with a Section 2 use (childcare centre).</b></p> <p><b>Clause 43.02-2 – A permit is required for building and works.</b></p> <p><b>Clause 52.05 – A permit is required for business identification signage.</b></p>
<b>Zones and Overlays</b>	<b>General Residential Zone (GRZ1), Design and Development Overlay (DDO17), Development Contributions Plan Overlay (DCPO2)</b>
<b>No. of objectors</b>	<b>Three (3)</b>
<b>Trigger for report to Council</b>	<b>Councillor Call-in.</b>
<b>Key Considerations</b>	<b>Appropriateness of Use, Built Form, Amenity, Car Parking, Signage, Waste</b>
<b>Conclusion</b>	<b>Issue a Notice of Decision to Grant a Planning Permit</b>
<b>Date of receipt of application:</b>	<b>3 April 2023</b>

**Summary****Summary**

The proposal seeks a permit for the use and development of a 152 place childcare centre. The childcare centre would be located on a large, corner allotment in an established residential area approximately 400 metres south-east of the centre of Gisborne. The site abuts two local streets with nearby connection to arterial roads including Melbourne Road to the north and Aitken Street to the west.

The site has sloped topography and borders the Bunjil Creek at its western interface. It is otherwise fairly unencumbered with no significant vegetation.

The childcare centre would occupy the northern half of the site, incorporating substantial setbacks from existing dwellings to the south and west (opposite side of Bunjil Creek). The

proposal adopts a part single / part two storey form with wrap around play areas and an undercroft carpark. The design, scale and materials offer a reasonable response to the topography of the land and character of the area, and setbacks are sufficient to accommodate substantial landscaping, particularly to the west.

Numerical car parking requirements are met whilst permit conditions would address traffic movements to avoid detrimental overflow parking to nearby streets.

Bicycle parking is provided and modest business identification signage is considered appropriate.

### **Recommendation**

**That Council support the Planning Permit Application PLN/2023/126 and a Notice to Grant a Permit be issued for the Use and Development of a Childcare Centre on Lots 1, 2, 3 on Title Plan 230552M and Lot 1 on Title Plan 447921W P/Gisborne, 22 Calthorpe Street, GISBORNE VIC 3437 subject to the conditions outlined in Attachment 1.**

### **Existing conditions and relevant history**

#### Subject land

No. 22 Calthorpe Street is a corner property at the junction of Calthorpe and Fisher Streets. It is within an established residential area approximately 400 metres south-east of the main commercial precinct of Gisborne.

The site is an irregular shape comprising four (4) separate allotments with a cumulative area of 6992 square metres. It has an eastern frontage to Calthorpe Street of approximately 81 metres and a northern boundary to Fisher Street of approximately 66.4 metres.

The land is currently vacant with a dwelling previously existing on this land having been demolished around a decade ago.

Topographically, the land has a steady fall generally from the south-east corner to the north-west corner with a change in levels of approximately 11 metres. The Bunjil Creek (formerly known as the South Gisborne Drain) runs adjacent to the west boundary and is the low point in the landscape which rises again to the west. Residential properties to the east of the site, on the 'high' side of Calthorpe Street, enjoy views toward the Gisborne CBD on the oblique to the north-west and long-range views toward the Macedon Ranges.

There is no significant vegetation present on the site, however three mature, exotic street trees are located in the Fisher Street road reserve, including a significant tree at the corner junction. There is also dense vegetation within the Bunjil Creek alignment to the west.

There is no constructed vehicle access to the site, noting that Tobruk Way (as seen in the aerial below) was proposed for previous residential development of the land but was never constructed or formalised as a road reserve and so has no formal status other than being an anomaly remaining on current digital mapping.





Figure 1: Aerial of Whole Site (outlined in green)



Figure 2: View of Site from Cnr. Calthorpe and Fisher Streets (Google Streetview)

This development is proposed to occupy three of the four lots comprising the subject land, being the northernmost lots and part of the centrally located lot to the south, with no development proposed for the southernmost lot.

## Surrounds

The surrounding area is characterised by detached single dwellings on lots ranging from approximately 328m<sup>2</sup> to 5182m<sup>2</sup>. Surrounding setbacks along Fisher Street vary between approximately 3 metres to 15 metres, and 0.5 metres to 20 metres along Calthorpe Street. Dwelling designs include both single and double storey heights in a range of styles together with moderate plantings within the front setbacks of most dwellings.

Having regard to the surrounding street network, Calthorpe Street is a local street that culminates at its southern end and connects to Melbourne Road to the north which, in turn, links to the Calder Freeway. Fisher Street is also a local road that connects to Melbourne Road at its eastern end and to Aitken Street to the west, the latter road being the main north/south transport route through the Gisborne township.

A bus stop is located at the intersection of Calthorpe Street and Melbourne Road which services Bus Route 473 connecting central Gisborne to New Gisborne Station.

A footpath is constructed on the north side of Fisher Street which connects to the wider footpath network throughout the Gisborne township.

Whilst the site is within a residential pocket, the broader area is characterised by a wide array of land uses including education facilities, public open space, recreational and community facilities, reflecting its locale on the outskirts of the commercial centre.

#### Registered restrictive covenants and/or Section 173 Agreements affecting the site

There are no restrictive covenants or Section 173 Agreements on the land title.

#### Previous planning permit history

A search of Council's records has found the following permit history:

Permit No.	Description	Outcome
PLN/2006/490 PLN/2006/490/A PLN/2006/490/B	Multi Dwelling Development and Associated Works (13 dwellings)	Permit Granted
PLN/2015/412	Development of the land for twenty-nine (29) dwellings [including ten (10) townhouses, one (1) single storey dwelling and eighteen (18) apartments] and removal of one (1) street tree.	Refusal to Grant a Permit

### **Proposal**

The application seeks permission for the use and development of land for a childcare centre.

The childcare centre is proposed to have a capacity of 152 children.

It is proposed to operate between the hours of 6:30am – 6:30pm, Monday to Friday, with staff operating on site outside of these hours for administration, preparation and cleaning.

The development would include a ground floor car park consisting of 36 car parking spaces, a bin storage area, an entrance and pram parking bay.

Access to the parking area would be provided via a crossover located along Fisher Street near the western site boundary clear of the existing street trees, whilst a 1.5 metre wide footpath is proposed within Fisher Street with a return along part of Calthorpe Street.

Six bicycle spaces would be provided in the undercroft car park near the entrance.

Due to the slope of the site, the eastern portion of the centre would primarily be constructed at / or below ground level transitioning to a two-storey formation on its western side with a maximum height of 10.3 metres at its peak.

The development would have a minimum boundary setback of 3 metres from Calthorpe Street (east) and 4 metres from Fisher Street (north) with landscaping provided in both street setbacks. It would be setback over 10 metres from the west boundary and around approximately 37 metres from residential properties to the south.



The centre would include eight children's rooms, a kitchen, staff room, laundry, reception and several bathrooms, storage and office spaces in addition to a central 'piazza' (circulation area between other rooms). Four outdoor play areas are proposed around the building with Play Areas 1 cut into the site on the east side of the building whilst Play Areas 2, 3 and 4 would be located to the north (Fisher Street) and west sides of the building at an elevated height to a maximum of 4.37 metres above ground level. These areas would be enclosed by a semi-transparent fence.

In terms of design, the building would be constructed of lightweight cladding in light colour tones together with elements of timber and dark grey brick cladding. The roof would adopt a double-pitched profile with a central valley and would be constructed of metal cladding.

Architectural impressions of the proposal from the two street frontage perspectives are included for reference below.



Figure 3: Architectural Impression from Fisher Street





Figure 4: Architectural Impression from Calthorpe Street

Excavation is required on the east side of the site to a maximum depth of around 3 metres below natural ground level. This would essentially lower the building into the site as viewed from Calthorpe Street.

The proposal would require the removal of one small-medium exotic tree as shown in Figure 5 below.



Figure 5: Site Tree to be Removed

**Relevant Macedon Ranges Planning Scheme controls**Section 46AZK of the Planning and Environment Act 1987

Section 46AZK of the Planning and Environment Act 1987 and Clause 51.07 of the Macedon Ranges Planning Scheme require Council as a Responsible Public Entity to not act inconsistently with any provision of the Statement of Planning Policy (SOPP) in exercising decision making powers. Attachment 1 contains the officer assessment against the SOPP.

Planning Policy Framework

Clause no.	Clause name
11.01-1S	Settlement
11.01-1R	Settlement – Loddon Mallee
11.01-1L	Settlement - Gisborne
11.02-1S	Supply of Urban Land
11.01-3S	Peri-Urban Areas
12.05	Significant Environments and Landscape
13.02-1S	Bushfire Planning
13.05-1S	Noise Management
13.07-1S	Land Use Compatibility
15.01-1S	Urban Design
15.01-1L	Urban Design – Macedon Ranges
15.01-2S	Building Design
15.01-4S	Healthy Neighbourhoods
15.01-5S	Neighbourhood Character
15.01-5L	Neighbourhood Character – Macedon Ranges Townships
17.01-1S	Diversified Economy
17.01-1R	Diversified Economy – Loddon Mallee South
17.01-1L	Diversified Economy – Macedon Ranges
17.02-2S	Out-of-Centre Development
18.01-3S	Sustainable and Safe Transport
19.02-2S	Education Facilities

Zoning

Clause no.	Clause name
32.08	General Residential Zone, Schedule 1 (GRZ1)

Overlay

Clause no.	Clause name
43.02	Design and Development Overlay, Schedule 17 (DDO17)
45.06	Development Contributions Plan Overlay, Schedule 2 (DCPO2)

Particular provisions

Clause no.	Clause name
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51.07	Macedon Ranges Statement of Planning Policy
52.06	Car Parking
52.34	Bicycle Facilities

General provisions

Clause no.	Clause name
65	Decision Guidelines

**Cultural Heritage Management Plan assessment**

	Assessment criteria	Assessment response
1	Is the subject property within an area of cultural heritage sensitivity as defined within the cultural heritage sensitivity mapping or as defined in Part 2 Division 3 or 4 of the <i>Aboriginal Heritage Regulations 2018</i> ?	Yes
2	Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	Yes
3	Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?	No
4	Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	No

Based on the above assessment, a Cultural Heritage Management Plan is required in accordance with Part 2 Division 1 of *Aboriginal Heritage Regulations 2018*.

An approved Cultural Heritage Management Plan was submitted with this application as required by Part 4 of the *Aboriginal Heritage Act 2006* and has formed part of the consideration of this application.

**The process to date**Referral

Authority (Section 55)	Response
N/A	

Authority (Section 52)	Response
Melbourne Water	No objection subject to conditions relating to finished floor levels above flood level, open space within the property including setback areas to be maintained at existing surface levels to avoid obstruction of overland water flow, fencing to be open style to avoid obstruction of water flows, no filling of land outside of the building area, a 30m building setback from the

	top of bank for the Bunjil Creek, and approval by Melbourne Water for stormwater connection.
MRSC Engineering	No objection subject to conditions including amendments to the plans to provide a pram crossing at the adjacent intersection, for footpaths and kerb/channel to be extended along the entire site frontage and avoiding excessive sloping, along with stormwater and drainage details to be provided. Other standard conditions were also requested in relation to construction management, drainage and stormwater, asset protection, vehicle crossings, driveway and access construction, and sediment control during development works.

### Advertising

Pursuant to Section 52 of the Planning and Environment Act 1987, the application was advertised by sending notices to the owners and occupiers of surrounding/adjoining land and by requiring a notice to be erected on the land for a period of 14 days. Three objections have been received to date.

The grounds of objection are summarised as follows:

- Increased noise.
- Increased traffic.
- Insufficient parking provided on site.
- Plans do not accurately reflect surrounding vegetation.

The concerns raised by objectors relating to noise, traffic and parking will be addressed in assessment of the application below, with the proposal being considered to adequately address those concerns. The tree not shown on the submitted plans has been confirmed as not being detrimentally impacted by the proposal.

### **Officer assessment**

The proposed development is required to demonstrate an acceptable level of compliance with the provisions of the Macedon Ranges Planning Scheme. The following assessment considers the proposal under the following key topics: appropriateness of the land use; amenity; built form; car parking / access; trees/landscaping; and waste.

#### Appropriateness of the Land Use

Land use considerations are guided by the various levels of policy and the directions of the General Residential Zone. Whilst the GRZ is primarily purposed housing development, it also allows for *“educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.”*

The principle of establishing a childcare centre in the General Residential Zone is generally widely accepted. Residential land is often the preferred location for childcare providers as the limited number and high cost of suitably sized, large lots in commercial zoned land make this land unviable, and amenity shortcomings (i.e. noise, odour etc) and potential land use conflict issues of industrial zoned land make these areas unsuitable for childcare facilities.

Many stand-alone childcare centres are found on residential land throughout metropolitan Melbourne and within Gisborne (i.e. The Learning Sanctuary, 93 Sheedy Road; Swinburne Avenue’s Childcare Centre, 8 Swinburne Street; Willowbank Early Learning Centre, 97 – 99 Willowbank Road), embedded within the communities they support. Notably, existing facilities are predominantly located to the south-east or west of the Gisborne township with

very few facilities within, or very close to, the commercial centre. It is considered that the principle of establishing a childcare centre on the site is consistent with the aims of the zone.

In addition to the GRZ, the following policies are also relevant to land use considerations:

Clause 2.03-1 – Settlement identifies Gisborne as a regional centre (along with Kyneton) and the largest settlement and population base in the Shire. It is specifically sought to focus growth and employment opportunity in the regional centres within the town centre boundaries.

The relevant strategic directions for Gisborne (and New Gisborne) are to:

- *Manage urban growth and development in a co-ordinated and environmentally sustainable manner that respects the established semi-rural village character, natural setting, topography and view lines of the area.*
- *Ensure development occurs in a sequential manner allowing for the efficient and timely provision of social and physical infrastructure, and integration with existing development.*

Clause 11.01-1S – Settlement seeks to “develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.” Gisborne is identified as a regional centre where sustainable development is encouraged.

This is reinforced at Clause 11.01-1R – Settlement – Loddon Mallee South and 11.01-1L – Settlement – Gisborne (including New Gisborne) which direct development within the defined township boundary but also maintain Gisborne as “a distinctive semi-rural settlement with clear limits to physical growth” and protect the town’s character, identity, attractiveness and amenity.

The associated Gisborne/New Gisborne Framework Plan identifies the site within the township boundary in an area suitable for medium density housing on the fringe of the commercial centre.

Clause 17.01-1S – Diversified Economy seeks to facilitate growth in a range of sectors including education based on “the emerging and existing strengths of each region”

Clause 17.02-2S – Out of Centre Development advises that out-of-centre proposal should only be considered where the use or development is of net benefit to the community.

Clause 19.02-2S – Education Facilities is particularly relevant. The policy encourages the integration of early childhood facilities within local and regional communities. The following strategies provide additional guidance:

- *Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.*
- *Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.*
- *Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.*
- *Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.*

In weighing up the above policy, Gisborne is likely to continue to experience residential growth in the coming years and the town is encouraged to develop in a sustainable manner to support this growth. There is an obvious simultaneous need for supporting infrastructure

and services, including childcare centres, which provide an essential service to growing communities; facilitate a steady employment base for the locality (i.e. by enabling parents to participate in the workforce); and provide employment in themselves. Regarding the latter, the applicant has advised that the centre would create an additional 26 full time positions increasing labour force participation to the benefit of the local community.

Clause 19.02-2S – Education Facilities encourages the consideration of demographic trends and existing and future demand requirements when determining the locational merit of an education facility. Whilst there are various existing childcare centres in the area, these are generally concentrated further to the south-east from the town centre (i.e. The Learning Sanctuary at 93 Sheedy Road, 131 child places; Willowbank Early Learning Centre at 97-99 Willowbank Road, 123 child places); to the west (Swinburne Avenue Children's Centre, 8 Swinburne Avenue, 67 child placements; Manna Gum Family and Children's Centre, 71 Robertson Street, Gisborne, 66 child places) or within New Gisborne on the opposite side of the Calder Freeway. There are few long-day care options within or close to the commercial centre of Gisborne.

Furthermore, the site is located in an area identified as suitable for infill development including medium density housing in the Gisborne/New Gisborne Framework Plan and the nearby population base is therefore anticipated to increase.

Whilst acknowledging that the site is not on main road, it is a large corner allotment with interfaces to both Fisher and Calthorpe Street which feeds into Melbourne Road, the major east/west arterial road into Gisborne. Fisher Street also connects with Aitken Street to the west which is the main north/south arterial road through the commercial centre. Given the nature of the use, pedestrian paths are particularly important, and these exist on the north side of Fisher Street and south side of Calthorpe Street (opposite the site) connecting to the broader footpath network including along Aitken Street. New footpaths along the site frontage including a pram crossing would connect with the surrounding path network for improved pedestrian accessibility. The site is also accessible via the local bus service.

Given the population projections and regional town status of Gisborne, coupled with the locational attributes of the site, particularly its very close proximity to the town centre which appears to be lacking in terms of long-day care facilities, it is considered that the proposed childcare use presents a good planning outcome for this site.

#### Amenity

Clause 13.05-1S – Noise Management seeks “*to assist the management of noise on sensitive land uses*”. It is generally accepted that a childcare centre has the potential to introduce noise levels above that typically anticipated in a residential area.

Clause 13.07-1S – Land Use Compatibility seeks to “*ensure that use or development of land is compatible with adjoining and nearby land uses.*”

Clause 65 – Decision Guidelines also compels a general consideration of the effect of use and development applications on the amenity of the area.

Whilst there is little policy guidance as to what amenity impacts require consideration apart from noise, those typically associated with a childcare centre relate to noise / disturbance stemming from the intensity of the use, hours of operation, traffic and general operations; and those related to the built form such as visual amenity, privacy, sunlight. These are addressed in turn below.

#### Noise

A professional acoustic report has been prepared in support of the proposal. The report provides the following key recommendations and conclusions:



- Noise from children occupying the outdoor play areas is expected to comply with AAAC Childcare Centre Noise Assessment Technical Guideline criterion at the nearest residential receivers.
- Due to the significant intervening distances and high background noise levels in the area, no acoustic fence is required for the childcare centre configuration in order to achieve conformance with relevant noise criteria (as above).
- Criteria for mechanical services were set out for application in the detailed design phase of the development. The subject childcare centre is considered low risk with respect to EPA Pub. 1826.
- The car park activity is expected to conform with applicable amenity criteria.
- Proposed waste collection and delivery times were in accordance with EPA Publication 1254.

It is considered that noise levels are unlikely to be above that usual to a residential area, noting that the centre would open at 6:30am and close at 6:30pm each night. Notwithstanding, given that acoustic fencing is not incorporated into the design, it would be reasonable to restrict the use of the outdoor play areas until 8:00am. Waste collection would be limited to operating times appropriate for residential amenity being 7:00am to 7:00pm on weekdays and 9:00am to 6:00pm on weekends. These matters can be managed by condition requirements.

#### Privacy

There are no existing dwellings that closely abut the development site. The southern portion of the site would remain vacant and the new building is proposed to be set back by 37 metres to the next dwelling to the south at 30 Calthorpe Street. The south setback and elevation is relatively benign with no outdoor play area and limited glazing. The proposal is unlikely to result in any loss of privacy in this direction.

The building would be set back by minimum ten metres from the west boundary and the Bunjil Creek. There is significant mature vegetation within the Bunjil Creek alignment which would ensure there are no privacy issues in relation to residential properties to the west.

#### Overshadowing

Whilst shadow diagrams have not been prepared for this application, the proposed setbacks and distances to existing dwellings would ensure there is no overshadowing to neighbouring properties.

The proposal would not unreasonably restrict the future development of the south allotments in terms of shade.

#### Lighting

No details of external lighting around the carpark have been provided. A lighting scheme would be required by a permit condition to ensure that any lighting to be installed is appropriately limited within this residential locality.

#### Built Form

Clauses 15.01-1S – Urban Design and 15.01-1L – Urban Design – Macedon Ranges seek the creation quality environments and require development to respond appropriately to the key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density. Mature vegetation should be retained and new landscaping that integrates with the landscape character of the area should be incorporated into any new design.

Various design strategies at Clause 15.01-2S – Building Design are also relevant and require consideration of amenity impacts; the energy performance of building and water efficiency; the form, scale and appearance and relationship with the public realm; transport networks and vegetation impacts and opportunities.

Clause 15.01-5S - Neighbourhood Character broadly seeks “*to recognise and protect cultural identity, neighbourhood character and sense of place*” and policy related specifically to Gisborne at Clause 15.05-1L – Neighbourhood Character – Macedon Ranges townships encourages new development to adopt a low profile, and respect the landscape quality and semi-rural / village character of the Gisborne township.

The site is also affected by the DDO17 which provides a suite of design and built form guidelines specific to the Gisborne Town Centre Residential Area. These objectives capture many of the sentiments in the built form policy summarised above and the following responses also address the aforementioned policy.

To implement design and development controls for the land in accordance with the Gisborne / New Gisborne Outline Development Plan, Revised Final Report, September 2009.

Section 8.6 – Community Infrastructure and Open Space of this report highlights the fact that increased development in New Gisborne and south of Gisborne township will create demand for additional educational and community infrastructure.

The land is identified as being suitable for more intense forms of housing development (i.e. medium density housing) and a built form more robust than single detached housing is therefore anticipated on this site. This report does not encourage educational facilities and associated building forms into this particular area, but nor does it discourage it. The proposal is therefore not inconsistent with the strategic guidance in this document.

To protect and enhance the established semi-rural and village character of the residential area surrounding the Gisborne town centre.

The proposed built form has reasonable regard to the surrounding residential context. Whilst the building ultimately has to adopt a more commercial form to suit its end use as a childcare centre, the proposal achieves a reasonable balance between meeting its functional requirements whilst being sympathetic to the surrounding residential character. This is evidenced by the way the building has been designed to respond to the topography of the land; the incorporation of a dual-pitched roof form that matches the predominant roof style in the surrounding area; use of brick and timber cladding materials; setbacks that can accommodate landscaping, particularly to the west and north where the two storey form would be most prominent and requires the most softening. The location of car parking in an undercroft where it can be suitably screened and modest signage would also assist to protect the township residential character of the area.

To ensure that new development has proper regard for established streetscape and development patterns in terms of building design, height, form, scale, siting and fencing styles.

The building would be cut into the site at its eastern end and would sit approximately 1-3 metres lower than the level of Calthorpe Street adjacent to the site such that views from this street would generally be over and beyond the roof form of the building. From Fisher Street, the undercroft car park and single-to-double storey form transition would be evident, with the most prominent part of the building at the western end adjacent to Bunjil Creek / South Gisborne Drain.

A substantial setback of 10 metres has been incorporated from the west boundary which could readily accommodate a dense vegetation screen to visually mitigate the built height as well as the fencing around the elevated play areas at the western interface. This aspect



of the building is potentially the most obvious to the residential streetscape, particularly when viewed from the low point of Fisher Street at the Bunjil Creek / South Gisborne Drain.

An increased northern setback of 8 metres rather than the current proposed 4 metre setback would be more in keeping with the nearby residential development context and would provide increased landscaping opportunity appropriate for visual mitigation of the proposed building in addition to other setback areas of the site layout. This would provide ample area for planting including larger canopy trees and lower storey vegetation to achieve a depth to the planting scheme to manage visual bulk impacts to surrounding interfaces. Landscaping details would be managed by condition.

The street setback of 3 metres from Calthorpe Street is considered appropriate given the downhill fall of the site and the building being cut into the slope adjacent to this frontage so that it would have lower built form within this shorter setback from a road frontage. As noted above the northern setback from Fisher Street would be required to be increased from the proposed 4 metres to 8 metres instead which would be more in keeping with the average setbacks in this area and would reduce prominence of the double storey built form along this interface. This increased setback would also allow for increased landscaping to reduce the visual presence of this higher part of the building to that frontage. The vacant southern part of the site layout would provide a buffer from residential properties to the south..

The proposed architecture is relatively straightforward with a dual-pitched roof profile reflecting existing residential development, however the columns associated with the carpark and semi-translucent fence around the play areas encasing the building to the north and west would distinguish this building as non-residential. Building materials including brick, timber, light weight cladding and metal roof all in light colour tones, and glazing would assist to soften the form and integrate it with the streets. The architectural response is considered acceptable.

No fencing is proposed along the street frontages. The semi-translucent fencing around the play areas would allow for some views to the building behind, and planting in the street setback would assist to soften the fence.

The carpark is generally well concealed within the undercroft with a natural timber, picket fence enclosing the area. The fence does not extend to the east side of vehicle access and some views of the east parking row would be available from Fisher Street. However, this partially open arrangement allows views and identification of the main entrance from Fisher Street and improves safety. It is considered appropriate on these grounds.

To ensure existing significant vegetation is protected and to encourage the provision of a high quality landscaped setting for all new developments.

Having regard to vegetation, both Clauses 12.05-2L – Landscapes – Macedon Ranges and 15.01-2S – Building Design also encourage development to retain significant exotic and native vegetation which is seen to form an essential part of the Shire's character.

A small-medium sized exotic tree located near the north-east corner of the site would be required to be removed to accommodate the building. The tree is not protected or significant within the streetscape and removal is considered acceptable.

The new vehicle access has been sited to avoid impacts to the street trees along Fisher Street and construction of the footpath and new pram crossing can also be managed by condition to ensure these trees are not impacted.

There is no neighbouring vegetation that may be impacted by the proposal, noting that the building is substantially setback from the vegetation in the Bunjil Creek reservation.

A landscape plan has not been submitted, however should be secured by condition. Landscaping of a variety of heights, including a number of large canopy trees, should be provided in the street setbacks and in the west setback between the building and Bunjil Creek. Given the depth of this setback, the proposal offers a good opportunity to secure planting along the drainage corridor and improve the environmental health and amenity of this area.

To encourage innovative, high-quality architecture and urban design that incorporates environmental sustainable development principles.

The proposal includes good quality architectural design and with modified layout for increased northern setback would facilitate improved landscaping and neighbourhood character response in keeping with this requirement. The building includes a strong northerly orientation for solar access whilst car parking would be located under the building for reduced hardstand within the site as a more efficient land use but also for reduced heat sink effect and stormwater drainage reliance for the development.

To ensure new development respects it's natural and built environment and does not dominate the landscape.

The proposal offers a reasonable response to both the natural and built environments having regard to height, setback and design; nominal vegetation impacts and opportunity to provide landscaping.

#### Car Parking, Access and Bicycle Parking

A Traffic Management Plan was submitted with the application. Based on a capacity of 152 children as per the development plans, the proposal attracts a parking requirement of 33 parking spaces under Clause 52.06 – Car Parking (0.22 spaces to each childcare place). The car park contains 36 car spaces including 1 accessible space. The provision of car parking exceeds the numerical requirement of this provision.

It is noted however that this extent of car parking barely provides enough spaces for the staff to be employed at this facility, which demonstrates the shortcomings of the parking proportion required by this provision by comparison to contemporary childcare centres which have increased in capacity compared to historically smaller childcare facilities. With a majority of parking spaces likely to be utilised by staff this would leave few spaces to cater for parking for parents during morning and afternoon drop off and pick up times and therefore a potential for significant overflow of parking to the adjacent streets which would be detrimental to traffic movements and the amenity of the surrounding locality.

Additional parking however cannot be required when a proposal accords with the prescribed parking numbers. However, Clause 52.06 in its purpose requires that parking must not adversely affect the amenity of the locality, that safety and efficiency of parking be considered, and alternative transport modes be supported. As such, it is considered necessary that a requirement be applied as a permit condition that a management plan for parent drop off and pick up activities be developed to ensure that this impact of the proposal is appropriate for the residential amenity of the locality as well as avoiding detrimental impacts to the functioning of adjacent streets. The applicant will need to demonstrate appropriate actions such as management of drop off and pick up times, ensuring that drop off and pick up activities including vehicle parking are generally conducted within the childcare centre car park, that excessive overflow parking is avoided, that alternative transport modes such as pedestrian and public transport options are encouraged as well as formalised, and otherwise.

Car spaces proposed comply with the required dimension requirement (4.9m x 2.6m) as stipulated at Clause 52.06-9 – Design Standards and would be accessed via a 6.9 metre wide accessway which is also consistent with requirements.

Having regard to traffic impacts noting that this was raised as an issue in letters of objection, a management plan will be required as noted above to ensure that peak traffic times particularly are managed to avoid excessive impacts from overflow parking. MRSC Engineering is otherwise generally satisfied with the proposed car parking, access arrangements and traffic impacts subject to conditions as detailed.

There is no requirement for bicycle parking under Clause 52.34 – Bicycle Facilities. Notwithstanding, the proposal incorporates six bicycle spaces alongside the pedestrian entrance. The bicycle parking would encourage alternate forms of transport for staff and is a positive and sustainable inclusion in the design.

### Signage

The provisions for signage are primarily captured under Clause 52.05 – Signs. Residential areas are high amenity areas where there is a medium limitation on signage. A permit is required for business identification signage.

The proposal includes five business identification signs. There would be two freestanding signs at the north-east corner of the site, with one to orient to Fisher Street and the other to Calthorpe Street. A further three business identification signs would be located on the building on the north, east and west elevations.

All signs identify the business, and each have an approximately area of 4.5 square metres (3.35m X 1.35m) with a total area of 27 square metres for the five signs. The signs have a green background in the shape of a leaf and white lettering.

In terms of the assessment criteria, the information on the signs is limited to the business name and leaf logo, both presented in a simple, straightforward manner. The signage would not create visual clutter and reflects the minimum signage necessary to enable easy identification of the facility from both road and footpath approaches. The proposed signage complies with relevant policy contained within the MPS and PPF, and Clause 52.05 – Signs of the planning scheme.

### Waste Management

A Waste Management Plan (WMP) has been prepared by Traffix Group dated December 2023. Waste collection is to be undertaken by a private contractor using an 8.8 metre long rear loader waste vehicle. Collection would occur from the carpark which is accessible via the 6.9 metre wide access. A dedicated waste store is provided in the west corner of the parking undercroft where it is concealed from the street but readily accessible for the collection truck.

MRSC Engineering raised no concerns regarding the proposed waste collection.

It is noted that there is no internal turning area for a waste truck which would be required to reverse to exit the site if all car spaces were full. It is therefore appropriate that waste collection can occur outside of times of peak parking demand but also at times that would not compromise the amenity of the area. Collection times of 7am to 7pm on weekdays and 9am to 6pm on weekends would appropriately manage this activity (noting that collections are normally conducted during earlier morning times rather than otherwise).

### Other Matters

The site is affected by the Development Contributions Plan Overlay, Schedule 2 which levies financial contributions for works, services and facilities in the Gisborne Area. The relevant

contribution as per the Schedule is required before the development can commence and is to be secured through permit condition.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



## Attachment 1 Conditions

Planning Delegated Committee Meeting – 27 March 2024

APPLICATION FOR PLANNING PERMIT PLN/2023/126 Use and Development of a Childcare Centre and Associated Signage - 22 Calthorpe Street, Gisborne VIC

- 
1. Before the development commences, plans must be approved and endorsed by the Responsible Authority. The plans must be prepared to the satisfaction of the Responsible Authority, be drawn to scale with dimensions, submitted in electronic form and be generally in accordance with the submitted plans prepared by The Ellis Group Architects dated 8/12/2023 (including issue P8), but amended to include:
    - (a) The northern setback of the childcare centre building increased to a minimum of eight (8) metres, with no resultant reduction of setback from the eastern boundary;
    - (b) Details of any external heating, ventilation and air conditioning systems or other equipment to be mounted on the roof of the childcare centre building, including appropriate use of colours and devices as appropriate for visual screening;
    - (c) The landscape plan required by Condition 3 of this permit;
    - (d) The Car Park Management Plan required by Condition 5 of this permit;
    - (e) Amendments required by MRSC Engineering Condition 18; and
    - (f) Amendments required to ensure compliance with Melbourne Water Conditions 25 to 29.
  2. The use and development shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
  3. Before the development commences, a landscape plan (an electronic copy) prepared by a suitably qualified person or firm shall be submitted to and approved to the satisfaction of the Responsible Authority. The landscape plan must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:
    - (a) A survey of all existing vegetation and natural features;
    - (b) Vegetation proposed for removal;
    - (c) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total





- quantities of each plant. The species selection must be appropriate to the use of the land as a childcare centre;
- (d) At least six (6) new canopy trees within the Fisher Street setback and at least five (5) canopy trees within the Calthorpe Street setback along with an appropriate mix of medium to low height vegetation species;
  - (e) A depth of planting in the west setback between the building and Bunjil Creek / South Gisborne Drain including large canopy trees and a range of smaller trees and understorey vegetation;
  - (f) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
  - (g) The use of plant species incorporating locally indigenous native plants and other species that are appropriate for local climatic conditions including drought and frost tolerance; and
  - (h) Appropriate irrigation systems.
4. Unless with the prior written consent of the Responsible Authority, before the occupation of the development and commencement of use, the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
5. Before the development commences, a Car Park Management Plan shall be submitted to and approved to the satisfaction of the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will then form part of this permit. The plan should include but not be limited to the following information:
- (a) How the allocation of car spaces will be managed, including the provision of staff parking during the operating hours and the provision of parent car spaces during the morning and afternoon peak periods;
  - (b) Which car spaces will be occupied by staff first;
  - (c) The location of parent parking and any means to reduce peak demand such as staggered arrival times and efficient drop off and pick up management;
  - (d) Measures for minimising parking by staff and parents within the nearby streets;
  - (e) Encouraging use of pedestrian access including bicycles as well as shared transport arrangements;
  - (f) Intended education of parents and staff about the Car Park Management Plan such as through an orientation session or the like; and
  - (g) Arrangements of delivery vehicles.
- The childcare centre must be operated in accordance with the endorsed Car Park Management Plan, in a manner that avoids detrimental impacts to the amenity of the locality and the safe and efficient function of nearby roads, to the satisfaction of the Responsible Authority.
6. Before the development commences, the permit holder must pay to Responsible Authority a development contribution in accordance with the Gisborne Development Contribution Plan incorporated in the Macedon Ranges Planning Scheme. The amount payable is calculated from a base figure for Area 8 (Commercial Development Levies) of the Gisborne Development Contributions Plan that are adjusted on 1 July





each year in accordance with Schedule 2 of Clause 45.06 of the Macedon Ranges Planning Scheme.

7. Before the occupation of the development and the commencement of use, evidence demonstrating the consolidation of the land titles comprising the subject land (being CA's 5 & 6, Section 26 (TP960980R & TP787295W)) registered by the Titles Office must be submitted to the Responsible Authority.
8. Unless with the prior written consent from the Responsible Authority, the use hereby permitted may only operate between the following hours:
  - Monday to Friday : 6:30am – 6:30pm

Staff are permitted to operate on site outside of these hours for administration, preparation, and cleaning purposes only.
9. Unless with the prior written consent from the Responsible Authority, use of the outdoor play areas may only commence after 8:00am.
10. Waste collection must only be conducted between the following hours:
  - Monday to Friday : 7:00am – 7:00pm
  - Saturdays and Sundays : 9:00am and 6:00pm

Waste collection must otherwise be conducted in accordance with the endorsed Waste Management Plan prepared by Traffix Group dated December 2023.

11. Unless with the prior written consent from the Responsible Authority, the number of children in care on the premises at any one time must not exceed 152, to the satisfaction of the Responsible Authority.
12. Prior to the occupation of the development and the commencement of use, the development must be provided with external lighting capable of illuminating the access, carpark and building entry. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land to the satisfaction of the Responsible Authority.
13. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.
14. Noise levels emanating from the premises shall comply with EPA Publication 1826 – Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues at all times.
15. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.





16. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than storm water down pipes and gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
17. All services (including water, electricity, gas and telephone) must be installed underground, and located outside of any identified Tree Protection Zone, or if no such zone is identified on the endorsed plans, the drip line of any nearby canopy tree, to the satisfaction of the Responsible Authority.

#### **MRSC Engineering & Projects Unit Conditions**

18. Before the development commences, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the submitted plans prepared by The Ellis Group Architects dated 8/12/2023 (including issue P8), but modified to show:
  - (a) A pram crossing in the footpath along Calthorpe Street at the Fisher Street intersection, with the slope of the footpath from the south side of Fisher Street to be no steeper than a gradient of 1 in 14. Details of any encroachment into existing street trees caused by the proposed crossing must be shown.
  - (b) A minimum three (3) metre wide concrete footpath along the western side of Calthorpe Street to the southern boundary of 22 Calthorpe Street and on the southern side of Fisher Street to the western boundary of 22 Calthorpe Street.
  - (c) Details of 'kerb and channel' along the southern side of Fisher Street and the western side of Calthorpe Street along the extent of the property on both roads. Calculations are required to show that the 'kerb and channel' along both streets will prevent 1% AEP discharge along those streets from entering 22 Calthorpe Street.
  - (d) Details of new sealed crossovers in the Fisher Street frontage of the site. The crossovers are to be a minimum of 1.0m from any power pole, sign, or service pit and an absolute minimum of 3.0m from any street tree.
  - (e) Compliance with MUSIC modelling in accordance with Melbourne Water water quality requirements.
19. Before the development commences, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:
  - (a) Measures to control erosion and sediment and sediment-laden water runoff including the design details of structures;
  - (b) Dust control;
  - (c) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction;
  - (d) Where access to the site for construction vehicle traffic including parking will occur;
  - (e) The location of any temporary buildings or yards.







- (f) Working hours.
- (g) The name of the contact person if issues arise during construction.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

20. Before the development commences, the development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- (a) The development as a whole is provided with a legal point of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
  - (b) The applicant must apply for a legal point of discharge and a point of connection to Council's drainage system.
  - (c) Stormwater runoff from all buildings, tanks and paved areas must be drained to the legal point of discharge.
  - (d) All stormwater drains required to the legal point of discharge and which passes through lands other than those within the boundaries of the development must be constructed at no cost to the Responsible Authority.
  - (e) The proposed OSD4 calculation is used to determine the required stormwater detention volume requires  $T_c$  and  $T_{so}$  to be calculated using the Kinematic Wave Equation. The  $T_c$  and  $T_{so}$  as used for OSD4 are the default values and are not to be used.
  - (f) A Stormwater detention system reducing 1% AEP post-development discharge to 20% AEP pre-development discharge.
  - (g) Stormwater quality treatment systems that meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999). Alternatively, payment of the stormwater quality offset contribution to the Responsible Authority.
21. Before the development commences, an "Asset Protection Permit" must be obtained from Council for any of the following circumstances:
- (a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
  - (b) Occupying a road for works.
  - (c) Connecting any land to a stormwater drain.
  - (d) Opening, altering or repairing a road.
  - (e) Opening, altering or repairing a drain.
  - (f) Accessing a building site from a point other than a crossover.
  - (g) Construct/repair/widen/remove any crossover.
22. Prior to the commencement of use, all redundant crossovers must be removed and new crossovers are to be constructed/carried out to the satisfaction of the Responsible Authority.
23. The areas set aside for the parking of vehicles and access driveways as shown on the





endorsed plans must be:

- (a) Constructed in concrete or asphalt to the satisfaction of the Responsible Authority.
- (b) Properly formed to such levels that they can be used in accordance with the plans.
- (c) Drained and maintained.
- (d) Marked to indicate each car space and all access lanes.
- (e) Clearly marked to show the direction of traffic along access lanes and driveways.
- (f) Car spaces, access lanes, and driveways must be kept available for these purposes at all times.

to the satisfaction of the Responsible Authority.

- 24. No polluted and/or sediment-laden run-off is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the works to the satisfaction of the Responsible Authority.

#### **Melbourne Water Conditions**

- 25. The building must be constructed with finished floor levels set no lower than 416.90 metres to Australian Height Datum (AHD), which is 600mm above the applicable flood level of 416.30 m to AHD.
- 26. All open space within the property (including all setbacks) must be set/maintained at existing natural surface level so as not to obstruct the passage of overland flows.
- 27. Any new fencing/gates (west, north-west & south-west) must be of an open style of construction (minimum 50% open) to allow for the passage of overland flows.
- 28. No fill outside of the proposed building footprint (rear of the property at the western boundary).
- 29. A 30m setback distance of the proposed childcare centre from the top of bank of Bunjil Creek.
- 30. Prior to the commencement of works, a separate application direct to Melbourne Water (Asset Services Team) must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.

#### **Signage Conditions**

- 31. The signs must not contain any flashing or moving light, to the satisfaction of the Responsible Authority.
- 32. The signs must not be illuminated by external or internal light unless with the prior written consent of the Responsible Authority.
- 33. The sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.





34. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.
35. No bunting, streamers, festooning and/or inflatable advertising of any type shall be displayed unless with the prior written consent of the Responsible Authority.

#### **Permit Expiry – Use and Development**

36. This permit will expire if one of the following circumstances applies:

- (a) The use is not commenced within 2 years of the completion of the development.
- (b) The development does not start within two (2) years of the date of issue of this permit.
- (c) The development is not completed within four (4) years of the date of issue of this permit.

Before the permit expires, or within six (6) months afterwards, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry date.

If the development commences before the permit expires, within twelve (12) months after the permit expires, the owner or occupier of the land may make a written request to the Responsible Authority to extend the expiry date.

#### **Permit Notes:**

- Future owners of the land must be made aware of the existence of this permit.
- Siting will need to be assessed in relation to any Building Permit application, which may require alterations to the building design and/or an application for report and consent for dispensations in siting provisions under the Building Regulations. Any changes to the building design form approved on the planning Permit will require an amendment to the Planning Permit.
- The buildings and works hereby permitted shall accord with the requirements of any relevant Building Act, Building Regulations, Building Code of Australia and all any other relevant Acts, Regulations & Codes.

#### **Melbourne Water Notes:**

- Preliminary land and flood level information available at Melbourne Water indicates that the above property is subject to overland flooding from Melbourne Water's drainage system. For a storm event with a 1% chance of occurrence in any one year, the applicable flood level for the property is 416.30 metres to Australian Height Datum (AHD).





*To access more information regarding other services or online applications that Melbourne Water offers please visit our website.*



Consistency of the proposal with the Statement of Planning Policy (SOPP):

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
1	To ensure the declared area's natural and cultural landscapes are conserved and enhanced.		✓			The proposal is located in an area that does not have any direct relationship with significant views or vantage points.
		Manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced.			N/A	
		Encourage retention of native vegetation and revegetation that contributes to significant landscapes, particularly on escarpments and ridgelines and along riparian areas.	✓			No native vegetation is proposed to be removed as part of the application.
		Manage development around significant landscapes of visual, scientific or education value, including along ridgelines and at vantage points.			N/A	
		Manage development and infrastructure provision to ensure sequences of views from key road and rail corridors are maintained for current and future users.			N/A	
2	To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced		✓			The site itself does not have any identified environmental values. The site however is located adjacent to a declared waterway. The applicant has located the development more than 30m clear of the declared waterway to ensure maintained water quality. The application was referred to Melbourne Water who provided no objection subject to conditions which are to be included in the event a planning permit is issued.
		Conserve and enhance high-value native vegetation and biodiversity and their ecological integrity by undertaking responsible environmental management, planning, procedures and practices.			N/A	
		Utilise appropriate historical ecological knowledge and practices from Traditional custodians of the land in the management of biodiversity and ecological and environmental values.			N/A	
		Encourage ecological restoration works in areas of identified state, regional and locally significant biodiversity value			N/A	
		Establish and improve bio links to connect high-value ecological areas, including areas along waterways and areas within and between towns.			N/A	

		Minimise the effects of weeds and pest animals on biodiversity values by establishing and implementing best practice land management plans.			N/A	
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Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
3.	To prioritise the conservation and use of the declared area's water catchments to ensure a sustainable local, regional and state water supply, and healthy environment.		✓			The site is not located within any special water supply catchment area.  It is noted however that there is a mapped watercourse to the west of the site that is projected to experience 1:100 year flooding. More discussion on this is included under objective 8.
		Protect water quality and natural systems by discouraging development that contributes to the degradation of water quality and quantity.			N/A	
		Manage land use and development, including dams, in Declared Water Supply Catchments to retain and improve water quality and improve yield to support regional water needs and to increase system-wide capacity to Respond to demand.			N/A	
		Reinforce the role of waterways as biodiversity Linkages and as corridors for native plants and animals.			N/A	
		Ensure water supply and land use planning policies are integrated, to realise efficiencies in regional catchment management and best practice, water-sensitive urban design.			N/A	
		Address the expected impacts of climate change, including changes in the duration and frequency of rainfall events and changes in the intensity and frequency of bushfire events.			N/A	
		Review and improve regulation and monitoring of groundwater licences and surface water diversions.			N/A	
4.	To recognise, protect, conserve and enhance the declared area's Aboriginal cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.				✓	The site is located within a declared cultural heritage area. The applicant has provided an approved CHMP with the application. This document has been reviewed by the local RAP and approved. As such it is considered that as this document has been approved by the local aboriginal party that it satisfactorily meets the strategies as identified below.
		With Traditional Owners, identify, protect, conserve and enhance sites, landscapes and views of Aboriginal cultural significance, consistent with the Aboriginal Heritage Act 2006 and Cultural Heritage Management Plans.			N/A	

		With Traditional Owners, acknowledge, protect, promote and interpret tangible and intangible Aboriginal cultural values, heritage and knowledge			N/A	
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Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		when planning and managing land use and development, water and other environmental resources.				
5.	To recognise, conserve and enhance the declared area's significant post-contact cultural heritage values.				N/A	The proposed development does not have any interaction with areas of identified post-contact heritage significance.
		Conserve and enhance the character of state and/or nationally significant post-contact cultural heritage values (including aesthetic, historic, scientific, social and spiritual values) in the declared area's heritage places, precincts and landscapes, including sequences of views along main road and rail routes.			N/A	
		Acknowledge, promote and interpret significant post-contact cultural heritage values in the planning, design, development and management of land uses, including infrastructure.			N/A	
6.	To support and encourage agricultural land uses that strengthen the declared area's economy and contribute to the rural landscape.				N/A	The proposal does not contain any agricultural components.
		Encourage the use of rural-zoned land for agricultural purposes and encourage the use of high-quality soils for soil-based agriculture.			N/A	
		Encourage and support innovations in agricultural practices (such as sustainable farming, water reuse, technologies to enable farming to adapt and respond to emerging and niche markets).			N/A	
		Support agricultural practices that improve soil health and respond to and encourage adaptation to climate change.			N/A	
		Encourage measures to ensure agricultural practices protect and enhance soil quality, water quality, biodiversity and native plants and animals.			N/A	
		Manage the effects of rural land use and development on important environmental and cultural values.			N/A	
		Restrict the supply of rural-living-zoned land to conserve and protect agricultural practices.			N/A	

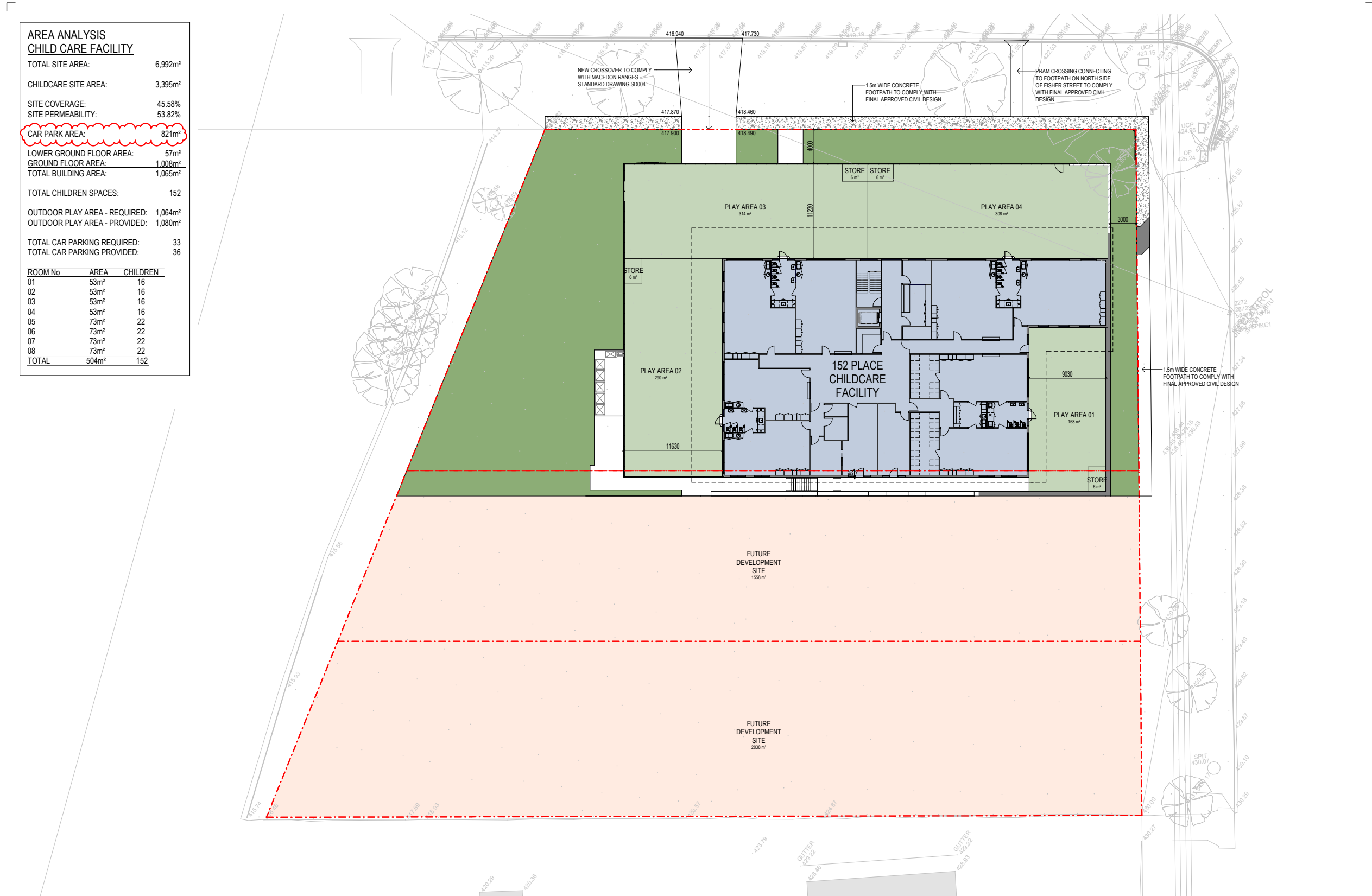
Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Protect strategic extractive resource areas and existing quarry operations from encroachment from inappropriate development.			N/A	
		Proposals to establish an extractive industry must adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	
7.	To provide for a diverse and sustainable visitor economy compatible with the natural and cultural values of the area.				N/A	The proposal does not have any linkages to the tourism industry of the Macedon Ranges Shire. The proposal is respectful of the existing neighborhood character.
		Support and facilitate sustainable and responsible tourism and recreation-related land uses and developments (such as agritourism) in keeping with the declared area's significant landscapes, environmental and cultural values.			N/A	
		Facilitate tourism-related land use and development that encourages people to recognise and understand Aboriginal and post-contact cultural heritage.			N/A	
		Ensure the conservation and enhancement of Declared Water Supply Catchment Areas of regional or state significance in the planning of tourism and recreational land uses.			N/A	
		Protect the unique rural character of towns in the declared area.			N/A	
8.	To plan and manage growth of settlements in the declared area consistent with protection of the area's significant landscapes, protection of catchments, biodiversity, ecological and environmental		✓			<p>The proposal achieves a balance between facilitating additional needed childcare facilities with maintaining the character of the area and protecting surrounding environmental features.</p> <p>The proposed childcare center in its current format does show lack of response to the character of the area by not providing setbacks that are aligned to surrounding dwelling setbacks. This is however able to be dealt with conditionally resulting in a</p>

					<p>proposal that will be appropriately setback into the site with adequate room for landscaping that aligns with surrounding character. A permit condition has been proposed requiring a 7.5m setback to Fisher Street. This would be more inline with the setbacks found in the surround area which range from 3m-15m and will additionally allow room for significant planning in the front setback with the inclusion of mature canopy trees.</p> <p>Additionally, it is noted that there is a mapped watercourse that traverses along the western property boundary. The watercourse is mapped for 1:100 flooding which shows that floor waters could flow into the western side of the site. Melbourne water has been referred the application and has been satisfied that an appropriate setbacks have been proposed to alleviate any further flood issues in the future and to adequately protect the mapped watercourse.</p>
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Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
	values, and consistent with the unique character, role and function of each settlement.					
		Direct urban development to a hierarchy of settlements identified for growth, through clearly defining long-term settlement boundaries.	✓			The subject site is well located with respect to community services and infrastructure. Gisborne is identified as a Regional Centre in the Macedon Ranges and is expected to accommodate additional population growth. Development within the township boundaries is preferable to increased development pressure in areas of environmental and agricultural significance.
		Direct rural residential development to rural-living-zoned land as provided for in the Macedon Ranges Council's rural living strategy, In the Rural Living Zone – Strategic Direction (2015).			N/A	
		Encourage infill development that respects the townships' character.	✓			The proposal is responsive to existing character, notably through setbacks and comprehensive landscaping, and should be supported.
		Limit the expansion of settlements in high risk locations, actively reducing the risks associated with natural hazards.			N/A	
		Encourage a range of housing types within settlement boundaries to support a diverse range of housing needs.	✓			Increased residential development in township areas is considered to contribute to a diverse housing stock available within the Gisborne Township.
		Encourage provision of an adequate supply of well-serviced employment land within settlement boundaries to support local and regional jobs and services.			N/A	
		Encourage the use of voluntary Cultural Heritage Management Plans.			N/A	
9.	To manage the provision of infrastructure consistent with protection of the area's significant landscapes and protection of environmental values to support the social and economic needs of communities and increase		✓			

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
	resilience to climate change effects.					
		Provide timely infrastructure and services to meet community needs in sequence with development.	✓			The site is connected to mains infrastructure. A development contribution will be required as part of any future subdivision application.
		Maintain and enhance transport connections that provide links between and within regional communities and to major cities.	✓			The site has adequate transport connections, being equidistant to the Calder Freeway and Bendigo Railway Line.
		Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.	✓			Access to the Bendigo V-Line service provides access to public transport for future residents.
		Maintain view lines of state-significant landscape features from the main road and rail transport corridors.			N/A	
		Ensure the future operation and development of major transport linkages and rail corridors and upgrading and improved management of freight routes are considered when managing the growth of settlements.	✓			The proposal is not considered to alter the expected demand placed upon existing infrastructure.
		Ensure equitable access to community infrastructure.	✓			The site is centrally located and future residents will have convenient access to community services.
		Encourage the use of active and public transport by planning infrastructure and facilities in accessible locations, and improve walking and cycling routes.	✓			The proposal is not of a scale that warrants the construction of additional community infrastructure.
10.	Respond to the challenges and threats of climate change and natural hazards with careful planning and mitigation strategies.				N/A	
		Support community and government planning for disaster preparedness and climate resilience.			N/A	
		Manage bushfire risks while also retaining valued biodiversity and landscape character.				
		Plan for more renewable energy generation and distribution.			N/A	
		Ensure proposals to establish renewable energy facilities adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Ensure planning for future use and development of land prone to flooding minimises the consequences of inundation.			N/A	



AREA ANALYSIS  
CHILD CARE FACILITY

TOTAL SITE AREA:	6,992m²
CHILDCARE SITE AREA:	3,395m²
SITE COVERAGE:	45.58%
SITE PERMEABILITY:	53.82%
CAR PARK AREA:	821m²
LOWER GROUND FLOOR AREA:	57m²
GROUND FLOOR AREA:	1,008m²
TOTAL BUILDING AREA:	1,065m²
TOTAL CHILDREN SPACES:	152
OUTDOOR PLAY AREA - REQUIRED:	1,064m²
OUTDOOR PLAY AREA - PROVIDED:	1,080m²
TOTAL CAR PARKING REQUIRED:	33
TOTAL CAR PARKING PROVIDED:	36

ROOM No	AREA	CHILDREN
01	53m²	16
02	53m²	16
03	53m²	16
04	53m²	16
05	73m²	22
06	73m²	22
07	73m²	22
08	73m²	22
TOTAL	504m²	152

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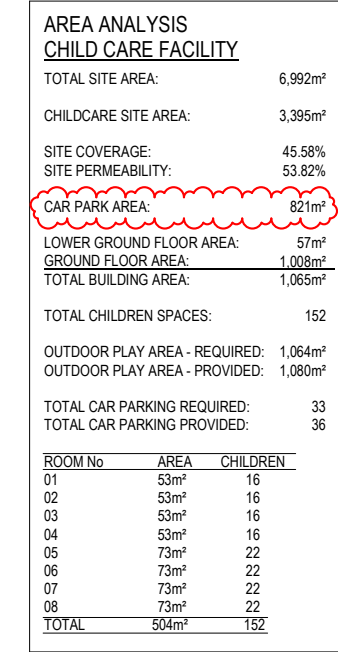
ISSUE	DESCRIPTION	DATE
P4	ISSUED FOR TOWN PLANNING - LAYOUT AMENDED	31.08.23
P5	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23
P6	PRELIMINARY ISSUE FOR COORDINATION	30.11.23
P7	PRELIMINARY ISSUE FOR COORDINATION	01.12.23
P8	ISSUED FOR TOWN PLANNING - CAR PARK AMENDED AS PER TRAFFIC IMPACT ASSESSMENT	08.12.23

**ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY**



PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
PROPOSED SITE LAYOUT PLAN  
Date: 08.12.23 Drawn: TM  
Job No: 3094 Scale@A1 1 : 200  
C:\Users\Tim\Murphy\Documents\3094 Central TP\_Tim@ellisgroup.com.au.rvt

TP-A101 P8



TP-A102 P6





AREA ANALYSIS CHILD CARE FACILITY		
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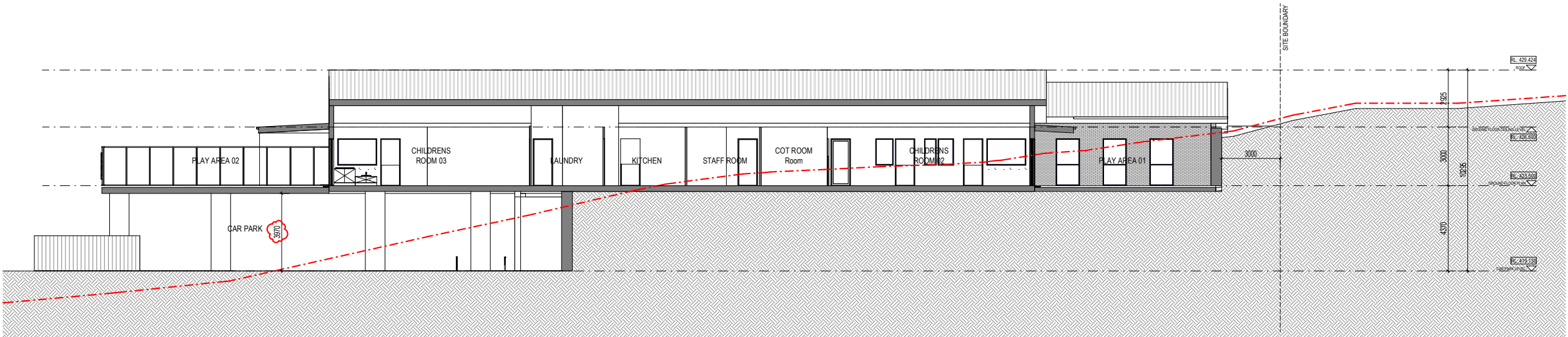
ISSUE	DESCRIPTION	DATE
P1	ISSUED FOR TOWN PLANNING	31.03.23
P2	ISSUED FOR TOWN PLANNING - RESPONSE TO COUNCIL RP	16.05.23
P3	ISSUED FOR TOWN PLANNING - LAYOUT AMENDED	31.08.23
P4	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23
P5	ISSUED FOR TOWN PLANNING - CAR PARK AMENDED AS PER TRAFFIC IMPACT ASSESSMENT	08.12.23

ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY

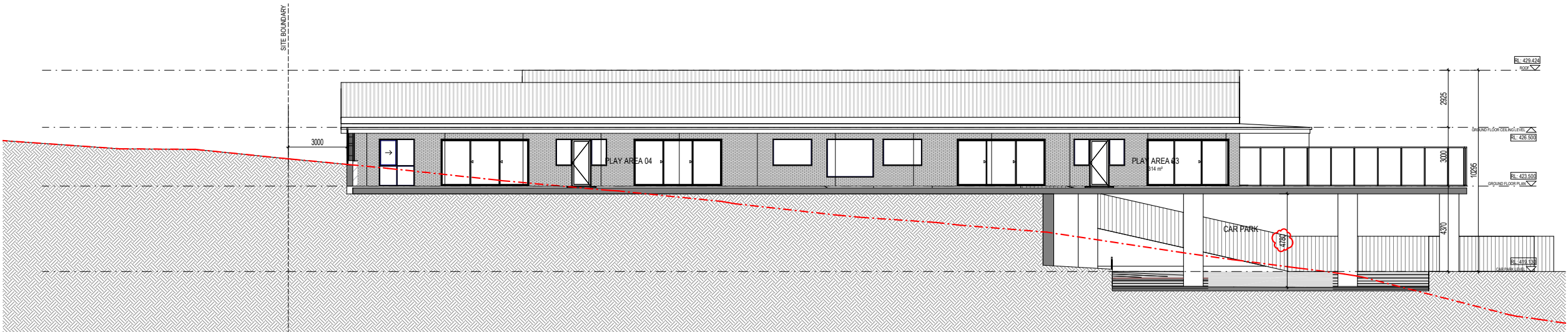


PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
PROPOSED GROUND FLOOR PLAN  
Date: 08.12.23 Drawn: TM  
Job No. 3094 Scale: A1 1 : 100  
C:\Users\TimMurphy\Documents\3094 Central\_Tim@ellisgroup.com.au.rvt

TP-A103 P5



SECTION 1  
1:100



SECTION 2  
1:100

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ISSUE	DESCRIPTION	DATE
P1	ISSUED FOR TOWN PLANNING	31.03.23
P2	ISSUED FOR TOWN PLANNING - LAYOUT AMENDED	31.08.23
P3	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23
P4	ISSUED FOR TOWN PLANNING - CAR PARK AMENDED AS PER TRAFFIC IMPACT ASSESSMENT	08.12.23

**ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY**

PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
PROPOSED SECTIONS  
Date: 08.12.23 Drawn: TM  
Job No. 3094 Scale@A1 1:100  
C:\Users\Tim\Murphy\Documents\3094 Central TP\_Tim@ellisgroup.com.au.rvt

TP-A201 P4





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ISSUE	DESCRIPTION	DATE
P1	ISSUED FOR TOWN PLANNING	31.03.23
P2	ISSUED FOR TOWN PLANNING - LAYOUT AMENDED	31.08.23
P3	ISSUED FOR TOWN PLANNING - RESPONSE TO COUNCIL RF1	22.09.23
P4	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23

ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY

PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
3D IMAGE 01  
Date: 20.10.23 Drawn: TM  
Job No: 3094 Scale: A1  
C:\Users\lmi\Documents\3094 Central TP\_Tim@ellisgroup.com.au.rvt

TP-A501 P4





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ISSUE	DESCRIPTION	DATE
P1	ISSUED FOR TOWN PLANNING	31.03.23
P2	ISSUED FOR TOWN PLANNING - RESPONSE TO COUNCIL RP	16.05.23
P3	ISSUED FOR TOWN PLANNING - LAYOUT AMENDED	31.08.23
P4	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23

ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY

PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
3D IMAGE 02  
Date: 20.10.23 Drawn: TM  
Job No: 3094 Scale: A1  
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TP-A502 P4





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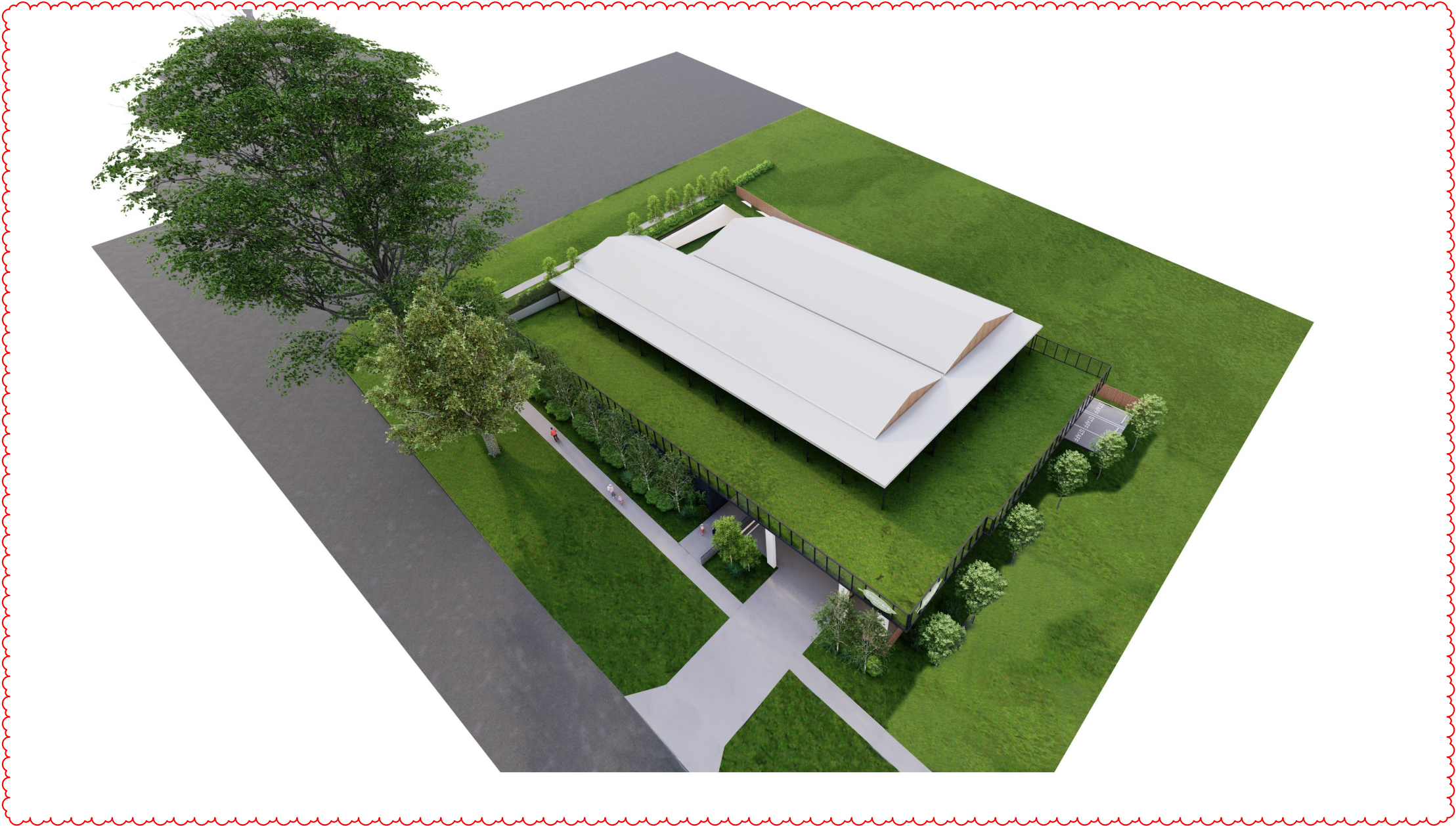
ISSUE	DESCRIPTION	DATE
P1	ISSUED FOR TOWN PLANNING	31.03.23
P2	ISSUED FOR TOWN PLANNING - LAYOUT AMENDED	31.08.23
P3	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23

ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY

PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
3D IMAGE 03  
Date: 20.10.23 Drawn: TM  
Job No: 3094 Scale: A1  
C:\Users\lsm\Documents\3094 Central TP\_Tim@ellisgroup.com.au.rvt

TP-A503 P3





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P1	ISSUED FOR TOWN PLANNING	31.03.23
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P3	ISSUED FOR TOWN PLANNING - RESPONSE TO COUNCIL RF1	22.09.23
P4	ISSUED FOR TOWN PLANNING - SETBACKS INCREASED	20.10.23

ISSUED FOR  
TOWN PLANNING  
PURPOSES ONLY

PROPOSED CHILDCARE FACILITY  
22 CALTHORPE STREET,  
GISBORNE, VIC 3437  
3D IMAGE 04  
Date: 20.10.23 Drawn: TM  
Job No: 3094 Scale: A1  
C:\Users\lmi\Documents\3094 Central TP\_Tim@ellisgroup.com.au.rvt

TP-A504 P4

**12 CHIEF EXECUTIVE OFFICER REPORTS**

Nil

**13 DIRECTOR CORPORATE REPORTS**

<b>COR.1</b>	<b>CONTRACTS TO BE AWARDED AS AT MARCH 2024</b>
<b>Officer:</b>	<b>Ilsa Melchiori, Coordinator Contracts</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

This report provides details of contracts proposed to be awarded under a delegation from Council, from the date of the last report. Although this report recommends noting the power delegated to Council officers, Council has the power to:

- a) direct that the Chief Executive Officer (CEO) award the contract under the direct delegation from Council; or
- b) specifically delegate the power to the CEO.

**Recommendation****That Council**

- 1. Notes that the following contracts will be awarded by Council officers under delegated authority:**
  - (a) C2024-60 Integrated Water Management Plan**
  - (b) C2024-50 Collection and Processing of Soft Plastics**
- 2. Grants delegated authority to the Chief Executive Officer to award the following contract:**
  - (a) C2024-65 Microsoft Enterprise Agreement – April 2024 to March 2027**

---

**Background information**

Council's delegated authority to its officers to award a contract is controlled by the financial value of the contract. The various financial limits of the authority are specified in Appendix 6 of the Procurement Policy.

**Opportunity to review delegated authority**

This report provides Council with a summary of proposed contracts which are being advertised and awarded, indicating whether delegated authority to award the contract exists.

**C2024-60 Integrated Water Management Plan**

This project will develop an Integrated Water Management (IWM) Plan for towns in the Northern section of the Macedon Ranges Shire Council, to identify whole water cycle solutions to ensure sustainable development in the region.

The CEO has delegated authority to award this contract.

**C2024-50 Collection and Processing of Soft Plastics**



Macedon Ranges Shire Council is seeking a reliable contractor that will be able to collect and process soft plastic and other material that has previously been sent to landfill.

The CEO has delegated authority to award this contract.

**C2024-65 Microsoft Enterprise Agreement – April 2024 to March 2027**

The current Enterprise Agreement with Microsoft is due for renewal. Following a process under the Municipal Association of Victoria (MAV) panel to ensure competitive pricing, a new Agreement has been drafted. This is a core business product; the rollout of MS Office 365 provides all staff access to the Microsoft Office suite of tools including Teams and SharePoint.

This contract is in excess of \$1 million and requires Council to delegate the authority to the Chief Executive Officer to award.

**Consultation and engagement**

The nature of this report does not require any consultation or community engagement.

**Collaboration**

The nature of this report does not require collaboration with other councils, governments or statutory bodies.

**Innovation and continuous improvement**

Council reviews its Procurement Policy regularly, in accordance with the *Local Government Act 2020*. These reviews consider options for innovation and are part of continuous improvement processes.

**Relevant Law**

The *Local Government Act 2020* provides for Council to delegate powers to staff, including the power to award contracts.

**Relevant regional, state and national plans and policies**

There are no regional, state or national plans and policies that are relevant to the subject matter of this report.

**Relevant Council plans and policies**

The awarding of contracts is undertaken in accordance with the provisions of Council's Procurement Policy.

**Financial viability**

Funds for all contracts to be awarded, as listed above, have been provided in the operational and capital works budgets and future annual budgets.

**Sustainability implications**

Council's Procurement Policy requires staff to procure goods, services and works from suppliers who actively employ sustainable practices in their operations.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



<b>COR.2</b>	<b>DRAFT BORROWING POLICY</b>
<b>Officer:</b>	<b>Travis Harling, Manager Finance and Reporting</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Draft Borrowing Policy <a href="#">↓</a></b>

### Summary

This report presents a recommendation to Council for the adoption of a new Borrowing Policy, effective from 28 March 2024, to address a significant gap in financial governance and to ensure Council's borrowings are aligned with the *Local Government Act 2020 (Vic)*, Australian Accounting Standards and adhered with other legislative compliance as required.

### Recommendation

**That Council adopts the draft Borrowing Policy as attached to this report, effective from 28 March 2024.**

---

### Background

Council does not currently have an endorsed Borrowing Policy, a gap in financial governance identified by officers and highlighted at a recent Audit and Risk Committee meeting. While Council has operated without a formal policy to guide and regulate financial borrowing activities, practices and principles used to guide borrowing have aligned with the *Local Government Act 2020 (Vic)*, Australian Accounting Standards and adhered with other legislative compliance as required.

### Discussion

The draft Borrowing Policy has been developed to recognise the significance of sound financial management, fiscal responsibility, and to ensure ongoing monitoring of compliance with the *Local Government Act 2020 (Vic)*, officers have prepared and developed this draft Policy, referring to several policies from other councils.

The intent is that the policy should enable Council to undertake borrowings ensuring both flexibility and risk mitigation in financial decisions. This policy is necessary given the absence of a current policy, and the increasing likelihood for Council to increase borrowings to fund significant Capital Works into the future with the growth of the shire.

Key borrowing ratios are included to guide decision-making, with specific ranges for loans and borrowings compared to rates and indebtedness levels. These ratios help ensure that borrowing levels are sustainable and that debt servicing can be managed effectively.

Council will continue to endorse all new borrowings and regular monitoring through annual reviews and updates of Council's financial plans and documents, ensuring align with Council's strategic objectives and legislative compliance.

### Consultation and engagement

The draft Borrowing Policy has been developed by officers and provided to Councillors at a Councillor Briefing. This draft Borrowing Policy was also presented to Council's Audit and Risk Committee at its February meeting for review.

**Collaboration**

Nil

**Innovation and continuous improvement**

This draft Borrowing Policy was identified as a gap in Council's financial governance, highlighting an opportunity for Council to continuously improve.

**Relevant law**

The draft Borrowing Policy ensures that Council borrowings are aligned with the *Local Government Act 2020 (Vic)* and Australian Accounting Standards.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

The draft Borrowing Policy will support Council when applying for borrowings through the Treasury Corporation Victoria and their Loan Framework and Guidelines.

**Relevant Council plans and policies**

The draft Borrowing Policy ensure that Council delivers strong and reliable government as outlined in the Council Plan 2021-2031.

**Financial viability**

Any borrowings that will be undertaken will form part of Council's Annual Budget process and align with Council's Financial Plan.

The policy also identifies between different generations, making sure debt doesn't unfairly affect future Councils. It sets clear limits on how much can be borrowed, based on specific financial ratios, to keep the Council's finances healthy and sustainable.

**Sustainability implications**

The policy also details how loans should be chosen, considering the banks' environmental and social practices, especially their stance on fossil fuels. This approach ensures the Council's borrowing aligns with its commitment to being environmentally and socially responsible.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



Borrowing Policy

Date of Adoption			
Adoption Method	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> CEO	<input type="checkbox"/> Other (please specify)
CEO Signature			Date
Responsible Officer and Unit	Finance and Reporting		
Nominated Review Period	<input type="checkbox"/> Annually	<input checked="" type="checkbox"/> Every 4 years	<input type="checkbox"/> Other (please specify)
Last Endorsement Date			
Next Endorsement Date	March 2028		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

DOCUMENT HISTORY	Version	Date	Author
Initial Draft			
Second Draft	0.2	21 February 2024	Manager Finance & Reporting
Final Draft	0.3	7 March 2024	Manager Finance & Reporting
Approval			

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## 1. Purpose/Objective

This Policy provides the parameters for Council to undertake borrowings without compromising the application of sound financial management principles. It allows Council the flexibility to respond to funding requirements while minimising risk. The Borrowing Policy ensures that Council has a sound financial framework on which to:

- undertake borrowings.
- manage its loan portfolio.
- adhere to the provisions of the *Local Government Act 2020 (Vic) (Act)*.

## 2. Background/Reasons for Policy

Councils must implement the principles of sound financial management. This includes managing financial risks; pursuing spending and policies that are consistent with a reasonable degree of stability; making decisions with future generations in mind and ensuring the disclosure of financial information.

This policy ensures that borrowing activities will be undertaken in a manner that minimises risks to Council.

## 3. Scope

This policy applies to the Council when considering and determining the annual budget or alongside another relevant Council decisions, and concerns borrowings from external financial institutions.

Officers must consider this policy when:

- considering new borrowings; and
- refinancing existing borrowings (where long-term benefits of refinancing are greater than the cost of the existing loan) as approved by Council resolution.

The policy does not apply to determining operating accounts or activities relating to trusts or reserves. Council's overdraft facility is also excluded, due to being a short-term financial arrangement.

#### 4. Principles

This Policy provides direction in relation to the treasury function, and establishes a decision framework with principles to ensure that a borrowing strategy is followed. The following principles and assumptions contribute to the borrowing strategy:

- Financial risks are monitored and managed prudently having regard to economic circumstances.
- Financial policies and strategic plans, including the Annual Budget, Financial Plan, Asset Plan and Revenue and Rating Plan, provide stability and predictability in the financial impact on the municipal community.
- Council considers those financial institutions which demonstrate a positive commitment to Environment, Sustainability and Governance goals as detailed in section 6.4 of this policy.
- Appropriate funds are available at the appropriate time to support the delivery of Council's strategic objectives.
- Optimum times to borrow, considering interest rates, construction cost inflation rates, and the need to provide economic stimulus are considered.
- Council seeks to minimise costs of borrowings.
- Where applicable, the structure of the borrowing is appropriate for the nature of the assets being funded.
- Inter-generational 'user pays' approaches are considered as part of determining the most appropriate way to fund activities.

#### 5. Roles and Responsibilities

Council must approve all borrowings, and can authorise the Chief Executive Officer, Director Corporate, or Manager Finance and Reporting to execute all documents necessary to give effect to Council's resolution to borrow funds.

The Finance and Reporting team will oversee the monitoring of this policy during the annual review of Council's Financial Plan, annual budget, and financial statements. These documents provide insights into Council's loan portfolio, current borrowings, and financial sustainability metrics. The annual budget process and the Annual Report will include reporting on loans, borrowing, rates, and repayment ratios.



## 6. Policy

### 6.1 Legislative Requirements

- Council will develop a Financial Plan, which incorporates a borrowing strategy as per the Model Financial Plan, in line with the requirements of Section 91 of the Act.
- Council will not borrow money unless the proposed borrowings were included in a budget or a revised budget, approved by Council, as per Section 104 of the Act.
- All borrowings must be approved by Council, and Section 11(2)(l) of the Act stipulates that Council cannot delegate the power to approve borrowings.
- Council must adhere to the financial management principles of the Act.

### 6.2 Inter-Generational Equity

Council shall consider equity between generations of ratepayers (inter-generational equity) whereby the mechanisms to fund specific capital expenditure considers the ratepayers who benefit from the expenditure, and therefore, on a user pay basis, who should pay for the costs associated with such expenditure.

However, this principle shall not be applied where it would be to the detriment of sound financial management.

In general, debt levels should be minimised to allow future Councils the opportunity to borrow in future periods without being impeded by significant borrowings by an earlier Council.

### 6.3 Long Term Sustainability of the Shire

The level of borrowing shall be within acceptable limits identified by key ratios, including those in the Local Government Planning and Reporting Framework (LGPRF), to ensure long-term sustainability. Council should ensure that the amount of borrowing does not exceed these limits, so that debt servicing costs can be on an ongoing basis without negative impacts on future Council terms.

Ratios reported and considered in decision making:

The following key ratios will be considered:

Source	Description	Calculation of Ratio	Sector Expected Ratio Range	Council Target Ratio Range
LGPRF	<u>Loans and borrowings compared to rates</u> Interest bearing loans and borrowings as a percentage of rate revenue.	<i>Interest bearing loans and borrowings / rate revenue.</i>	0% - 70%	0% - 35%
LGPRF	<u>Loans and borrowings repayments compared to rates</u> Interest and principal repayments on interest bearing loans and borrowings as a percentage of rate revenue.	<i>Interest and principal repayments on interest bearing loans and borrowings / rate revenue</i>	0% - 20%	0% - 10%
VAGO	<u>Indebtedness</u> The higher the % the less the entity is able to cover non-current liabilities from revenues the entity generates itself. Own source revenue is used rather than total revenue because it does not include grants for contributions.	<i>Total borrowings / own-sourced revenue</i>	High > 60%  Medium: 40 - 60%  Low: 40% or less	0% - 40%

Total borrowings may move to the upper ratio range level when:

- A major project has caused borrowings to be temporarily maximised; and/or
- interest rates are lower making debt financially attractive; and/or
- construction costs are increasing at a rate significantly greater than interest rates, whereby delaying a crucial project may be economically detrimental to Council; and/or
- a material call to the 'defined benefit' Superannuation Fund is required.

It is expected that the total borrowings will be at the lower parameter level when the economic conditions are contrary to the above. This factor will be assessed by Council's executive management team each year prior to the budget process.

Council will report on borrowings against the expected ranges as set by the LGPRF and VAGO annually.

Should a situation arise where Council is required to borrow funds for exceptional circumstances (e.g. assets needed or impacted by natural disaster, emergency), Council's loans and borrowings repayments compared to rates ratio may exceed the higher level of the expected range of the key ratios.

Council will, as soon as practically possible, adjust future borrowings to ensure the loans and borrowings repayments compared to rates ratio returns within the expected range.

Details of borrowing ratios will be provided as part of the annual budget documentation together with the trend of these ratios for the Council's financial plan.

#### **6.4 Loan Approval Process and Environment, Sustainability and Governance goals**

New borrowings will be identified as part of the annual budget or a revised budget (Council Meeting agenda) process, and will be subject to public tender with authorised deposit taking institutions (ADIs) or by engaging the Treasury Corporation of Victoria (TCV). The public tender process will be in accordance with the Council's Procurement Policy and the Act.

In accordance with the Climate Change Action Plan and Council's Investment Policy, where interest rates are equal, Council will give preference to borrowing funds from ADIs that do not invest in fossil fuel industry and support the International Campaign to abolish Nuclear Weapons (ICAN).

#### **Gender Impact Assessment**

In accordance with the Gender Equality Act 2020, a Gender Impact Assessment was not required in relation to the subject matter of this report.

## Definitions

Term	Definition
Act	The <i>Local Government Act 2020 (Vic)</i>
Authorised deposit taking institutions (ADIs)	organisations' such as banks, building societies and credit unions regulated by and subject to the prudential standards of the Australian Prudential Regulation Authority (APRA).
Defined Benefit Call	A demand for additional funding from institutional members of Defined Benefit Superannuation Fund to ensure that the fund can meet its future obligations to retirees (sufficient assets to cover its future liabilities.) The performance of fund assets, changes in actuarial assumptions, regulatory and other factors may impact a fund's ability to meet its future obligations and result in an unfavourable liabilities ratio. When this occurs, members are required to contribute funds to top up the assets through a 'Call'.
DTF	Victorian State Government Department of Treasury and Finance.
Indebtedness	The measure of Councils ability to cover non-current liabilities from revenues the entity generates itself.
LGPRF	Local Government Performance Reporting Framework
Loans and borrowings compared to rates	The percentage of interest-bearing loans and borrowings of total rate revenue.
Loans and borrowings repayments compared to rates	The percentage of interest and principal repayments on interest-bearing loans and borrowings of total rate revenue.
Materiality	The significance or importance of an item, event, or information in terms of its potential to influence the decision-making of users of financial statements. Materiality is a relative concept and is assessed in terms of the size (value), nature, or both, in relation to the financial position.

Term	Definition
TCV	Treasury Corporation of Victoria.
Treasury Function	Treasury Function involves the management of money and financial risks within Council. Its priority is to ensure the appropriate levels of money that is needed to manage its day-to-day business obligations, while also helping develop its long-term financial strategy and policies, the function also incorporates Council's the oversight of the investment and loan portfolios.
VAGO	Victorian Auditor General's Office.

## References

- > Macedon Ranges Shire Council: Financial Plan
- > Macedon Ranges Shire Council: Asset Plan
- > Macedon Ranges Shire Council: Revenue and Rating Plan
- > Macedon Ranges Shire Council: Annual Budget
- > Treasury Corporation Victoria: Loans Framework and Guidelines
- > Local Government Victoria: Local Government Performance Reporting Framework (LGPRF)
- > Australian Accounting Standards (AASB)

## Related Policies

- > Macedon Ranges Shire Council Procurement Policy
- > Macedon Ranges Shire Council Investment Policy
- > Macedon Ranges Shire Council Climate Change Action Plan

## Related Legislation

- > *Local Government Act 2020 (Vic)*

<b>COR.3</b>	<b>DRAFT LEASE AND LICENCE POLICY</b>
<b>Officer:</b>	<b>Hayley Drummond, Coordinator Property and Valuations</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Draft Lease and Licence Policy <a href="#">↓</a></b>

### Summary

The purpose of this report to provide information on a proposed updated Lease and Licence Policy. It is recommended that Council proceed to a Community Engagement and Consultation process prior to formally adopting this Policy at a future Council meeting.

### Recommendation

**That Council endorses the release of the draft Lease and Licence Policy to be made available for public comment for a period of 28 days.**

---

### Background

Council's Lease and Licence Policy was last adopted in 2017 (with a minor review undertaken in 2020) and was due for review in November 2021. This policy applies across all Council premises and provides a clear, consistent policy on the rights and responsibilities between Council and tenants. The policy aims to optimise the use of Council's premises and generate a better outcome for the whole community.

### Discussion

A review has been undertaken of the Leasing and Licensing Policy and the proposed policy is attached to this agenda.

The draft policy proposes the following key objectives:

- Ensure Council managed properties are appropriately maintained, developed and occupied, having regard to the interests of local communities and the care of the assets.
- Ensure Council managed properties are used to meet demonstrated community needs consistent with the Council Plan, and in-kind support from Council, including subsidised rent, is recognised and transparently applied in light of the community benefit to be achieved.
- Provide guidance to Council and the broader community regarding the eligibility, use, length of lease and rental structures to meet the diverse needs of the community and provide information to ensure consistently applied terms and conditions.

The revised policy has been structured to offer detailed guidelines across different categories of agreements, specifying eligibility indicators for community and commercial use, setting out the terms for maintenance and outgoings, and clarifying the process for agreement renewals and overholding to emphasise transparency, equity and community benefit in the leasing and licensing process.

### Key Updates

- Changes to the minimum lease fees for community groups, which is proposed to increase from \$1.00 to \$300 per annum.
- Now outlines Council's preference to enter shared-use licence agreements, in preference to leases that provide exclusive use to a tenant, to improve flexibility of Council owned or managed buildings.
- Outlines the availability of waivers or lease-fee reductions on application.
- Outlines required diversity and gender equity measures in the policy.
- Provides clarity on monitoring of agreements, including maintenance and ensuring ongoing public value.
- Clarifies Council's retention of the right to discretion in applying the policy and options within agreements.

The increase to the minimum lease fees for community groups, \$1.00 to \$300 per annum, is in line with State Government fees that are now a minimum of \$460 per annum for Crown Land leases, in recognition of the costs associated with lease administration.

This increase would not impact current tenants with existing leases.

Under the proposed policy, further information is also provided in relation to ground leases, management of breaches of leases, termination of agreements and monitoring of leases and licences. The policy also proposes that during the term of the lease, Council may request information from tenants regarding membership and demographics, facility utilisation and services provided.

As part of the process for new leases, tenants will also be provided with a copy of the policy and must acknowledge that they understand the terms and conditions.

### **Consultation and engagement**

The community engagement and consultation process will be undertaken in accordance with Council's Community Engagement Policy. This will include providing information about this policy and community engagement process on our website, undertaking a mailout to existing tenants and inviting community groups who may be impacted to respond. Council will be seeking written feedback from the community during April and May 2024. Officers will also make themselves available to the community through this period to explain the policy changes and answer queries.

### **Collaboration**

The review of the draft Lease and Licence Policy has been undertaken by officers and Councillors at Councillor Briefing. This draft Policy was also presented to Council's Audit and Risk Committee for feedback.

### **Innovation and continuous improvement**

Nil

### **Relevant law**

The Leasing and Licensing of Council property is strictly regulated from several Acts which have been outlined in the policy.

Additionally, in accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment (GIA) has been conducted in relation to the community consultation. The GIA

aims to ensure the inclusion of people from all genders and ages in the consultation and engagement activities. There are four key considerations in the consultation process:

- Representation and participation to encourage the active participation of individuals and age groups in the community consultation process. Strategies to consult aim to be as inclusive and accessible as possible, addressing potential barriers that certain groups may face in participation (e.g. targeting communication of availability and ensuring broad reach over different platforms).
- Access to information – it is important to provide clear and comprehensive information about the policy. The information will be presented in a variety of formats, including online, with printed copies available on request, and in a form that is easily understood and accessible to individuals of all genders and ages.
- Consultation Timing and Methods – consideration has been given to the timing and methods of community consultation to ensure that it accommodates the availability and preferences of individuals from diverse gender and age groups as much as possible. This is done through a range of consultation opportunities, such as availability of staff to assist, online platforms, written and verbal submissions to maximise inclusivity and engagement.

By implementing the recommendations outlined in this GIA, the community consultation process aims to be inclusive, and reflective of the diverse needs and perspectives of the community.

### **Relevant regional, state and national plans and policies**

Department of Energy, Environment and Climate Action (DEECA) Crown Land Leasing Policies – Leasing Policy for Victorian Crown Land 2023.

### **Relevant Council plans and policies**

The review of the Lease and Licence Policy supports Council's priority of strong and reliable government. There are numerous Council policies that are referred to in the Policy document.

### **Financial viability**

The policy proposes several changes that will have financial implications, including increases to minimum lease fees. Community groups currently on a minimum peppercorn rental will not be affected by this change as lease fees will remain unchanged until their lease term ends and a new lease is negotiated.

Currently the average rental for Council's community leased properties is \$155 per annum and Council has approximately 50 community leased properties. Consequently, under the new policy, if these leases were increased to \$300 p.a. Council's community lease income could increase by approximately \$7,500 per annum. This would assist Council in covering part of the cost of administration and support for these leases and community groups.

Implementing increased shared use facilities should also have a financial impact. The policy is proposing that Council transition some lease holders to licences for suitable community groups to enable several groups to share one building or facility at varying times. There will be some minor costs associated with this in relation to Council providing communal facilities such as lightweight stackable tables and chairs and more storage facilities. However, by sharing facilities there is also the potential to maximise the utilisation of Council's assets to decrease costs and help to reduce the need for new infrastructure.



**Sustainability implications**

Council is committed to protecting the environment and will require Tenants to use the Premises in an environmentally responsible manner. Tenants must comply with Council's directions in relation to environmental initiatives on Council Property, particularly the policies in relation to sustainable buildings and waste management. Tenants may also approach Council to support grant applications to improve the energy efficiency and environmental performance of the building.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

# Policy



## Draft Lease and Licence Policy

<b>Date of Adoption</b>	TBC		
<b>Adoption Method</b>	<input checked="" type="checkbox"/> Council	<input type="checkbox"/> CEO	<input type="checkbox"/> Other ( <i>please specify</i> )
<b>CEO Signature</b>			<b>Date</b>
<b>Responsible Officer and Unit</b>	Manager Finance and Reporting		
<b>Nominated Review Period</b>	<input type="checkbox"/> Annually	<input checked="" type="checkbox"/> Every 4 years	<input type="checkbox"/> Other ( <i>please specify</i> )
<b>Last Endorsement Date</b>	August 2020		
<b>Next Endorsement Date</b>	TBC		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

DOCUMENT HISTORY	Version	Date	Author
Initial Draft			
Second Draft			
Final Draft			
Approval			

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## Lease and Licence Policy

### 1. Introduction

Council is the custodian of land on behalf, and for the benefit, of its community. This land includes property owned by Council, Crown Land where Council is the Committee of Management (CoM) and land leased or licenced by Council for identified purposes. Some Council-managed properties are leased for commercial purposes and generate market rents for Council. Most properties are leased at subsidised rates for community and not for profit purposes to deliver a tangible community benefit. This includes properties used for community centres, childcare centres, senior citizens centres, scout halls, club rooms, recreation spaces and sporting facilities. These uses deliver a range of public policy objectives, including health and well-being, recreation and community building.

This Lease and Licence Policy has been developed to provide a framework for leasing and licensing of Council owned and managed land and buildings across the Shire.

It is intended as a framework that will assist Council in providing a fair, equitable and transparent process for all types of tenants who occupy Council owned or managed property.

### 2. Purpose

Council is responsible for the sustainable management of assets and maximising the community benefit arising from its property use. This policy provides a foundation for the negotiation, establishment and administration of leases and licences, with the aim of meeting the following objectives:

- **Sound custodianship:** Ensure Council managed properties are appropriately maintained, developed and occupied, having regard to the interests of local communities and the care of the assets. This requires that any Tenant who occupies Council owned or managed premises does so under the terms and conditions of a current lease or licence.
- **Community Benefit:** Ensure Council managed properties are used to meet demonstrated community needs consistent with the Council Plan, and in-kind support from Council, including subsidised rent, is recognised and transparently applied in light of the community benefit to be achieved.

- **Consistency:** Provide guidance to Council and the broader community regarding the eligibility, use, length of lease and rental structures to meet the diverse needs of the community and provide information to ensure consistently applied terms and conditions.
- **Equity:** A framework for fair, inclusive, transparent and equitable leasing and licensing of Council managed properties to organisations, businesses, agencies and community groups. Ensure leasing and licensing promotes and reflects Council's commitments to diversity and inclusion, social equity and wellbeing.
- **Financial sustainability:** Ensure sound financial management and effective administration of Council managed properties to allow for an appropriate financial return.
- **Legal compliance:** Ensure compliance with relevant legislation as applicable to each property type, particularly in relation to the *Local Government Act 2020* ("the Act"). Ensure tenants comply with the legal use of Council managed properties.
- **Protection:** Ensure strong processes and clear agreements are in place to protect all interested parties.

### 3. Scope

This policy applies to leases and licences of Council owned buildings and land across the Shire, and sites owned by the State Government (Crown Land) where Council is the designated Committee of Management and therefore can enter into leases or licences with tenants.

This policy does **not** apply to:

- seasonal club agreements;
- casual hire agreements;
- leases or licences where Council is tenant; or
- sponsorship or commercial hiring of advertising space on Council property.

### 4. Principles

Council will apply the following principles when considering and entering into leases and/or licences. Council will:

- Ensure that community groups and not for profit service providers are given first preference for Council's community facilities to meet the Macedon Ranges community's service needs.
- Preference licences rather than exclusive lease agreements to ensure the optimisation and sustainable management of assets by obtaining maximum community utilisation through co-habitation, agglomeration and/or sharing of facilities.
- Ensure all lease and licence agreements reflect Council's commitment to diversity, inclusion, and social equity.
- Seek to enter into agreements that balance the risks and benefits to Council across liability for capital asset maintenance, income and expenditure, service delivery, and administrative overheads.

## 5. Using a Lease or Licence

Granting of exclusive possession and other leasehold rights is not necessary for all land uses and may not deliver the greatest benefit of the community or prospective tenants. To ensure that Council property is used to its greatest potential and to optimise access for all community groups, Council will encourage the shared use of facilities, and in the first instance give preference to a licence agreement rather than a lease for prospective tenants.

If it can be demonstrated that exclusive rights to a property is in the best interests of the community, then a lease will be offered.

### 5.1. Lease Agreements

A lease may be appropriate where the tenant requires exclusive use of land and/or premises for the permitted use in the interests of the community. This may include delivery of long-term projects or groups delivering specific services, for example:

- sensitive and important community services such as the provision of child-care or health facilities and services;
- provision of education services, such as by a TAFE or VET training provider;
- commercial or other purposes where the operator will undertake a specialist fit-out and installation to meet the stated purpose and requires exclusive access (e.g. café, long-term telecommunications infrastructure installation).

## 5.2. Licence Agreements

Licences enable access for multiple groups, and support the shared use of facilities between Council and each licence holder. Examples of where a licence of land may be appropriate include:

- a recreation or sporting club with a year-round requirement for access and use of Council property;
- special event licences for community, cultural or sporting events;
- licences for the installation of services utility infrastructure (e.g. electric vehicle charging stations).

To encourage the use of licence agreements and shared use of facilities, the fees for licence agreements shall be reduced in comparison with lease fees. This will depend on the facility and the hours of usage by the group and will be determined on a case-by-case basis.

## 5.3. Ground Leases

For certain types of properties, it is appropriate for Council to provide a ground lease of the site. A ground lease is a lease of the land component only, with the tenant responsible for the construction or installation of buildings and any ongoing maintenance or works related to them. The tenant must also ensure that they obtain and comply with all appropriate planning and building permits. This occurs for example at the Kyneton Airfield where Council leases the site and the tenants construct the hangar buildings. The lease is therefore described as a ground lease and the rental is assessed based on the land value only. At the end of the lease the building may be removed by the tenant, or the ownership of the building reverts to Council.

Ground leases are generally used for long-term agreements and require the tenant to be responsible for all maintenance and management of the building during the term of the lease. This has the benefit of no ongoing maintenance obligations for Council, reducing both costs and risks.

## 5.4 Crown Land Leases

Where Council is appointed as the Committee of Management over Crown Land, Council shall seek approval from the Department of Energy, Environment and Climate Action (DEECA) to enter into a lease or licence with a Tenant. Council must ensure that it complies with DEECA's Crown Land Leasing Policy and Guidelines and agreements must be in the prescribed form as provided by DEECA.

#### 5.4. Categories of Tenants

Council has three categories of tenants to enable differential rates and terms to be set in lease agreements. Further information on these categories is provided in Appendix 1 to this policy.

Category	Description
Category 1:	Community – Minimum Rental
Category 2:	Community – Subsidised rental
Category 3:	Commercial/General use – Market Rental

##### 5.4.1. Requirements for Community-Category Tenants

To be considered for a community use lease agreement, prospective tenants must:

1. Be able to demonstrate they are a not-for-profit organisation;
2. Be a registered legal entity;
3. Be managed mostly by volunteers;
4. Manage the lease primarily for the community; and
5. Meet public benefit criteria such as: social engagement, non-discriminatory services, no barriers to participation and a demonstrable demand for the service existing.

## 6. Vacant Properties and Agreement Renewals

When considering leasing or licensing vacant properties and renewals, Council will undertake a public process to identify the organisation that will provide best value and greatest community benefit. This may include requests for information such as business plans, membership details, and financial sustainability. Applications received through a public process will be assessed by Council officers with evaluation criteria that will be created to meet the specific requirements of the site. These criteria must consider diversity, equity and inclusion principles, and be informed by the completion of a Gender Impact Assessment at the time of development where required.

Under certain circumstances, agreements will be directly negotiated with organisations or the current occupiers, provided there are justifiable reasons that a direct negotiation is appropriate. Such circumstances include those where the proposed occupant (new or existing) will provide



significant community benefit, significant capital contributions, a specific need that cannot otherwise be met, and/or there is an absence of competition.

At the end of a lease term where the tenant remains in occupation of the property, they may continue on a month-to-month basis whilst a new lease is negotiated, in agreement with Council. This period of time outside the initially agreed lease term is known as 'overholding.' Tenants must continue to pay the rent and abide by all the terms of the lease during the overholding period.

Should lease negotiations extend beyond a twelve-month period of overholding without satisfactory progress, Council may terminate the lease with one month's notice.

## **7. Risk, Liability and Insurance**

Council will require appropriate risk management measures in all agreements that includes but are not limited to:

- Appropriate security measures.
- Ensuring that appropriate documentation and insurance are in place for occasional or hired use of the premises by third parties.
- Implementation of appropriate Emergency Evacuation procedures and other Essential Services Measures as required.
- Implementation of an appropriate Risk Management Plan that identifies the risks associated with the tenant's use of the premises and how such risks will be managed.
- Use of appropriately qualified Council approved tradespeople to undertake maintenance and repairs.

As a landowner, Council has a duty of care, which is a legal obligation to avoid doing things that could foreseeably cause harm to another person or property. Through lease agreements, Council can reduce exposure to the risks of liability and limit the amount of compensation payable by introducing more certainty in the agreement with tenants.

### **7.1 Indemnity Clause**

Indemnity clauses are commonly used to define who bears the risk. As standard practice, Council will not agree to indemnify any other party and Council will not agree to any form of limitation of liability of any third party in lease and licensing agreements. It is considered reasonable that any

party engaged with Council be liable for loss or damage caused by its own negligence, without limit.

### **7.2 Insurance requirements**

All tenants or licence holders are required to hold current Public Liability Insurance to a minimum of \$20 million to enter an agreement with Council.

### **7.3 Indemnity and insurance clauses with State Government**

An agreement exists between Victorian council members of the Liability Mutual Insurance (LMI) scheme (Macedon Ranges Shire Council) and the Victorian Managed Insurance Authority (VMIA) (which also includes VicRoads, VicTrack, Victoria Police and others) regarding indemnity and insurance clauses.

When entering agreements with State Government, Council should refer to the series of recommended indemnity and insurance clauses developed by VMIA and LMI.

### **7.4 Essential Safety Measures (ESM's)**

Essential Safety Measures are the safety features required in a building to protect occupants in the event of a fire. ESM's may include fire detection and alarm systems (smoke alarms), fire doors, emergency lighting and fire hydrants. In order to comply with these requirements, tenants are required to keep emergency exit pathways clear and emergency fire equipment such as fire extinguishers and smoke alarms operational and accessible at all times. Council shall provide tenants with emergency evacuation plans that must also be clearly displayed to facility users at all times. Council will also ensure the installation of emergency and exit lighting.

Tenants must also arrange for 'test and tagging' to occur for any portable electrical items by an approved licenced electrical contractor on an annual basis. This includes all freestanding electrical appliances such as all kitchen equipment, fridges/freezers, kettles, office equipment, phone chargers etc. An electrician will test each appliance and then put a 'tag' on the appliances cord to show it complies with the Australian Standard (AS 3760).

During the term of the lease Council officers shall undertake regular inspections of the facility to ensure that the ESM's are complied with and the 'test and tagging' has been completed. Tenants must comply with any inspections requested by Council officers or their contractors.

## 8. Liquor and gaming licences

Liquor licence applications require Council approval in addition to any relevant statutory approval, is separate to statutory approval, and is determined on a case-by-case basis.

Council prohibits any new or additional gaming licences on Council owned or managed land. Management of leases with existing tenants who are current gaming licence holders on Council owned or managed land will be undertaken in line with Council policies regarding Gambling Harm.

## 9. Delegations

The approval process for lease and licence agreements will be in accordance with statutory requirements under the Act. Leases or licences must be signed by both Council and the tenant or licensee to be binding. The following delegations also apply when entering into and executing leases:

<b>Council via a Council resolution</b>	<p>Is authorised to enter into leases that:</p> <ul style="list-style-type: none"> <li>• have a current market rental of \$100,000 per annum or more (and are for a term of 1 year or more); or</li> <li>• have a term of 10 years or more;</li> </ul> <p>subject to complying with Section 115 of the Act.</p>
<b>Chief Executive Officer</b>	<p>Is authorised to:</p> <ul style="list-style-type: none"> <li>• Execute leases which have a term of 5 years or greater and less than 10 years and</li> <li>• are less than \$100,000 rental per annum.</li> </ul>
<b>Directors</b>	<p>Are authorised to:</p> <ul style="list-style-type: none"> <li>• Execute leases which have a term of less than 5 years and</li> <li>• Are less than \$100,000 per annum.</li> <li>• Execute all licences.</li> </ul>

## 10. Standard Conditions

All leases and licences shall be based on Council's standard lease or licence template. This is to ensure standard conditions shall be applied consistently to all Council owned and managed premises.

Each lease or licence shall include the following:

- a) A plan indicating the leased or licenced area;
- b) A Maintenance Schedule; and
- c) A list of tenants improvements.

Special Conditions may be included in a lease or licence, if necessary, to meet specific requirements of Council or the proposed Tenant. Any variations proposed to the standard lease or licence terms must be referred to Council's Property Department and approved by one of the Manager of Finance and Reporting, the Director Corporate, or the CEO.

Key Lease terms are outlined in Section 13 of this policy.

Any requests for variations to leases during the lease term must be requested in writing and will be considered by the appropriate Manager and Council's property team.

## 11. Breach of Agreements and Termination of Agreements

All lease documents have a termination clause that provides the terms under which Council can terminate the lease. In addition to the non-payment of rental, there are essential terms of the lease that if breached are considered so serious that Council is entitled to treat the agreement as terminated. This includes undertaking improvements without appropriate approvals or utilising the property for a non-permitted use. If a serious breach occurs by a tenant, then Council will seek to terminate the lease unless the tenant is willing to undertake remediation works to the satisfaction of Council.

Additionally, there is a dispute resolution clause as outlined in Section 13.12 of this policy.

## 12. Monitoring and management of Leases and Licences

Council will undertake an inspection of all properties prior to the commencement of a new agreement. This will record the condition of the building prior to the tenant/licencee taking

occupation. Council will also inspect the property at the end of the agreement to ensure that the building is returned in a satisfactory condition to Council.

During the term of the agreement, Council officers will monitor the building and inspect when required for maintenance requirements. Maintenance shall be undertaken by Council in accordance with the maintenance schedule attached to the agreement. Minor maintenance remains the responsibility of the Tenant/licencee.

During the term of the agreement, Council may request information from Tenants/licencees to support the ongoing assessment of community or public benefit as proposed when entering into the agreement. This may include data on membership and demographics, services provided, facility utilisation and financial performance of the tenant/licencee organisation.

Council maintains a lease register. This includes key dates for each tenancy such as rental review dates, renewal and expiry dates, and performance data. Council shall contact tenants when leases are up for renewal and renegotiate new lease terms. Council shall also issue rental invoices for payment on an annual, quarterly, or monthly basis depending on the lease term.

New agreements shall be prepared at Council's cost. Tenants can seek their own legal advice on proposed leases, this will be at their cost.

### **13. Key Lease Terms**

#### **13.1. Payment of Rental**

The rental amount shall be determined based on the three different categories of tenant outlined in Appendix 1. The categories are –

**13.1.1 Category 1** - Community Leases – Minimum rental (\$300 p.a.)

**13.1.2 Category 2** - Community Leases – Subsidised rental (\$500 - \$5000 p.a.)

**13.1.3 Category 3** - Commercial/General Use – Market value

The Minimum Rental fee for Community Leases takes into consideration the annual administration costs that Council incurs in managing leases including raising invoices, reviewing annual public liability insurance statements and annual reporting and audit requirements.

There is some discretion regarding this rental payment and Council may consider providing a rental waiver or reduction to Category One tenants only, due to financial hardship, where the tenant shall provide funds to enhance the building, or other 'in kind' benefits, as agreed. In these

situations, the tenant should apply to Council in writing stating their reasons for seeking the rental reduction or waiver for the year ahead. Council shall consider each request on a case-by-case basis, and waiver's require Director's approval in line with Council's relevant financial and debt management policies. This waiver or reduction is only available for Category One tenants.

Category 1 and Category 2 leases shall also have an annual rental review fixed at 3% increases. This is in preference to a CPI review as it is easier for Council and tenants to implement from an administrative perspective and for budgeting purposes.

### 13.2. Length of Lease or Licence

Generally, licence agreements will be offered for a three-year period and leases will be , up to a maximum term of nine years. Council may, at its discretion, offer a longer term where a tenant has made or shall make a substantial contribution to building, structural and infrastructure works on the premises and fully maintains those works for the duration of the lease or licence.

The proposed term will be assessed on a case-by-case basis, and is dependent on several factors, including:

- a) the applicable legislation;
- b) the proposed tenant's contribution to building, structural and infrastructure works including new, renewal/refurbishment or upgrade works;
- c) the financial stability of the tenant;
- d) any State Government requirements/legislation (where Council is Committee of management);
- e) the suitability of the premises for the tenant's use; and
- f) Council's long-term plan(s) for the premises.

### 13.3. Outgoings

Under lease agreements, the tenant shall be responsible for the payment of all outgoings (to the extent that they apply).

This includes:

- a) Electricity
- b) Gas
- c) Water
- d) Waste Water
- e) Contents Insurance
- f) Public Liability Insurance
- g) Telecommunications
- h) Rubbish bins
- i) Council rates (*note community groups are non-rateable*)
- j) Fire Services Property Levy.

Tenants in a shared multi-use premises shall be responsible for the payment of their proportion of these outgoings. The proportion of costs attributable to each tenant shall be included as a special condition of the agreement.

#### **13.4. Building Insurance**

Council shall insure all Council owned improvements on Council owned land or Crown Land where Council is the landlord.

##### **13.4.1. Property and Contents Insurance**

The Tenant should maintain insurance for its own property. This includes temporary structures that are not Council owned, such as sheds and hangars. The insurance of all chattels, fixtures and fittings, furniture, floor coverings, equipment and contents belonging to the Tenant are the responsibility of the tenant.

Damage or loss to the temporary structures (such as sheds and hangars), chattels, fixtures and fittings, furniture, equipment and contents belonging to the Tenant shall be the responsibility of the Tenant.

#### **13.5. Assignment of Lease**

Assignment is the legal term for when a tenant transfers their whole interest in a rental property to another person. For example, if a tenant signed a 12-month tenancy agreement (lease) but decided to leave after 6 months, they can arrange for another party to move in and take over their lease. The new tenant would take the place of the original tenant, paying rent directly to the landlord, and having all the rights and responsibilities of the original tenant.

Tenants shall not assign a lease unless approved by Council. Council shall assess any proposed new tenant in accordance with this policy and in line with how the original tenant was considered. Any cost associated with an assignment of lease is the responsibility of the Lessee.

#### **13.6. Subletting of lease**

Sub-letting is when a tenant transfers their interest under a tenancy agreement to another party, but the original tenancy agreement with the landlord continues. The first tenant is called the head-tenant and the second tenant is called the sub-tenant. The agreement between them is called a sub-lease.

Head tenants must formally request in writing approval from Council for any sublease arrangement they wish to enter into.

If Council does give approval to a sub lease of the premises, the sub lease shall, to the extent that it is practical, be subject to this Policy and the terms and conditions as the head lease.

If Council agrees to a sub lease of the premises and if there is any financial gain to the Tenant, Council may review and adjust the rent of the head lease. Council may also claim from the Tenant reasonable legal costs incurred in connection with an assignment of lease or sub-lease.

### **13.7. Casual Hire**

Tenants may make the premises available for casual hire or occasional hire where it is irregular use or "one off" events that can be hired on an hourly rate. The Tenant shall ensure the activities of the hirer and the use of the premises do not contravene the Tenant's Lease or Licence.

The Tenant shall ensure that casual hire of the premises is subject to a written agreement that makes the hirer responsible for all activities and use of the premises and makes the hirer accountable for any damage whatsoever that occurs whilst the agreement is in place. Tenants may use examples or templates available from Council.

The Tenant shall ensure that all activities and use of the premises are covered by the appropriate insurance whilst the hire agreement is in place.

The Tenant shall ensure that the activities undertaken by the hirer do not interfere with the primary purpose of the premises, adversely affect the amenity of nearby neighbours, and meets all legal requirements such as liquor licencing.

### **13.8. End of Lease or Licence**

#### **13.8.1. Early termination**

It is assumed that all parties will continue with the lease for the full term of the contract. Early termination requested by the tenant must be negotiated and should be consistent with the terms of the agreement, including minimum notice periods. Early termination requests will be considered by Council on a case-by-case basis.

#### **13.8.2. Tenant shall vacate**

At the end of the lease or licence (which is the end of the term or the earlier termination of the lease or licence) the Tenant shall vacate the premises and ensure they are in a condition consistent with the Tenant having complied with its obligations under the lease or licence.



### **13.8.3. Ownership of Improvements**

Unless otherwise agreed by both parties in writing, all permanent buildings, structural improvements to those permanent buildings and essential safety measures constructed or installed on the premises (by Council, the Tenant or any other person or organisation) during the term of the lease or licence shall become the property of Council.

Unless otherwise agreed by both parties in writing, all temporary structures (including sheds) fixtures or fittings installed on the premises by the Tenant during the term of the lease or licence shall be removed by the Tenant at the end of the lease or licence. The Tenant shall make good any damage caused by the removal.

Any plant, furniture, equipment, vehicles or contents placed on the premises by the Tenant during the term of the lease or licence shall be removed by the Tenant at the end of the lease or licence at the tenant's expense.

### **13.8.4. Agreement Renewals and Overholding**

At the end of a lease term, on agreement with Council, tenants may continue into overholding on a month-to-month basis while a new lease is negotiated. During the overholding period, tenants must continue to pay the rent and abide by all the terms of the lease during the overholding period.

Council shall contact tenants prior to the end of their lease to commence negotiating a new lease. Should these negotiations extend beyond a twelve-month period of overholding without satisfactory progress, Council may terminate the lease with one month's notice.

### **13.9. Maintenance**

Council's lease template includes a maintenance schedule that outlines the responsibilities of Council and tenants in relation to each property. Council will conduct an inspection of the property prior to the commencement date of the occupancy agreement to record the condition of the premises. The schedule specifies the responsibilities of Council and the Tenant, including electrical, essential services (also known as essential safety measures), plumbing, grounds maintenance, internal fittings, security, pest maintenance and external infrastructure.

The Tenant will be required to clean and keep clean the premises including the grounds, building, fixtures and fittings. The Tenant shall not alter, remove, add to or replace the roof, walls, structures, fixtures, windows and external doors, without first obtaining the written consent of Council.

**13.10. External Funding Agreements**

Tenants must seek permission from Council prior to any applications for external funding for any works applicable to the leased premises.

**13.11. Signage on Leased and Licenced Premises**

Tenants must not write, paint, display, hang or affix any sign, advertisement, placard, name, honour board, flagpole, flag or notice on any part of the Premises or land that they lease or licence without the prior written consent of Council.

Signs that promote gambling or may be considered discriminatory against a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability, or political beliefs are prohibited.

**13.12. Dispute Resolution**

If Council and the Tenant cannot agree to lease terms or there is a dispute in relation to an existing lease that cannot be resolved, an external mediator may be engaged to assist in settling the dispute. This could also extend to disputes that occur between tenants or licencees in a shared facility. An external mediator will only be engaged where approval is given by the Council CEO. Any costs associated with the engagement of a mediator will be shared equally between the disputing parties.

**13.13. Environmental Sustainability**

Council is committed to protecting the environment and will require Tenants to use the Premises in an environmentally responsible manner. Tenants must comply with Council's directions in relation to environmental initiatives on Council Property, particularly the policies in relation to Sustainable buildings and waste management. Tenants may also approach Council to apply for grants as the building owner, to improve the energy efficiency and environmental performance of the building. Any works must be approved by Council prior to any application for funding.

**13.14. Occupational Health and Safety**

Tenants must have in place compliant emergency evacuation plans and procedures associated with the Premises and ensure that their employees and/or volunteers participate in emergency training and drills.

Tenants must provide and maintain a safe working environment and must ensure that the systems, procedures and practices necessary for the protection of the health and safety of all persons is implemented.

Council and/or Councils authorised agents/contractors may enter the property to inspect essential safety measures including compliance with Child Safe Standards.

Tenants must not change locks or install alarm systems without the prior permission of Council.

Tenants must not change an alarm code without the prior permission of Council.

### **13.15. Emergency management measures**

Some agreements may contain a clause which designates the premises for use as an Emergency Relief Centre or an Emergency Recovery Centre in the case of an emergency, which would exclude the tenant from the property until the premises was no longer required for emergency purposes.

In addition, Council facilities within the townships of Macedon, Mount Macedon and Woodend must be closed on Catastrophic Fire Rating Days.

### **13.16. Child Wellbeing and Safety and Working with Children**

Tenants must adhere to the requirements of the *Child Wellbeing and Safety Act 2005*, and must ensure that the Tenant's employees and volunteers, where required, hold a Working with Children Check under the *Working with Children Act 2005*. before working with children on Council owned or managed land.

### **13.17 Waste Management**

Council has a Kerbside Collection and Associated Services Charge Policy that outlines the policy and charges for our four bin service. The four-bin system consists of a FOGO bin (Food Organics Garden Organics), a recycling bin, a glass only bin and a rubbish, general waste bin. Tenants must ensure they use the appropriate recycling, glass or general bins.

Tenants must also comply with Councils Single Use Plastic Policy. This policy aims to:

- eliminate single-use plastics from Council operations, activities and events;
- eliminate single-use litter and waste from Council buildings, facilities and events;
- encouraging the community to eradicate single-use plastics.

Single use plastics are banned from Council facilities effective from 1 February 2023, and tenants must comply with this requirement.

Further information about both these policies is available on Councils website.

## 14. Community Engagement

The community engagement process for new and renewal of leases and licences will be in accordance with Council's Community Engagement Policy, the requirements of the Act, and following the completion of a Gender Impact Assessment.

## 15. Gender Impact

Gender Impact Assessments should be carried out in accordance with this policy and the *Gender Equality Act 2020*, particularly ahead of public processes inviting interest in a property, when developing criteria for evaluation of prospective tenants, or prior to public consultation on proposed agreements. All consultation will be undertaken in accordance with Council's community engagement policy.

All prospective tenants will be provided access to this policy in printed documents for those that may not have access to computers or the internet. Additionally, Council officers are available to explain key terms and tenant responsibilities.

## 16. Policy Breaches

This policy contains several enforcements elements that tenants are required to comply with. Should there be breaches of this policy, Council's Chief Executive Office is authorised to terminate agreements. All new tenants or licencees will be required to abide by the conditions of this policy by signing and acknowledging that they have read and understood this policy document. Any changes to this policy will be notified to the tenant or licencee.

## 17. Discretion

This policy lays out the expectations, standard terms and clauses for Council's lease and licence agreements and how Council will manage them, however, Council reserves the right to exercise discretion in the application of this policy, and options within agreements. For example, a clause within an agreement may give Council the right, but not the obligation, to exercise that option (provided that any applicable conditions are met). In such cases, Council will consider equity,

fairness, the public good and community benefit, and any limits on exercising discretion before making a decision on when to apply an option, or not.

## 18. Definitions

Term	Definition
Crown Land	Lands reserved and/or administered under the <i>Crown Land (Reserves) Act 1978</i> .
Council Managed Property	Property that Council is responsible for. This includes property owned or leased by Council and Crown Land where Council is Committee of Management.
Lease	A right granted by an owner of property (lessor) to another person / organisation (lessee) to have exclusive possession of that property for a fixed duration in return for rental payment.
Licence	A right granted by an owner of property (licensor) to another (licencee) to have shared use of that property for a fixed duration in return for rental and permits a person (licencee) to occupy property (or part thereof) on particular conditions.
Not for Profit Organisation	For the purposes of this policy, a not-for-profit is a registered and incorporated entity that does not operate for the profit, personal gain or other benefit of particular people (for example, its members, the people who run it or their friends or relatives). Evidence that the organisation is registered on the Australian Charities and Not for Profits Commission (ACNC) will be required prior to entering into the lease or licence.
Occupancy Agreement	The agreement providing rights granted for occupancy of a property. Can comprise either a lease or a licence.
Overholding	A tenant remaining in occupancy of a leased premises with the landlord continuing to accept rent, despite the term of the lease having expired.
Property	The land and or buildings to be leased or licenced.
Ground Lease	Lease of the land only, where the building has been or will be constructed by the tenant. The rental does not include the value the building – it is a lease of the site only.
Service Manager	The relevant Council Officer who manages the relationship (including lease/licence negotiations) with existing or prospective tenants or landlords. The Service Manager is allocated based on the purpose of the agreement, including the type of use.
Term	the period of time from the commencement of the lease to its termination, including any further terms.

## 19. References

- > Department of Energy, Environment and Climate Action (DEECA) Crown land Policies – Leasing Policy for Victorian Crown Land 2023.

## 20. Related Policies

- > *Asset Plan 2021 - 2031*
- > *Risk Management Framework*
- > *Sale of Land Policy and Procedure*
- > *Community Engagement Policy*
- > *Open Space Strategy*
- > *Procurement Policy*
- > *Zero Net Emissions Plan*
- > *Sustainable Buildings Policy*
- > *Single Use Plastics Policy*
- > *Kerbside Collection and Associated Services Charge Policy*
- > *Gambling Harm Prevention Policy (in draft, not yet adopted).*

## 21. Related Legislation

- > *Local Government Act 2020* – section 115 provides the statutory obligations for Council when entering into a lease agreement.
  - > *Crown Land (Reserves Act) 1978* – governs Council's responsibilities when appointed as Committee of Management of Crown Land, section 17B outlines requirements relating to Crown Land Licences and section 17D outlines requirements relating to Leases.
  - > *Residential Tenancies Act 1997* – outlines rights and responsibilities for landlords and tenants in relation to the leasing of residential properties.
  - > *Retail Leases Act 2003* – outlines requirements for leases which are used wholly or predominantly for retail provision of goods or services.
  - > *Planning and Environment Act 1987* – provides for permitted use of land through Council's planning scheme.
- Telecommunications Act 1997* – provides for the rights of telecommunication companies in relation to the installation of telecommunications transmission towers and associated infrastructure.
- Occupational Health and Safety Act 2004* – provides a framework for improving standards of workplace health and safety to reduce work-related injury and illness.

- > *Child Wellbeing and Safety Act 2005* – provides child safe standards and requires any tenant that is engaged in activities which involve children to comply with this Act.
- The Wrongs Act 1958* - is the principal statute in Victoria that governs claims for damages for personal injury and death. The Act covers economic and non-economic loss as a result of negligence or fault and encompasses a wide variety of wrongs.

DRAFT

## APPENDIX 1: Tenant Categories

Category 1: Community Leases – Minimum Rental	
Eligibility Indicators	
<b>Community Benefit:</b>	provides significant community benefit that is in high demand by the local community. The type of community benefit provided could not be delivered unless supported by Council.
<b>Use:</b>	aligns with a Council service and the Council Plan. Proposed use will increase social inclusion, equity and promote health and wellbeing for the Macedon Ranges Shire Council community. Examples include: <ul style="list-style-type: none"> <li>- sporting clubs,</li> <li>- senior citizens,</li> <li>- historical societies,</li> <li>- CFA and SES,</li> <li>- pony clubs,</li> <li>- theatre clubs.</li> </ul>
<b>Funding:</b>	receives limited funding from organisations other than Council.
<b>Revenue:</b>	Limited capacity to generate revenue from use of the site and activities associated with the organisation (i.e. no sub-leasing activities)
<b>Fit for Purpose:</b>	The proposed use of the site is appropriate, taking into account building and planning requirements.
<b>Operational:</b>	Not for profit organisation or community group or club run by volunteers.
<b>Compliance:</b>	Not for profit organisation, registered legal entity (incorporated), has an ABN, complies with all relevant legislation governing its activities, holds all relevant certificates, have a committee of management or board with appropriate governance arrangements.
Annual Rental	
\$300 per annum administration fee. This is the minimum rental (peppercorn amount) for leases under this policy. Rental to be reviewed annually, with increases applied on the anniversary date with 3% fixed increases. Where community groups are unable to pay the minimum rental fee, they can apply for a rental waiver. Please refer to clause 13.1 for further details.	
Preferred Term	
<ul style="list-style-type: none"> <li>• The base term offered by Council for Category 1 is up to 5 years.</li> <li>• Under certain circumstances shorter or longer terms will be considered on a case-by-case basis.</li> </ul>	
Maintenance and Outgoings	
<ul style="list-style-type: none"> <li>• Council will have a Standard Maintenance Template that provides for shared maintenance responsibilities.</li> <li>• All outgoings will be the responsibility of the tenant.</li> </ul>	



<b>Category 2: Community Leases – Subsidised Rental</b>	
<b>Eligibility Indicators</b>	
<b>Community Benefit:</b>	provides significant community benefit of which is in higher demand by the local community. The type of community benefit provided could not be delivered unless supported by Council.
<b>Use:</b>	aligns with a Council service and the Council Plan. Proposed use will increase social inclusion, equity and promote health and wellbeing for the Macedon Ranges Shire Council community. Examples are: - community health centres, - neighbourhood houses, - further education centres, - business incubators.
<b>Funding:</b>	receives no or minimal funding from organisations other than Council.
<b>Revenue:</b>	has some capacity to generate revenue from use of the site (i.e. sub-leasing) or activities consistent with the organisational purpose. They may derive income such as fees for service, course fees, sponsorship and rent from sub tenancy arrangements.
<b>Fit for Purpose:</b>	the proposed use of the site is appropriate taking into account building and planning requirements.
<b>Operational:</b>	Not for profit organisation or community group or club run by volunteers or paid workers.
<b>Compliance:</b>	Not for profit organisation, registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates, have a committee of management or board with appropriate governance arrangements.
<b>Annual Rental</b>	
A range of rentals from \$500 - \$5000 depending on the capacity of the group to pay, rental income received from sub-letting and the standard of the building. The amount will be determined on a case-by-case basis. Rental to be reviewed annually with fixed 3% increases.	
<b>Preferred Term</b>	
The base term offered by Council for a subsidised rental lease is 5 years. Under certain circumstances shorter or longer lease terms will be considered.	
<b>Maintenance and Outgoings</b>	
<ul style="list-style-type: none"> <li>• Council will have a Standard Maintenance Template which provides for a partnership approach in which maintenance responsibilities will be reasonably and equitably shared.</li> <li>• All other outgoings will be the responsibility of the occupants.</li> </ul>	

<b>Category 3: Commercial/General use– Market Rental</b>	
<b>Eligibility Indicators</b>	
<b>Community Benefit:</b>	desirable to provide community benefit.
<b>Use:</b>	Aligns with and not detrimental to Council strategic objectives. Examples include: - telecommunication towers, - cafe, - hospitality - airfield hangars.
<b>Funding:</b>	Receives significant funding from organisations other than Council or is a profit-based organisation.
<b>Revenue:</b>	Has increased capacity to generate revenue from use of the site or activities consistent with the organisational purpose.
<b>Fit for Purpose:</b>	The proposed use of the site is appropriate taking into account building and planning requirements.
<b>Compliance:</b>	Registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates.
<b>Annual Rental</b>	
<ul style="list-style-type: none"> <li>• Determined by obtaining a market rental assessment from a registered valuer.</li> <li>• Rental to be reviewed annually with fixed or CPI reviews – to be determined on a case by case basis.</li> </ul>	
<b>Preferred Term</b>	
The base term offered by Council is 5 years. Under certain circumstances longer terms will be considered, particularly if the arrangement involves significant capital investment. Terms longer than ten years will require community consultation to be considered prior to entering into the lease.	
<b>Maintenance and Outgoings</b>	
Commercial terms for maintenance and outgoings apply.	

**14 DIRECTOR COMMUNITY REPORTS**

<b>COM.1</b>	<b>NEIGHBOURHOOD HOUSE POLICY</b>
<b>Officer:</b>	<b>Julius Peiker, Coordinator Arts, Culture and Community Development</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>Neighbourhood House Policy <a href="#">↓</a></b>

**Summary**

Council's Neighbourhood House Policy was developed in 2011 (and was most recently updated in 2018) to establish a shared understanding of how Council and Neighbourhood Houses in the Macedon Ranges would work together, and what each party would bring to the partnership. A review has recently been undertaken, and the updated policy is presented for recommended adoption.

**Recommendation**

**That Council adopts the Neighbourhood House Policy, revoking all previous versions, effective from 28 March 2024.**

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**Background**Introduction

Macedon Ranges Shire has seven Neighbourhood Houses located within its municipal boundaries. In smaller communities, they are often the most significant element of social infrastructure. Their positive impact on community has been demonstrated during COVID-19 lockdowns, as well as a number of natural disasters. In 'normal' times they are the focus of community connection for the most vulnerable and isolated.

Neighbourhood Houses are independent legal entities with core funding from the Victorian Government Department of Families, Fairness and Housing under the Neighbourhood House Coordination Program. Their strategic goals are linked to the unique identified needs of their own communities and often align with Council's own strategic priorities.

Current policy

The Neighbourhood House Policy was first adopted in 2011 and was last reviewed in 2018. Since 2011, both Neighbourhood Houses and Council have evolved in response to an ever-changing environment. The current policy is no longer fit-for-purpose, and the review revealed that:

- The policy lacks funding transparency (Neighbourhood Houses require no application or acquittal process).
- There are rental inconsistencies for Council owned premises, with some houses paying a peppercorn rent and some paying up to \$3.5K per annum; and
- The current policy supports Neighbourhood House staff to access Council's Employee Assistance Program, even though Neighbourhood Houses are independent incorporated legal entities responsible for their own employees' health and wellbeing.

Additionally, relationships between Council and Neighbourhood Houses have been variable, often due to a poor understanding by Council officers and Neighbourhood Houses of their respective roles and resource limitations. There is, however, goodwill from both Neighbourhood Houses and Council officers to strengthen relationships.

Another issue that has been raised by Neighbourhood Houses with officers is the level of funding Council provides Neighbourhood Houses. The current level was set in 2018 (when the policy was last reviewed) at an annual contribution of \$3,386 (excl. GST), increasing by CPI each year for each Neighbourhood House. The current allocation is \$3,690 (excl. GST).

In view of these issues, an independent review of the policy (and an examination of the issues resulting when Neighbourhood Houses work with different Council departments) was undertaken. This involved consultation with Neighbourhood House coordinators and boards. Additionally, internal stakeholders, Neighbourhood Houses Victoria, the Department of Fairness, Families and Housing and other Local Government Areas (LGA's) were also consulted.

#### Neighbourhood House consultation outcomes

In summary, the consultation with Neighbourhood Houses revealed:

- There is a belief among Neighbourhood Houses that Council officers lack an understanding of the role and place-based nature of Neighbourhood Houses.
- Houses felt that communication could be streamlined between Council and Neighbourhood Houses.
- Partnerships and collaborations failed to recognise the contribution of Neighbourhood Houses (e.g. did not include logos in promotional material).
- Mutual recognition that there is a lack of clarity of the roles of Neighbourhood Houses, Council departments and the Community Development unit.
- There is a strong desire to work more collaboratively with Council to achieve common outcomes and to understand shared objectives.
- Service agreements aligned to the Council Plan and a non-competitive grant process would be welcome. Assistance with grant submissions was also requested.
- Invitation to attend professional development opportunities, workshops and guest speakers was requested.
- Extension of Council's Employee Assistance Program to include Neighbourhood House volunteers was requested (current policy includes coordinators/managers only).
- Council recognition of Neighbourhood House volunteers and support in recruitment was requested.
- Service agreements and MOUs should be used to outline relationships and clarify the obligation and expectation of each party to the agreement.

#### **Discussion**

##### Policy response and rationale

In response to the identified issues above, a new updated Neighbourhood House Policy is attached that contains the following policy areas.

### Financial support

In Victoria, Neighbourhood Houses are funded by the State Government. Benchmarking across various local government areas demonstrate variable levels of funding and resource support.

It is proposed that funding be provided to Neighbourhood Houses as part of a four-year funding agreement (including an annual acquittal) that cycles with Council's own planning process. Neighbourhood Houses have voiced their interest in linking their activities to Council's strategic priorities.

The policy does not address the quantum of funding, other than articulating that the *'Funding amount will be reviewed as part of Council's annual budget process prior to the commencement of a new four-year agreement'*. It is proposed, that from the 2024/25 financial year, Neighbourhood Houses each be allocated \$5,000 per annum to be increased by the rate cap percentage each year. Neighbourhood Houses will apply for this funding at the same time as the Community Funding Scheme applications are open for each cycle of their funding agreement. This 35% increase (\$1,310 extra each with a total increase for all houses = \$9,170) is achievable by restructuring current Community Development budget priorities.

To fit with the Council plan cycle, it is proposed that the first funding agreement be for two years. At the end of this two-year period, Neighbourhood Houses will then apply for four-year funding and will be able to align and reference their program to the new Council Plan (to be adopted in June 2025) in their application.

Inconsistencies regarding the rental of Council owned or managed buildings have already been highlighted. With Council's leasing policy currently under review, the recommended policy for Neighbourhood Houses is to provide those *'that occupy all or part of a Council owned building, in-kind funding to the value of the market rate of rental for their premises with an annual peppercorn contribution required from Neighbourhood Houses'*. This can be implemented from when houses apply for their 2024/25 funding in this year's Community Funding Scheme round. With five of the seven houses having to apply for in-kind rental at market rates, Council's true investment in Neighbourhood Houses can be quantified and transparently reported.

### Communication

Communications have proved problematic at times due to the number of Council officers wishing to communicate with Neighbourhood Houses on a range of issues. To simplify communications, Council's Community Partnerships Officer will be the key contact and facilitate information exchange between all Council departments and Neighbourhood Houses.

### Partnerships

Feedback from Neighbourhood Houses and internal stakeholders suggest that in some cases, partnerships have been challenging. While there is a strong desire from both parties to work together on projects that benefit the community, conflicts have arisen in the past due to differing expectations and confusion around roles, resource implications and recognition. To facilitate better and more productive partnerships, the policy sets out clear protocols for staff covering issues such as (i) a contact (Community Partnerships Officer) for staff across the organisation to be briefed about how Neighbourhood Houses operate; (ii) staff attendance at Neighbourhood House meetings; (iii) staff participation in Neighbourhood House programs; (iv) promotion and acknowledgement of Neighbourhood Houses; and (v) opportunities to present to Council. These protocols will set a foundation for strong and productive partnerships.

Additionally, it is proposed that, should an officer or unit wish to work with one or more Neighbourhood Houses in a capacity that is over and above their normal core business, the development of an MOU will be required. Resource implications (e.g. staff hours) for Neighbourhood Houses will additionally be identified, negotiated, and recorded in the MOU. The MOU will provide clarity and certainty to both parties when partnering to deliver discrete projects.

### Advocacy

The policy statements in this section outline Council's advocacy responsibilities, recognising that Neighbourhood Houses' primary core funding source is the Victorian Government.

### Employee Assistance Program

As part of this review, it was deemed inappropriate for Council to continue to provide Neighbourhood House coordinators access to Council's Employee Assistance Program (EAP). Council will advocate to the Victorian Government to make provision for Neighbourhood House staff and volunteers such that they have access to health and wellbeing support services.

### **Consultation and engagement**

As detailed above, Neighbourhood House coordinators and boards, internal stakeholders, Neighbourhood Houses Victoria, the Department of Fairness, Families and Housing and other LGAs were consulted on the review of this policy.

### **Collaboration**

Collaboration was not required in relation to this report.

### **Innovation and continuous improvement**

The review and redrafting (including the consultation with all stakeholders) of the former Neighbourhood House Policy is a demonstration of Council's commitment to innovation and continuous improvement. This policy will continue to be reviewed prior to the commencement of each four-year funding agreement.

### **Relevant law**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this paper.

Based on findings from the gender impact assessment, which evidenced an over-representation of women in Neighbourhood Houses, it is recommended that, as far as is practical, action is taken to ensure that:

- Gender impacts are reviewed as part of the policy review process;
- The Community Partnerships Officer will monitor the gender impact as part of their regular interaction with Neighbourhood Houses.

### **Relevant regional, state and national plans and policies**

No regional, state or national plans or policies are applicable to the subject matter of the report.

**Relevant Council plans and policies**

Council Plan strategic priority, connecting communities is relevant to this policy. The Council Plan states that *we will provide support for volunteers, community groups and organisations, in recognition of their work in contributing to social connections.*

**Financial viability**

Council's increased funding allocation to Neighbourhood Houses is achievable by restructuring current Community Development budget commitments, at no additional cost to Council

**Sustainability implications**

There are no sustainability implications resulting from adopting and implementing the Neighbourhood House Policy.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.





Neighbourhood House Policy

Date of Adoption	TBC 2024		
Adoption Method	<input type="checkbox"/> Council	<input type="checkbox"/> CEO	<input type="checkbox"/> Other (please specify)
CEO Signature			Date
Responsible Officer and Unit	Manager Community Strengthening		
Nominated Review Period	<input type="checkbox"/> Annually	<input checked="" type="checkbox"/> Every 4 years	<input type="checkbox"/> Other (please specify)
Last Endorsement Date	14/12/2018		
Next Endorsement Date	TBC 2028		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

DOCUMENT HISTORY	Version	Date	Author
Initial Draft			
Second Draft			
Final Draft			
Approval			

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## Neighbourhood House Policy

### Scope

This policy applies to Neighbourhood Houses located in the Macedon Ranges that are funded through the Victorian Government Neighbourhood Houses Coordination Program. The policy also recognises emerging Neighbourhood Houses eligibility as per the Department of Families, Fairness and Housing (DFFH), Neighbourhood House Coordination Program (NHCP) Guidelines 2016<sup>1</sup>.

It applies to the following Neighbourhood Houses:

- Kyneton Community House
- Lancefield Neighbourhood House
- Macedon Mount Macedon Neighbourhood House
- Macedon Ranges Further Education Centre, Gisborne
- Riddells Creek Neighbourhood House
- Romsey Neighbourhood House
- Woodend Neighbourhood House

### Purpose

The purpose of this policy is to outline Council's support to Neighbourhood Houses located within the municipality. Council recognises and supports the benefits Neighbourhood Houses provide to local communities, and their role as a significant contributor to community development. This policy is underpinned by the community development principles of access, equity, participation, human rights, partnership and diversity.

### Background

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<sup>1</sup> [Neighbourhood-House-Coordination-Program-Guidelines-2016-2019](#)

Neighbourhood Houses are stand-alone, not-for-profit organisations that work to deliver community development outcomes for their communities. In the Macedon Ranges Shire, they operate in Kyneton, Woodend, Macedon and Mount Macedon, Gisborne, Riddells Creek, Lancefield, and Romsey.

Neighbourhood Houses are responsive to the needs of their community. The services offered by each house are shaped by the community they serve and are influenced by the skills and knowledge of the governing boards / committees and staff.

### **How this policy was developed**

This policy was developed in consultation with Council and our staff, Neighbourhood House staff, board members and volunteers and the community, as part of a review of the previous policy, which was adopted in 2018.

Council will review this policy every four years to ensure that it continues to reflect the expectations of the community, Councillors, and staff.

### **Policy statement**

Council recognises and supports the benefits to the community of Neighbourhood Houses in providing programs, services and venues for community development, as well as avenues for informal support and opportunities for resident participation in the planning and delivery of services at a local level.

This policy has been developed to provide guidance in the support of Neighbourhood Houses.

### **Implementation**

#### **Financial support**

1. Council will provide:
  - a) Funding annually for each Neighbourhood House via a four-year agreement (to coincide with each new Council Plan) to be acquitted annually. The funding amount will be reviewed as part of Council's annual budget process, prior to the commencement of a new four-year agreement.

- b) For Neighbourhood Houses that occupy all or part of a Council owned building, in-kind funding to the value of the market rate of rental for their premises, with an annual peppercorn contribution required from Neighbourhood Houses.
2. Council, where appropriate will:
- a) Assist with sourcing and applying for external funding to support Neighbourhood Houses.
  - b) Collaborate and partner with Neighbourhood Houses for external funding where Council is the lead and Neighbourhood Houses are ineligible to apply (Council staff to consult with Neighbourhood Houses when preparing applications).

### **Communication**

1. Council's Community Partnerships Officer is the key contact between Council and Neighbourhood Houses for communication and correspondence.
2. Council will provide regular updates to Neighbourhood Houses to communicate important information including, but not limited to events, programs, consultations, training and funding opportunities.

### **Partnerships**

1. Through Council's Community Partnerships Officer, Council will provide induction and support internal staff wishing to engage with Neighbourhood Houses.
2. The Community Partnerships Officer or delegated proxy from Council will regularly attend Neighbourhood House Network meetings.
3. The Neighbourhood House Network can request attendance from other Council officers when possible and as deemed relevant.
4. Council and Council officers will participate, when possible, in Neighbourhood House programs proactively or by invitation.
5. Council will promote and recognise Neighbourhood Houses via;
  - a) promotion on Council's website;
  - b) promotion of special events where Council is a partner;

- c) annual advertisement of Neighbourhood House Week, included in Council days of recognition calendar;
  - d) enabling an annual presentation from the Neighbourhood House cluster to Councillors;
  - e) ensuring promotional material and media releases for projects, partnerships and collaborations between Council and Neighbourhood Houses clearly identify the partnership between Neighbourhood Houses and Council.
6. A Memorandum of Understanding (MOU) between Council and Neighbourhood Houses will be used for special projects, partnerships and collaborations that sit outside of standard funding arrangements.

### Advocacy

1. Council will advocate to state and federal governments to increase funding for Neighbourhood Houses in the Macedon Ranges.
2. Council will advocate to volunteer support organisations to assist with Neighbourhood House volunteer recruitment.

Recognition of new Neighbourhood Houses will occur on receipt of funding through the NHCP or a Council resolution recognising the new Neighbourhood House as meeting eligibility as per DFFH NHCP Guidelines (page 7, DHHS, 2016) or updated Neighbourhood House Guidelines.

### Gender Impact Assessment

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this policy.

Based on findings from the gender impact assessment, which evidenced an over representation of women in Neighbourhood House, it is recommended that, as far as is practical, action is taken to ensure that:

- Gender impacts are reviewed as part of the policy review process;
- The Community Partnerships Officer will monitor the gender impact as part of their regular interaction with Neighbourhood Houses.

Specifically, it is recommended that the following key elements be embedded and/or considered in the implementation of the Neighbourhood House Policy:

- Engagement;
- Promotion/ marketing;
- Physical access – mobility, transport options;
- Safety – cultural, emotional, social, physical, privacy;
- Caring responsibilities;
- Family composition;
- Communication – language, accessibility, available options; and
- Stakeholder management – internal and external.

This recommendation will support more inclusive and accessible Neighbourhood Houses within their local community.

### Definitions

Term	Definition
<b>Neighbourhood House</b>	Also commonly known as community centres, learning centres, community houses or neighbourhood centres, these inclusive community-based organisations welcome people of all ages, abilities and walks of life, creating opportunities for people to enrich their lives through connections they might not otherwise make.
<b>Community</b>	Can refer to the Macedon Ranges Shire community as a whole or: <ul style="list-style-type: none"> <li>• community of place (based on geographic location e.g. the Gisborne community)</li> <li>• community of practice (based on common interests and activities e.g. the bike riding or gardening community)</li> <li>• community of identity (based on an individual's shared perspective e.g. Aboriginal heritage, language speakers,</li> </ul>



	residents of public housing, particular age groups or a religious community).
<b>Stakeholders</b>	Sections of the community involved in engagement because of impact, interest or responsibility to deliver on an outcome. Can also refer to external organisations, and other levels of government involved in a decision. Always includes internal decision makers and implementers of decision outcomes.
<b>Memorandum of Understanding (MOU)</b>	A memorandum of understanding is an agreement between two or more parties outlined in a formal document.

### References

- > Department of Families, Fairness & Housing (DFFH)
- > DFFH Neighbourhood House Coordination Program (NHCP)
- > Neighbourhood Houses Victoria (NHVic)
- > The Regional Association of Neighbourhood and Community Houses (RANCH)

### Related policies

- > Council Plan 2021-2031
- > Municipal Public Health and Wellbeing Plan 2021-2025
- > Community Grants Policy

### Related legislation

- > Local Government Act 2020

**15 DIRECTOR ASSETS AND OPERATIONS REPORTS**

<b>AO.1</b>	<b>CAPITAL WORKS MONITORING</b>
<b>Officer:</b>	<b>Jeetendra Dahal, Manager Assets and Project Management Office</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

This report provides transparency on cost escalations on infrastructure projects and seeks further funding, cancellation, or the scope reduction of the projects to manage the projects within the allocated annual capital works program budget.

**Recommendation****That Council:**

1. **Adopts the following changes to the Financial Year 2023/24 budget relating to the following infrastructure projects:**
  - (a) **Project 100568 – Drainage Magnet Lane New Gisborne: Return \$10,000.00 to the consolidated capital works program budget;**
  - (b) **Project 100660 – Riddells Creek Kinder Playground & Shade: Cancel project;**
  - (c) **Project 100665 – Swinburne Kinder Landscape & Multiplay: Cancel project;**
  - (d) **Project 100848 – New Vehicle for Waste Management: Return \$14,180.00 to the consolidated capital works program budget;**
  - (e) **Project 100852 – Renewal - Kyneton Bluestone Kerb 2024: Increase budget by \$35,000.00;**
  - (f) **Project 100643 – Tony Clarke Reserve – Female Friendly Change Rooms (Design): Increase budget by \$30,000.00;**
  - (g) **Project 100936 – Drainage – High Street Service Road, Woodend: Increase budget by \$13,305.00; and**
2. **Notes that recommendation 1 (above) results in a deficit of \$225,688.00 to the financial year 2023/24 consolidated capital works program budget.**

**Background**

The Council budget build process begins in October of the previous year. This means pricing may change during the nine months before the budget year starts.

Some infrastructure projects will not be tendered until over twelve months after the initial estimates were set. Officers allow a reasonable cost escalation on project costs; however, the cost increases were outside this estimate. As projects are completed, unspent contingency funds will be returned to the consolidated Capital Works Program Budget.

During the year, emergency projects may need funding or grants requiring contribution by Council. By transparently and regularly reporting to Council, officers are ensuring the Capital Program is delivered with good governance.

### Discussion

Each year in October, officers create business cases for capital works projects. Budget estimates are built based on previous costings with a percentage added to indicate expected price escalations before the project tender. The project management framework enables project change management up to the initial budget contingency. Any change in price or unexpected cost during construction above the full project budget requires further approval.

There are three reasons why a project may require more funds than budgeted:

- Cost escalations in materials and labour
- Unforeseen circumstances
- Scope irregularities

As each project is allocated a fixed budget, good governance means that any expenditure above this budget figure needs oversight. The Capital Works Monitoring Report provides a transparent methodology for approving or refusing cost adjustments.

Before presenting a project for review for additional funding, the project sponsor and project manager will have investigated methods to value-manage the project by reducing the scope without changing the project. The project scope items are identified as must, should, could and won't items to be included in the project. In value management, the 'could' items would first be reviewed and removed if required. 'Should' items would be reviewed, however may need to stay in the scope to reap the full benefit of the project. 'Must' items are usually required for statutory or policy requirements.

This month, officers have identified the following infrastructure projects requiring changes to budget and/or scope:

Infrastructure Project	Progress with Construction	Original budget	Reason for Progression or Non-Progression	Change to the budget – ( ) is an additional cost to the budget
Financial position following previous decisions	N/A	N/A	Bring forward a -\$171,563.00 balance resulting from the resolution of the February 2024 Scheduled Council meeting	(\$171,563.00)
100568 Drainage Magnet Lane New Gisborne 2024	No	\$13,500.00	Investigation has concluded that Council cannot undertake any work on Magnet Lane to minimise surface flow entering private property due to topography, existing services, steep vehicle access points and not having enough	\$10,000.00

Infrastructure Project	Progress with Construction	Original budget	Reason for Progression or Non-Progression	Change to the budget – () is an additional cost to the budget
			support from residents. Therefore, a return of \$10,000 into the consolidated capital works program budget is recommended.	
100660 Riddells Creek Kinder Playground & Shade	No	\$94,209.00 (Grant dependant)	Grant application withdrawn due to project not meeting new grant criteria. Budget submission entered for 24/25	\$0.00
100665 Swinburne Kinder Landscape & Multiplay	No	\$127,520.00 (Grant dependant)	Grant application withdrawn due to project not meeting new grant criteria. Budget submission entered for 24/25	\$0.00
100848 New Vehicle for Waste Management	Complete	\$57,000.00	The project is complete, returning a surplus in the budget.	\$14,180.00
100852 Renewal - Kyneton Bluestone Kerb 2024	Yes	\$350,000.00	All tender submissions received exceeded the allocated budget by \$35,000.00.	(\$35,000.00)
100643 Tony Clarke Reserve – Female Friendly Change Rooms (Design)	Yes	\$31,250.00	Concept designs complete - within the original budget. There is a surplus of circa \$6K. Progressing to a detailed design will ensure the project is shovel-ready for future State Government grant/funding opportunities. This project is important as this is the last remaining facility to be converted to female friendly.	(\$30,000.00)

Infrastructure Project	Progress with Construction	Original budget	Reason for Progression or Non-Progression	Change to the budget – () is an additional cost to the budget
100936 Drainage - High Street Service Road, Woodend	Yes	\$20,000.00	All the quotes received exceeded the allocated budget by \$13,305.00.	(\$13,305.00)
			<b>Net Total</b>	<b>(\$225,688.00)</b>

This recommendation currently results in a **deficit of \$225,688.00** in the 2023/24 Capital Works Program budget. Officers will continue to monitor the completion of capital works and are confident that the Capital Works Program budget will not be in deficit at the end of the financial year as some projects will be completed under budget.

### Consultation and engagement

Within individual infrastructure projects, there will be identified stakeholders. Project Sponsors will liaise with stakeholders of projects that are the subject of this report.

This report is an initiative to ensure transparency in decision-making for infrastructure projects. By publicly providing this report in the Scheduled Council Meeting agenda, the community can understand the decisions being made promptly and without the need to await a quarterly, six monthly or annual report.

### Collaboration

Council officers share initiatives across many neighbouring Councils – all report similar challenges and impacts from current economic conditions.

### Innovation and continuous improvement

This is an innovative approach to the problem of unprecedented infrastructure project price increases. Council would typically address project budget issues via the mid-year budget review. An agile response is required in response to the current economic environment. Preparing a report such as this, for presentation to Scheduled Council Meetings throughout this financial year, provides resolutions with minimal lost time.

### Relevant law

There is not a specific law relating to the information provided within this report.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report. Officers have noted gender impact within each business case for infrastructure projects and referred to these regarding determining recommendations for infrastructure project tenders over budget.

### Relevant regional, state and national plans and policies

The subject matter of this report will not have any implications to any regional, state and national plans and policies.

**Relevant Council plans and policies**

The Council plan relevant to this report is delivering strong and reliable government. Transparently providing timely information for the community should provide confidence in how Council is adapting its infrastructure project delivery within budget.

**Financial viability**

The processes described in this report detail how Council is adapting its infrastructure project delivery to ensure it is within the budget.

**Sustainability implications**

There are no direct sustainability impacts resulting from this report.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>AO.2</b>	<b>DRAFT KYNETON MOVEMENT NETWORK STUDY</b>
<b>Officer:</b>	<b>Eng Lim, Manager Engineering and Resource Recovery</b>
<b>Council Plan relationship:</b>	<b>2. Healthy environment, healthy people</b>
<b>Attachments:</b>	<b>DRAFT Kyneton Movement Network Study - Stage 2 (under separate cover)</b>

### Summary

This report highlights the key findings from the penultimate study report for the Kyneton Movement and Network Study (KMNS), which provides a list of recommendations based on the traffic analysis and references to other Council plans and strategies.

Officers are planning for a broader community consultation for six weeks in April 2024.

In addition, officers propose a new resolution to supersede the 24 November 2021 Scheduled Council meeting resolution, recognising the KMNS is a Council Plan action and that officers want to meet the published completion date.

### Recommendation

#### That Council:

1. **Endorses the release of the draft Kyneton Movement Network Study for a 6-week consultation beginning in April 2024; and**
2. **Endorses the progression of the Kyneton Movement Network Study as a separate process from the Kyneton Urban Design Framework.**

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### Background

Initial work began on a version of the *Kyneton Movement Network Infrastructure Study* in 2010 and identified existing movement network requirements for the town. Subsequent investigations, including the *Kyneton Urban Design Framework* (Kyneton UDF) in 2008 and the *Kyneton Structure Plan* in 2013, laid the foundation for future planning. A 2018 draft KMNS faced community opposition, necessitating a revised approach.

Council is also updating the Kyneton UDF, focusing on the public realm and movement network needs within the town centre as defined by the Commercial 1 Zone. Following community consultation, expected later in 2024, the final Kyneton UDF will reflect the town centre movement network contained in the Kyneton Movement Network Study (KMNS).

This is important to note as the 24 November 2021 Scheduled Council Meeting resolution identified that the Kyneton UDF should be completed before the KMNS progresses, as follows.

#### That Council:

1. **Direct that work on the Kyneton Movement Network Study be suspended pending the completion of the Kyneton Urban Design Framework.**
2. **Direct that work on the Kyneton Movement Network Study will recommence on completion of the Kyneton Urban Design Framework.**
3. **Direct that traffic and parking investigations are undertaken to support and inform the Kyneton Urban Design Framework.**



#### **4. Resolves to suspend work on the Kyneton South Framework Plan, until the completion of the Kyneton Urban Design Framework.**

##### Stage 2A Overview:

Completed in June 2023, KMNS Stage 2A thoroughly reviewed the existing movement networks, strategic directions, and community feedback - identifying gaps, issues, and constraints within Kyneton's movement network.

##### Stage 2B Overview:

KMNS Stage 2B focuses on developing movement network projects and recommendations to address current issues and cater to future demands. It includes estimating future traffic demand using a strategic transport model.

### **Discussion**

Some of the key findings identified from this report are below:

- A notable uplift in traffic volumes is forecast in the Kyneton region to 2041 during the PM peak period (3-6 pm).
- There would be noticeable congestion in parts of the network in the future baseline scenario, most significantly on Mollison Street.
- The Edgecombe Street connection (once the bridge is built) would be well utilised as it becomes the key north-south corridor, along with Mollison Street.
- The two future network scenarios would result in significant congestion relief on Mollison Street, given that part of the north-south traffic is redistributed to Edgecombe Street.
- The traffic demands are similar for both scenarios presented.
- Future peak-hour traffic demands would be well within the theoretical capacities of each road within Kyneton.

The consultants identified preliminary recommendations and projects based on past work, community feedback, and a desktop review. Future modelling assessments have considered projected growth in land use and vehicular volumes and underpinned several revised high-level recommendations in areas such as Public Transport, Walking and Cycling, Freight, Traffic Operation, and Car Parks.

Pages 33-50 of the attachment '*draft Kyneton Movement Network Study*' lists the detailed recommendations. The screenshots below reflect some of the high-level recommendations developed for each category.

It is important to note that Mollison Street, High Street and Piper Street within the Kyneton town centre are managed by the state road authority, the Department of Transport and Planning (DTP).

Public Transport

No.	Identified Need/Focus Area	Recommendations	Timeframe <sup>1</sup>	Cost <sup>2</sup>	Priority <sup>3</sup>
PT1	Bus access, connections, and routing	<ul style="list-style-type: none"> <li>Advocate to PTV to review bus routes to better serve education and industrial precincts on Edgecombe Street.</li> </ul>	Short-term	Low	High
		<ul style="list-style-type: none"> <li>Trial on-demand flexible and accessible bus services in Kyneton outside of peak periods to key destinations (e.g. the town centre, community centres, etc.).</li> </ul>	Medium-term	Moderate	Medium
PT2	Bus efficiency and frequency	<ul style="list-style-type: none"> <li>Advocate to PTV to review the frequency and schedule of bus services to increase services during peak periods matching with the train schedule.</li> </ul>	Short-term	Low	High
		<ul style="list-style-type: none"> <li>Investigate the feasibility of trialling an on-demand shuttle service between the railway station and the town centre during peak tourist seasons.</li> </ul>	Medium-term	Moderate	Medium
PT3	Sustainable public transport	<ul style="list-style-type: none"> <li>Advocate for bus operators and/or to PTV to replace existing fossil fuel forms of transport with hybrid or electric fleets.</li> </ul>	Medium-term	Moderate	Medium
PT4	Bus infrastructure	<ul style="list-style-type: none"> <li>Review (on-site) existing infrastructure of all bus stops within Kyneton in conjunction with patronage and advocate to PTV to upgrade high-priority bus stops to the current standard (including DDA tiles, pad, shelter, etc.).</li> </ul>	Short-term	Moderate	High
PT5	Railway station	<ul style="list-style-type: none"> <li>Advocate to railway authorities (VicTrack, PTV, etc.) to upgrade facilities at the railway station, including improved pedestrian access and bicycle parking to cater for future growth as well as additional car parking.</li> </ul>	Short-term	Moderate	Medium

Walking and Cycling

No.	Identified Need/Focus Area	Recommendations	Timeframe <sup>1</sup>	Cost <sup>2</sup>	Priority <sup>3</sup>
AT1	Access to Kyneton Railway Station	<ul style="list-style-type: none"> <li>Ensure the delivery by the developers of traffic signals at the Mollison Street/Campaspe Drive intersection and a shared path on the northern side of Campaspe Drive between Mollison Street and Village Green Drive.</li> </ul>	Short-term	Low	High
		<ul style="list-style-type: none"> <li>Develop cycling/walking routes identified in AT2 and AT3 to enhance access and connections to the railway station.</li> </ul>	Long-term	High	High
		<ul style="list-style-type: none"> <li>Prioritise/expedite the delivery of a shared path in/adjacent to the railway reserve extending from the south end of the approved subdivision at 22 Village Green Drive to Mollison Street (partly funded by developers).</li> </ul>	Short-term	Low	High
		<ul style="list-style-type: none"> <li>Seek funding from DTP to install pedestrian-operated signals at the railway crossing (across Mollison Street, on the northern side of the crossing). The indicative trigger point is when the shared path in the railway reserve is built to Mollison Street.</li> </ul>	Medium-term	Moderate	Medium
		<ul style="list-style-type: none"> <li>Extend the existing footpath/shared path in/along the railway corridor (one or both sides) as part of the rezoning/development of greenfield sites in Kyneton South.</li> </ul>	Long-term	High	Low
AT2	Campaspe River Trail	<ul style="list-style-type: none"> <li>Widen the river trail between the southern end of Wedge Street and the eastern terminus to match upgraded sections to the west/northwest.</li> </ul>	Short-term	Moderate	High
			Short-term	Moderate	High

Traffic Operation

No.	Identified Need/Focus Area	Recommendations	Timeframe <sup>1</sup>	Cost <sup>2</sup>	Priority <sup>3</sup>
TR1	Operation of Mollison Street	<ul style="list-style-type: none"> <li>Signal rephasing at the Mollison Street/High Street intersection.</li> <li>Extend the southern right turn lane (re-line marking) by relocating the existing bus just north of Simpson Street to the frontage of the Mechanics Institute (in the form of an indented bay).</li> <li>The above projects are subject to further assessment and will require approval from DTP.</li> </ul>	Short-term Short-term	Low Low	High High
TR2	Rat runs on Begg Street, Bodkin Street and New Street	<ul style="list-style-type: none"> <li>As per TR1.</li> <li>Consider implementing the following traffic management treatments as appropriate: <ul style="list-style-type: none"> <li>Install speed humps on Bodkin Street and Welsh Street (one-way section);</li> <li>Install bus-friendly speed humps on Begg Street and New Street;</li> <li>Mark parking bays (hockey sticks) on both sides of Bodkin Street and New Street (north of Bodkin Street) to create a narrowing effect; and</li> <li>Install a splitter island on Bodkin Street approach to New Street; or</li> <li>Restrict access to New Street, Bodkin Street and/or Begg Street to a left-in left-out arrangement at High Street and Mollison Street. This could be a temporary measure until the Edgcombe Street bridge</li> </ul> </li> </ul>	Short-term Short-term	Low Low	High High

The study recommendations have also been categorised into short, medium and long-term goals. These goals are categorised in three different colours and tabulated as below.

Recommendation Type	Likely Delivery timeframe	Likely level of costs
Short-term	0 - 5 years	\$10,000- \$250,000
Medium-term	5-10 years	\$250k- \$1M
Long-term	10 years+	More than \$1M

Top 30 projects

Based on the long list of recommendations, a prioritisation process was undertaken by adopting a 'Multi-Criteria Assessment' (MCA) approach.

The multi-criteria analysis (MCA) process adopts the following criteria, which are categorised into six key areas:

**1. Feasibility:**

- Prioritise routes within Council land where Council has greater control over implementation and decision-making;
- Prioritise routes with minimal environmental and cultural heritage impacts, avoiding disruption to natural habitats or culturally significant sites;
- Prioritise projects that require minimal construction or infrastructure upgrades, ensuring earlier implementation and cost-effectiveness.

**2. Connectivity:**

- Prioritise routes that connect to key destinations within the Kyneton town centre, enhancing accessibility and convenience for residents and visitors

- Prioritise routes that complete critical gaps in the existing movement network

### 3. Safety:

- Prioritise projects that demonstrably improve safety for all road users, including pedestrians, cyclists and motorists. This may involve traffic calming measures, improved signage or dedicated pathways.
- Prioritise projects that align with Safe Systems principles

### 4. Alignment with Movement and Place aspirations:

- Prioritise projects that address identified gaps in the performance of the existing movement and place network within Kyneton.

### 5. Alignment with local strategy and policy:

- Prioritise projects that support Council's objectives for walking and cycling, promoting active transportation and healthier lifestyles;
- Prioritise projects that provide additional community benefits, such as boosting tourism, supporting local businesses, or creating a safe route to school;
- Prioritise projects that have already been partially developed, reducing overall project time and cost.

### 6. Stakeholder and community sentiments:

- Prioritise projects that have received strong support from the Kyneton community, reflecting the needs and preferences of residents;
- Prioritise projects that require minimal external stakeholder approvals, facilitating faster implementation and minimising potential delays.

The complete weighting and scoring guide for the MCA is presented as Appendix K of the draft *Kyneton Movement Network Study* report. This guide provides further details about the evaluation process and the specific criteria used to prioritise projects for development in this study.

The top 30 projects are listed below.

Rank	Road Name	Project	Start	End
1	Edgecombe Street at existing shared path connection through Education Precinct	Priority crossing with kerb outstands	n.a	n.a
2	Kyneton Town Centre	Area speed limit reduction (30km/h or 40km/h)	n.a	n.a
3	Edgecombe Street	Carriageway reconfiguration (shared bicycle and parking lane) and kerb outstands (narrowing effect and reducing crossing distance)	High Street	Beauchamp Street
4	Streets surrounding town centre (bounded by Piper/Mair, Victoria, Donnithorne/Bodkin & Wedge)	Speed limit reduction (to 40 km/h)	n.a	n.a

Rank	Road Name	Project	Start	End
5	High Street at Market Street Car Park ROW access	Priority crossing with kerb outstands	n.a	n.a
6	Piper Street	Wombat crossing with kerb outstands	Ebden Street	Powlett Street
7	Edgecombe Street (post the construction of a bridge at Campaspe River)	Road upgrade and reconfiguration	High Street	Future Campaspe River bridge
8	Kyneton Town Centre	Convert on-street parking spaces to accessible parking spaces (case-by-case basis)	n.a	n.a
9	Kyneton Town Centre	Undertake accessible parking audit	n.a	n.a
10	Edgecombe Street (post the construction of a bridge at Campaspe River)	Speed limit reduction (to 40 km/h)	Epping Street	Beauchamp Street
11	New Street	Traffic calming (speed cushions and hockey sticks)	High Street	Begg Street
12	Begg Street	Speed cushions	Mollison Street	Ross Street
13	Bodkin Street	Traffic calming (speed humps, hockey sticks, splitter island at New Street)	Mollison Street	New Street
14	Mollison Street into Market Street	Restrict right turn movements during peak times (short term)	n.a	n.a
15	Mollison Street	Priority crossing with kerb outstands	Simpson Street	Welsh Street
16	Mollison Street	Priority crossing with kerb outstands	Hutton Street	Bowen Street
17	High Street/Edgecombe Street (post the construction of a bridge at Campaspe River)	Intersection upgrades (traffic signals)	n.a	n.a
18	Mollison Street/High Street	Intersection upgrades (right turn extension and signal mods)	n.a	n.a
19	Edgecombe Street (post the construction of a bridge at Campaspe River)	On-road cycle lanes/shared path	Beauchamp Street	Pleasant Hills Road
20	Wedge Street	On-road cycle lanes/shared path	Beauchamp Street or Yaldwyn Street	Simpson Street

Rank	Road Name	Project	Start	End
21	Beauchamp Street or Yaldwyn Street	On-road cycle lanes/shared path	Edgecombe Street	Campaspe River Trail
22	High Street, Epping Street, Edgecombe Street	Install on-street accessible parking in/around the Education Precinct	n.a	n.a
23	Yaldwyn Street E (north side)	Construct footpath	Mollison Street	Victoria Street
24	Wedge Street (west side)	Construct footpath	Baynton Street	Jennings Street
25	Pohlman Street (south side)	Construct footpath	Ebden Street	Powlett Street
26	Donnithorne Street (south side)	Construct footpath	Powlett Street	Wedge Street
27	Lauriston-Reservoir Road (south side)	Construct footpath	Mollison Street	Harpers Lane
28	Epping Street (south side)	Construct footpath	Edgecombe Street	Barton Street
29	Victoria Street (west side)	Construct footpath	Mair Street	Beauchamp Street
30	Beauchamp Street (north side)	Construct footpath	Wedge Street	Powlett Street

Note: n.a denotes not applicable.

Advocacy to the Department of Transport and Planning (DTP)

Within the top 30 projects, the following projects summarised in the table below will require advocacy and approval of DTP.

Rank	Road Name	Project
2	Kyneton Town Centre	Area speed limit reduction (30 km/h or 40 km/h)
4	Streets surrounding town centre (bounded by Piper / Mair, Victoria, Donnithorne / Bodkin & Wedge)	Speed limit reduction (to 40 km/h)
5	High Street at Market Street Car Park ROW access	Priority crossing with kerb outstands
6	Piper Street	Wombat crossing with kerb outstands
10	Edgecombe Street (post the construction of a bridge at Campaspe River)	Speed limit reduction (to 40 km/h)
14	Mollison Street into Market Street	Restrict right turn movements during peak times (short term)
15	Mollison Street	Priority crossing with kerb outstands
16	Mollison Street	Priority crossing with kerb outstands
17	High Street/Edgecombe Street (post the construction of a bridge at Campaspe River)	Intersection upgrades (traffic signals)
18	Mollison Street/High Street	Intersection upgrades (right turn extension and signal modifications)

Previous Council Resolution

The 24 November 2021 Scheduled Council meeting resolved:

**That Council:**

- 1. Direct that work on the Kyneton Movement Network Study be suspended pending the completion of the Kyneton Urban Design Framework.**
- 2. Direct that work on the Kyneton Movement Network Study will recommence on completion of the Kyneton Urban Design Framework.**
- 3. Direct that traffic and parking investigations are undertaken to support and inform the Kyneton Urban Design Framework.**
- 4. Resolves to suspend work on the Kyneton South Framework Plan, until the completion of the Kyneton Urban Design Framework.**

Officers undertook a draft "Issues and Opportunities" report for the KMNS to support and inform the Kyneton UDF.

Resolution 2 indicates that the KMNS should recommence on completion of the Kyneton UDF. The Kyneton UDF is not complete therefore, officers have provided a recommendation superseding the November 2021 decision to enable this study to progress further without contravening an existing Council resolution. This new resolution is reflected as recommendation number 2 of this report.



**Consultation and engagement**

Officers recommend undertaking community consultation for six weeks from April to early May 2024, recognising that there is a two-week school break during this proposed period.

**Collaboration**

Officers prepared this report with the assistance of internal staff and external stakeholders and internal staff, including key contributions from the Strategic Planning team and The Department of Transport and Planning (DTP) on arterial roads.

**Innovation and continuous improvement**

The Kyneton Movement Network Study reflects Council's commitment to identify and address the community's concerns about transport, infrastructure development and population growth in Kyneton now and into the future. Once the study is adopted, officers will look at opportunities for innovation and continuous improvement when designing and constructing the recommendations.

**Relevant law**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report.

The gender impact assessment recommends that, as far as it is practical, the document provides equity of access for all current and future users. The Mobility and Road Safety Strategy applies to all residents and visitors.

It also endeavours to provide equity of consideration of issues and opportunities to all, including gender considerations. Officers will seek gender-specific feedback as a part of the final consultation process.

**Relevant regional, state and national plans and policies**

The following plans and policies were referred to in drafting this KMNS:

- Identify any regional, state or national plans or policies applicable to the subject matter of the report.
- Road Management Act 2004
- Victorian Road Safety Strategy 2021 to 2030
- Towards Vision Zero
- Movement and Place Framework

**Relevant Council plans and policies**

The KMNS will seek to improve connectivity and movement and provide transport choices to the community, including walking trails and bike paths. It relates to two of the Council Plan 2021-2031 strategic objectives: Connecting Communities and Healthy Environment, Healthy People.

Other relevant Council plans and policies include:

- Mobility and Road Safety Strategy 2023 - 2032
- Shirewide Footpath Plan 2023
- Positive Ageing Strategy 2020-2025

- Disability Action Plan 2021 – 2024
- Walking and Cycling Strategy 2014

**Financial viability**

This financial year's budget funds this study. The recommendations from this study will result in potential new capital projects, subject to future budget decisions.

At the same time, officers will be exploring opportunities from multiple sources of funding to fund some of these actions through external State and Federal grants such as the Transport Accident Commission, the Department of Transport and Planning as well as any other applicable grants based on the grant selection criteria specific to each funding source.

**Sustainability implications**

This study intends to support the Council's commitment to managing its infrastructure, considering long-term environmental and financial sustainability, and ensuring that the traffic and transport network supports a sustainable community, environment and community.

Any project to be developed from this study's recommendations will consider any social and/or environmental impact specific to each project and the affected community members will be consulted before its implementation

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

<b>AO.3</b>	<b>MANAGEMENT OF UNSEALED ROADS WITHIN TOWNSHIP BOUNDARIES - HOLDING REPORT</b>
<b>Officer:</b>	<b>Jake Hart, Coordinator Civil Maintenance and Construction</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

This holding report responds to the Council resolution requesting officers to provide an options analysis and recommendations for managing unsealed roads within township boundaries. The report outlines the actions and research conducted thus far and explains the need for additional time to finalise the recommendations.

### Recommendation

That Council endorses an extension of time for the presentation of the final Management of Unsealed Roads within Township Boundaries Report to a Council Meeting prior to 30 September 2024

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### Background

Macedon Ranges Shire Council manages and maintains 76 kilometres of unsealed roads within township boundaries. Council receives a high number of customer requests annually regarding dust, maintenance, and requests to seal these unsealed roads.

In 2023, Council officers undertook initial investigations into a Special Charge Scheme in Noonan Grove, Woodend. At the 23 August 2023 Council Meeting, Council resolved:

#### That Council:

- 1. Delays determining an outcome on the Special Charge Scheme for sealing Noonan Grove until completion of the review of the Special Charge Scheme and the completion of an options analysis and recommendations managing unsealed roads within township boundaries;**
- 2. Notes officers will implement a limited trial of dust suppression during the summer of 2023;**
- 3. Notes officers will provide a report, for Council consideration by 31 March 2024, detailing an options analysis complete with recommendations and costing for managing unsealed roads within township boundaries; and**
- 4. Notes officers will review and update the Special Charge Scheme Policy for presentation of the draft policy for consultation by 22 December 2023.**

This report is in response to resolution three (3) regarding the provision of an options analysis and recommendations for managing unsealed roads within township boundaries for the presentation of a Scheduled Council Meeting prior to 31 March 2024.

## Discussion

Council officers are currently undertaking the following investigations to inform the recommendations for the future management of unsealed roads within township boundaries:

- Review and update of the Special Charge Scheme Policy;
- Dust suppression trial;
- Operational and management review and benchmarking of current unsealed road practices;
- Unsealed road materials testing.

The above-listed investigations are still ongoing, and the results of these investigations will help inform the recommendations to be presented to Council later. Please see the below information and update on each of these investigations.

### Special Charge Scheme Policy Review and Update

The draft *Special Charge Scheme Policy* was endorsed by Council to go out for community consultation at the 13 December Council Meeting. The community consultation period was undertaken between 5 February and 3 March 2024. The community feedback is currently being reviewed.

### Dust suppression trial

Council's Engineering team initiated a dust suppression trial in late November 2023 on three roads to evaluate the cost-effectiveness of utilising a dust suppression product, for mitigating dust emissions from unsealed roads within township areas. The three roads involved in the trial are as follows:

- South Road, Woodend – from Black Forest Drive to Kathryn Crescent;
- Honeysuckle Road, Woodend – between Stuart Drive and Barbara Street;
- Noonan Grove, Woodend.

The product trialled on the three roads is widely recognised in the industry for reducing dust levels by up to 95% and minimising maintenance requirements for unsealed roads.

Council officers are currently conducting visual assessments on a fortnightly basis to evaluate the efficacy of a dust control treatment applied to select sections of unsealed roads within township boundaries. These assessments involve comparing the dust levels on treated road segments with those on untreated sections possessing similar properties.

Based on the latest assessments, the trial of the dust suppression product has shown notable success in reducing dust levels on three roads under observation. Notably, Honeysuckle Lane and Noonan Grove have demonstrated greater effectiveness compared to South Road. This variance can be attributed to the fact that both Honeysuckle Lane and Noonan Grove underwent re-sheeting with granitic sand before the trial. At the same time, South Road consists of a thinner layer of crushed rock material. It is anticipated that the effectiveness of dust suppression treatments will be more noticeable on roads with thicker layers of suitable material, allowing for better bonding with the dust suppressant.

Further to the above, Council officers have received some feedback from the community.

Residents have reported that the roads treated with the dust suppressant product tend to become 'slushy' following rainfall events. This trend leads to increased dirtiness of motor vehicles and necessitates more frequent washing. The slushiness is attributed to product's ability to retain water content in the road material. Although Council officers have confirmed

the slushy condition of the roads, they have not found them to be slippery or unsafe for road users.

The trial is scheduled to continue until the end of March, at which point further community feedback will be sought to ensure a thorough assessment of the product's effectiveness.

#### Operational and management review and benchmarking of current unsealed road practices

Council officers have engaged an unsealed roads specialist to conduct a comprehensive review of the management practices associated with our unsealed road network. The initial review and a staff training session occurred in November 2023 and spanned four days. This included various activities such as field training for operators, establishment of quality standards, assessment of maintenance and renewal programs, service level review, and benchmarking against other councils.

The consultant is currently integrating the data collected over the four days into a comprehensive report. This report will serve as a valuable resource for Council Officers, providing insights and recommendations for enhancing process efficiency and implementing improvements in the management of our unsealed roads network.

The report will offer an assessment of the current existing unsealed road network condition. It will analyse whether the network's condition is anticipated to improve or deteriorate based on the effectiveness of current programs and budget allocations. This analysis will inform strategic decision-making regarding future investments and resource allocations.

Anticipated to be finalised by early April, this report's findings and recommendations will be incorporated into the final report to be presented to Council.

#### Unsealed road materials testing

Council officers are in the process of coordinating the testing and analysis of locally sourced unsealed road materials to assess their suitability for unsealed road maintenance and renewal. This initiative aims to provide Council Officers with insights into the characteristics of these materials and to what conditions each material is best applied. Additionally, the testing will explore the potential benefits of blending different materials in various ratios to enhance their suitability for use on unsealed roads.

Laboratory testing is scheduled to commence within the next two months, during which various properties of the materials will be evaluated. The results of these tests will then be provided to Council Officers for analysis and consideration in future road maintenance and renewal activities in terms of optimising the best blend of materials for unsealed roads.

### **Consultation and engagement**

Officers are undertaking the following consultation and engagement:

- Community consultation has been undertaken for the draft Special Charge Scheme Policy between 5 February and 3 March 2024;
- Council officers will seek feedback from residents who live adjacent to the roads that have been treated under the dust suppression trial.

### **Collaboration**

Officers used a local government expert to review our maintenance activities, providing an understanding of what other council's do in maintaining their unsealed road networks.

**Innovation and continuous improvement**

Officers will consider improvements through process efficiency and management of our unsealed road network. This will include material testing in terms of optimising the best blend of materials for unsealed roads. Officers may seek technical advice from experts in this field.

**Relevant law**

Road Management Act 2004

**Gender Impact Assessment**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Not applicable

**Relevant Council plans and policies**

- Council Plan 2021 to 2031
- Special Charge Scheme Policy
- Road Management Plan 2021
- Mobility and Road Safety Strategy 2023 to 2032

**Financial viability**

Council officers will undertake a cost and resource implication analysis as part of the final recommendations.

**Sustainability implications**

Council officers will consider environmental impacts and sustainability as part of the final recommendations.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

**16 NOTICES OF MOTION AND RESCISSION**

<b>No. 63/2023-24: NOTICE OF MOTION - WILDLIFE TRAUMA AND FATALITIES METRICS</b>
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I, Councillor Jennifer Anderson, give notice that at the next Meeting of Council to be held on 27 March 2024, I intend to move the following motion:

**That Council:**

1. **Submits the following motion to the National General Assembly (NGA) to be held in Canberra in July 2024:**  
“This National General Assembly calls on the Australian Government to include wildlife trauma and fatalities metrics in Federal road safety funding models.”
2. **Writes to the following Ministers highlighting the wildlife road trauma and fatalities on our roads, seeking that road safety funding models incorporate these effects on wildlife metrics when prioritising funding and notifying them of our motion in point 1.**
  - the Federal Transport Minister, the Hon. Catherine King MP,
  - the Federal Minister for Environment and Water, the Hon. Tanya Plibersek MP,
  - the Victorian Minister for Roads and Road Safety, the Hon. Melissa Horne MP,
  - the Victorian Minister for the Environment, the Hon. Steve Dimopoulos MP,
  - the Member for McEwan, the Hon. Rob Mitchell MP,
  - the Member for Bendigo, the Hon. Lisa Chesters MP,
  - the Member for Macedon, the Hon. Mary-Anne Thomas MP,
  - the Member of the Legislative Council for Northern Victoria, Georgie Purcell MP (Animal Justice Party).
3. **Provides a copy of our motion to the NGA to the following:**
  - Municipal Association of Victoria (MAV),
  - Rural Councils Victoria (RCV), and
  - Department of Transport and Planning Regional Director Loddon Mallee/Hume, Mr Anthony Judd.

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**Background:**

The 2024 NGA Motions Discussion Paper states the following

“The theme for NGA 24 “Building Community Trust” aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions and our citizens”.

The recent Road safety forum held by Macedon Ranges Shire Council in conjunction with Wildlife Rescue Victoria outlined the importance of how components of road safety come from all three tiers of government in Australia, the community, and driver behaviour. It is important, as per our mobility and road safety strategy, that all elements of the system to improve road safety are addressed.

Currently, the assessment of roads for Federal funding through the Black Spot road funding applications does not include incidents of collision with or fatality of wildlife, only reported incidents of human collisions or fatalities. Data is available through vehicle insurance companies and wildlife rescue organisations that can capture the number of incidents of wildlife trauma and fatality on our roads. With the inclusion of this data, local communities should be able to get funding from the federal government, and other non local government sources, to improve road safety. A road that is safer for wildlife is also safer for humans.

Roads and Infrastructure, intergovernmental relations, financial sustainability, and environment are 4 of the 12 priority areas covered in this motion to the NGA.

Councils are working hard on conservation initiatives, which are paying dividends, with wildlife returning and flourishing in many areas. However, this leads to high numbers of interactions between wildlife and vehicle traffic. According to Wildlife Victoria data, 5% of wildlife fatalities in Victoria occur within the Macedon Ranges Shire.

Higher levels of wildlife trauma and fatalities particularly impact Peri-urban and interface councils. This is partly due to city drivers not changing their driving habits and being cognisant of the differing risks of driving on rural roads.

Wildlife trauma and fatalities are terrible for the wildlife; they also impact humans in the vehicles and the vehicles as well.

Incorporating wildlife trauma and fatalities metrics into road safety funding models will make roads safer for our communities, visitors, and wildlife.

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**17 URGENT BUSINESS**

**18 CONFIDENTIAL REPORTS**

Nil